

BY-LAW NO. 02WS- 2010

A BY-LAW OF THE VILLAGE OF BELLEDUNE
RESPECTING WATER AND SEWERAGE

The Council of the Village of Belledune duly Assembled and under authority vested in it by Section 189 of the Municipalities Act, R.S.N.B, c.M-22 and amendments thereto hereby enacts as Village of Belledune By-law No. 02WS-2010, a by-law relating to the Water and Sewer Systems as follows:

1. DEFINITIONS: In this by-law, unless the context otherwise requires,

BACKFLOW means the reversal of normal flow in a supply piping system.

BACKFLOW PREVENTION DEVICE means a device that prevents backflow and is approved in the Plumbing Code of New Brunswick.

CLERK means the Clerk appointed by the Council of the Village of Belledune.

COUNCIL means the Mayor and the Councillors of the Village of Belledune.

CROSS-CONNECTION means a connection or a potential connection between any part of a potable water system and other environment containing other substances in a manner, which under any circumstances, could allow such substances to enter the potable water system.

DOMESTIC FAMILY UNIT means a suite of two or more rooms designed or intended for use by an individual or family in which culinary conveniences are provided for exclusive use of such individual or family comprising one or more persons, not necessarily related, occupying a premise and living as a single housekeeping unit.

OWNER means the person in whose name a property is assessed under the assessment act.

SANITARY SEWER means a sewer receiving and carrying water borne wastes from residences, business buildings, institutions and industrial establishments, and to which storm, surface or ground waters are not intentionally admitted.

SERVICE CONNECTION means any piping system that conveys sewerage or liquid waste from any property to a sewer or conveys water from a water main to any property.

SEWAGE means the combination of water carried from residences, business buildings, institutions, commercial establishments and industrial establishments containing animal, vegetable or mineral matter in suspension or solution, together with such ground, surface or storm water as may be present.

SEWER means a pipe or conduit for carrying sewage and includes all sewer drains of every description vested in or under the control of the Village of Belledune whether within or outside the corporate boundaries of the Village of Belledune.

SEWERAGE means the structures, devices, equipment and appurtenances intended for collection, transportation, pumping and treatment of sewage.

STORM SEWER or **STORM DRAIN** means a sewer receiving and carrying storm water and surface runoff water only.

STREET means highway, road, lane, court, crescent or cul-de-sac.

VILLAGE means the Village of Belledune.

WATER COURSE means any channel in which a flow of water occurs either continuously or intermittently.

WATER SYSTEM includes a system of wells, tanks, reservoirs, dams, watercourses, lakes, streams, rivers, buildings, machinery, filtration plants, motors, apparatus, water works and all other things useful for the drawing, collecting and storing of water and treating, distributing and selling water to consumers.

2. USE OF PUBLIC SERVICES:

- a) The water supply of the Village of Belledune may be furnished for the following purposes:
 - i) Domestic and fire protection within the Village or the area of coverage;
 - ii) Commercial purposes; and
 - iii) Industrial purposes.

- b) Notwithstanding subsection a) when in the opinion of Council, the efficiency of the water supply for domestic and fire protection purposes is impaired,
 - i) by furnishing water for industrial purposes or for any other purpose not specified in subsection a) the Village shall not supply water for industrial purposes or for any other purpose not specified in subsection a), and
 - ii) by a water shortage, the Council may, by resolution, regulate the use of water supply as it deems proper.

- c) The Council may furnish water for purposes other than domestic and fire protection under an agreement in writing in which it may be provided that the water supply may be discontinued temporarily or permanently by resolution of the Council.

- d) The owner of a building standing on land by which a sewer or water main runs, shall connect up with the said sewer or water main.

- e) No person shall supply water or permit it to be supplied from any of the fixtures installed in his premise to any other premises.
- f) No customer shall permit the improper use or waste of water and shall promptly repair leaks due to worn tap washers, toilet valves, or other causes, and the Council shall have the authority to suspend the supply of water until such defects shall have been properly repaired.
- g) Every water service to a premise shall have a drain shut-off valve in an accessible position immediately inside the service entrance wall of the premise.
- h) The Council shall prepare duly authenticated plans and specifications of the water works and sewerage works, showing on such plans the storage supplies and lands of the Village, all water and sewerage lines, the size of pipes and water mains in each street, the junctions and manholes, valves, hydrants and curb stops, as well as any other information which the Council deems necessary, and shall cause such additions and alterations to be made to the said plans and specifications as may from time to time be required to show all extensions and developments of the water and sewer works.
- i) Water mains, water service pipes, branch sewers and sewer mains 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 Council.
- j) All work regarding the installation of water and sewerage entrances under the roadway and to reinstate the road surface, must be performed to the Department of Transportation standards and inspected by an employee of the Village authorized to do so by Council.
- k) No owner of any premises shall permit surface or storm water including roof drains and foundation storm drains to enter any branch sewer.
- l) No person shall permit a continuous stream of water to flow from a private system, except by permission of the Council.
- m) No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
 - i) Any gasoline, benzene, naphtha, fuel, oil, or other flammable or explosive liquid, solid or gas.
 - ii) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity to injure or interfere with any sewage treatment process,

constitute a hazard to humans or animals, create a public nuisance or create any hazard in the receiving waters of the sewage treatment plant.

