

**CORPORATION OF THE TOWN OF LAKESHORE**

**BY-LAW NUMBER 97-2004**

**1 BEING A BY-LAW TO PROVIDE FOR THE  
REGULATION OF WATER SUPPLY IN THE  
TOWN OF LAKESHORE**

**WHEREAS** the *Municipal Act, 2001, S.O. 2001, C. 25*, as amended provides that municipalities may acquire, establish, maintain and operate water works;

**AND WHEREAS** the *Municipal Act 2001* provides that by-laws may be passed by the council for the maintenance and management of water works;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF LAKESHORE ENACTS AS FOLLOWS:**

**TABLE OF CONTENTS**

DEFINITIONS.....	1
APPLICATION FOR WATER SERVICE.....	3
WATER RATES AND CHARGES.....	3
SECURITY DEPOSITS.....	5
WATER SYSTEM OPERATION.....	5
WATER SERVICES.....	6
WATER METERS.....	8
USE OF WATER EXTERNALLY.....	11
PROHIBITIONS.....	11
ENFORCEMENT.....	12
REPEALS.....	13
EFFECTIVE DATE.....	13

**DEFINITIONS**

In this by-law:

- 1.1 "Building" shall have the same meaning as set out in the Building Code Act, S.O. 1992, c. 23, as amended, or any successor thereof;
- 1.2 "Bulk Water user" shall mean any customer who draws water from a pipe located at the Town's Bulk Water Stations;
- 1.3 "Contractor" shall mean a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the owner or the Town to install or maintain mains, service mains, services, hydrants and other appurtenances;
- 1.4 "Cross Connection" shall mean any temporary, permanent or potential water connection that may allow backflow of contaminants, pollutants, infectious agents, other material or substance that will change the water quality in the water works distribution system and includes swivel or changeover devices, removable sections, jumper connections and bypass arrangements;
- 1.5 "Customer" shall mean any person who enters into a verbal or written contract with the Town to take water from the Town or to receive water related services from the Town;
- 1.6 "Developer" shall mean the owner or party specifically named in a Development Agreement or in a Subdivision Agreement;
- 1.7 "Director of Public Works" means a person designated as such by Council;
- 1.8 "Engineer" shall mean the engineer appointed by the council;

- 1.9 "External Use of Water" shall mean the use of water for any purpose outside the walls of any building located at a municipal address.
- 1.10 "Main" shall mean every water pipe, except services and portions of private mains as herein defined, installed on the public road allowance or on any other land upon which the Town has obtained easements.
- 1.11 "Meter" shall mean the water meter supplied and owned by the Town to measure the quantity of water used by the customer;
- 1.12 "Meter pit" shall mean any exterior chamber or pit approved by the Town for the purpose of containing water meter;
- 1.13 "Municipal address" shall mean a building or buildings identified by a number pursuant to the Town's "911 Emergency Numbering System";
- 1.14 "Occupant" shall include any lessee, tenant, owner, the agent of a lessee, tenant or owner, or any person in possession of a premises;
- 1.15 "Owner" shall include any person who 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;
- 1.16 "Plumbing System" shall mean the system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing that begins, is located and is connected immediately after the meter;
- 1.17 "Potable water" shall mean water that is fit for human consumption;
- 1.18 "Premises" shall mean any house, tenement, building, lot, or part of a lot, or both, in, through, or past which water service pipes run;
- 1.19 "Private main" shall mean a pipe connected to a main and installed on private property and from which more than one service and/or hydrant lateral are connected;
- 1.20 "Remote read-out unit" shall mean the device installed at a separate location from the water meter and used to record the consumption reading of the meter;
- 1.21 "Sanitary sewer service area" shall mean the area in the municipality receiving sanitary sewer service as determined from time to time;
- 1.22 "Service Extension" shall mean the portion of a water service pipe from the property line to the meter location, or for a fire service to the inside of the exterior wall of a structure, i.e. An extension of a service stub;
- 1.23 "Service stub" shall mean the portion of a water service pipe from the property line which will always include one control valve;
- 1.24 "Sewer charges" shall mean the component of the water bill pertaining to charges for sanitary sewers in the sanitary sewer service area, as determined from time to time;
- 1.25 "Shut-off valve" shall mean the valve on the water service or private main owned and used by the Town to shut off or turn on the water supply from the Town's water works distribution system to any premises;
- 1.26 "Single detached residence" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home;
- 1.27 "Sub divider" shall mean the owner or party specifically named in a Subdivision Agreement;

- 1.28 "Town" means the Corporation of the Town of Lakeshore;
- 1.29 "Water" shall mean potable water supplied by the Town;
- 1.30 "Water distribution system" shall mean mains with connections to feeder mains, feeder mains within subdivision lands, private mains, services, fire hydrants, and shut-off valves and all other appurtenances thereto;
- 1.29 "Water related services" shall include but not be limited to those items set out under the heading "Miscellaneous Charges" in Schedule "A" of this by-law;
- 1.30 "Water service pipe" shall mean the pipe and fittings that convey potable water from a connection on a main or private main to the meter location, or, for a fire service, to the inside of the exterior wall of a structure;
- 1.31 "Water works" shall mean any works for the collection, production, treatment, storage, supply and distribution of water, or any part of any such works, but does not include plumbing to which the *Building Code Act*, 1992, or any amendments thereto apply.