- iii) Any waters or wastes having a corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
 - iv) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
- n) Not more than one premise shall be serviced from each service connection, unless a special permit is obtained from the Council.
- o) It shall be mandatory for the owner of any building or facility to have installed, at his own expense, backflow preventer valves on its sewer lines and maintain these backflow preventer valves in good working condition at all times. Assuming the owner of a building or facility neglects or omits to install or have installed backflow preventer valves on its sewer lines, the Village shall not be held responsible or liable for any damage done to the property by such omission or neglect.
- p) Water or sewer services shall be discontinued to any property condemned by order of the Council.

3. APPLICATION FOR SERVICES:

- a) The owner of any premise, before receiving a water supply shall file an application “To connect with water and sewer system” such permit herein called “Schedule A” WATER AND SANITARY SEWER CONSTRUCTION PERMIT to be obtained from the Village Office at the sum of five dollars (\$5.00).
- b) No water and sewer services shall be installed by anyone, except contractors approved by Council and at all times under Village supervision.
- c) Where a customer’s water system requires a pressure reducing valve to control excess pressures, such valve and its installation shall be the responsibility of the property owner.
- d) The Council may order that the water supply to any property shall be metered by a water meter approved by Council and Council may allow that a meter, owned by the municipality, be rented to the owner of the property.

4. CONNECTION TO PUBLIC SYSTEMS:

- a) The Village shall not be required to lay any service pipe or pipes at any season of the year which, in the opinion of the Council, is not suitable for the performance of the work.
- b) No person shall make a connection between any line containing water supplied by the Village and any other source of water supply.
- c) If a connection mentioned in subsection b) is made, the Council may discontinue the supply of the Village water to such customer.
- d) No connection shall be made to any installation, equipment or source in such a manner as may allow any contamination to pass from such installation, equipment or source into the Village's water supply system.
- e) If a connection mentioned in subsection d) is made by any person, the Village may discontinue the supply of water to such premises.
- f)
 - i) All service stations, garages or buildings with connections to this public sewerage system servicing or repairing motor vehicles, shall provide a grease trap or oil separator satisfactory to Council.
 - ii) When deemed necessary by Council, restaurants, grocery stores, or any other facility with connections to the public sewerage system shall provide a grease trap satisfactory to Council.
- g) Every owner of a premise or building shall make arrangements for and pay all costs associated with maintaining the water and sewerage system in good working order and the owner shall indemnify the Village from any loss or damage that may be occasioned by such repair, unplugging or maintenance where such has been determined by the Village to be the responsibility of the owner.
- h) Every owner of a premise or buildings shall permit the officers, employees and Council agents, each time that the said officers, employees and Council agents will deem it necessary to come into the said premise or buildings, to check that the water and sanitary sewer by-law of the Village of Belledune are duly respected.
- i) The basement floor of any new building shall be at least 30cm (12in) above the level of the main line of the sanitary sewer.

5. RATES:

- a) Where an owner fails to connect-up with the said water and sewer main, such owner shall pay a rate equal to what the rate would be if the connection had been made.
- b) No person shall sell or regularly supply water to a person without a permit having been issued for that purpose by the Clerk of the Council.
- c) The owner of every building shall be liable to pay all water and sewer rates imposed with respect to a building owned by him and in default of payment of such rates, the Council may discontinue the water supply to such building.
- d) Whenever a person requests the Council to do water and sewer work for which such a person is required to pay, such person shall pay, in advance, a sum equal to the Council's estimate of the cost of the said work, and when the actual cost is determined, the amount paid shall be adjusted accordingly.
- e) No water or sewer service shall be established or continued by the Council until the charges as required by this section are paid.
- f) The owner of property receiving water and sewerage services and the owner of property wherein water and sewerage services are available but not connected shall pay a net rate as it is or shall be determined by the Council by motion at budget time from year to year.

6. IDEMNITY:

- a) Nothing in this by-law shall be deemed to be a guarantee of an uninterrupted water supply or a sufficient or uniform water pressure.
- b) The Village of Belledune shall not be liable for any damage or injury caused or done by reason of the interruption of supply, operation, variation of pressure, or on account of turning off or turning on of water, drawing of a vacuum on the system by the fire pumpers or intermittent flow of the sewer system.

7. PENALTIES:

- a) Whenever, in the opinion of the Council, a violation of any of the clauses of this by-law has occurred or is existing; the Council may cause the water or sewer services to be discontinued to the premise where such violation has occurred or is existing until the violation has been cured.
- b) The Council may suspend water and sewer services to customers whose accounts remain unpaid for more than sixty days after the date the accounts are mailed.

- c) Where water or sewer services have been suspended for non-payment of bills, the services shall not be restored until all arrears have been paid plus a one hundred dollar (\$100.00) reconnection charge.
- d) Council may discontinue a water supply at any time at the request of and at the convenience of the owner of the premise provided that the sum of fifty dollars (\$50.00) shall be paid by the owner for disconnection charges and an additional fifty dollars (\$50.00) for reconnection charges.

8. ENFORCEMENT:

A person who violates any provision of this by-law is guilty of an offense and is liable, on summary conviction, to a fine of, not exceeding, five hundred dollars (\$500.00).

FIRST READING November 15, 2010

SECOND READING November 15, 2010

THIRD READING AND ENACTMENT December 20, 2010

Brenda Cormier
Clerk

Nick Duivenvoorden
Mayor