#### **APPLICATION FOR WATER SERVICE**

##### **2.1 Application and payment prior to installation**

The owner or their agent shall apply to the Town for a water service and before the service is installed, shall pay for it at the rates as outlined in the tariff of fees by-law or on such other basis as the Town may at any time or from time to time determine.

##### **2.2 Installation - payment required**

The installation of the water service will not be scheduled or commenced in any way until the application and payment have been made.

##### **2.3 Disconnection of service - payment**

When an owner discontinues the use of a water service for water supply to a premises, the owner shall pay to the Town a charge as shown in the tariff of fees by-law for disconnecting the meter for such service from the water distribution system.

##### **2.4 Payment of rates - Lump Sum or Deferred**

The payment of the rates as stipulated in Part 2.1 and 2.2 shall be paid as a lump sum.

#### **WATER RATES AND CHARGES**

##### **3.1 Application for water supply**

Before the initial supply of water or any subsequent reconnection to any premises in the Town, the owner shall make application for the same, and the owner shall be governed by the requirements of this by-law.

##### **3.2 Water measured by meters**

The water consumed on all premises in the Town shall be charged for as indicated by the meter on each respective property at rates shown in By-law 143-2002. In addition, sewage charges shall be as determined by the municipality and shall be included and considered as part of a water bill.

**3.3 Meter reading and Billing**

Water meters may be read and accounts be rendered monthly, bi-monthly or on any other basis at the discretion of the Town. The bill shall be deemed to be served upon the customer if it is delivered or sent by mail to the premises supplied.

**3.4 Late payment charges and reminder notice**

When account is not paid by the due date stated on the bill, a late payment charge will be assessed to the account and, ten (10) days after that date, an reminder notice will be sent by mail reminding the customer of the outstanding account.

**3.5 Notice of shutoff**

Ten (10) days after the reminder notice due date, should the account remain unpaid, a notice of shutoff will be delivered or cause to be delivered to the service address, advising the customer that unless payment is received within seven (7) days, service will be shutoff.

**3.6 Non-payment - water shut off - lien**

If the customer at any premise omits, neglects or refuses to pay any bill rendered, whether for water service pipes, meter, service charge or any other monies to which the Town may be entitled in respect of water services to such premises, the Town may, at its discretion, shut off or reduce the flow of the water to the premises. Such charges shall remain a lien on the property where they have been incurred at the property and may be collected in the same manner as taxes.

**3.7 Reconnection - charge**

Where it has been necessary to shutoff service as a result of non-payment, a reconnection charge as shown in the tariff of fees by-law, will be levied against the delinquent account.

**3.8 Minimum monthly charge - who payable to**

The minimum monthly charge for providing and maintaining water supply to a property is applicable for every water meter owned and read by the Town. In instances when the occupant of a premise terminates his account with the Town, subsequent minimum monthly charges shall be rendered to the owner of the premises until such time as a new occupant applies to the Town for the supply of water.

**3.9 Service installation charge**

All water service pipes, except those to lands being developed under a Town development or subdivision agreement wherein the main is installed, may be installed on an actual cost basis at the owner's expense.

**3.10 Construction water and sewage charges**

Water used during the construction phase of a building, prior to occupancy, will be recovered by applying the flat rate fee for both water and sewage, according to the tariff of fees by-law, at the time when the water service is connected to the municipal water supply system.. For customers in the sanitary sewer service area, sewage charges shall also apply.

**3.11 Meter testing charge**

The actual cost for testing the accuracy of a water meter is recoverable from the applicant if the water meter is shown to be reading accurately.

## **SECURITY DEPOSITS**

### **4.1 Deposit is security for payment**

Whenever an application is made to the Town for a supply of water, the Town may, in its discretion, before furnishing such supply, require the customer to make a deposit of such sum of money, as it may consider advisable. Each such deposit shall be security for payment for all water passing through the meter of the service in respect to which such deposit was made until the customer shall have notified the Town in writing to discontinue such service.

### **4.2 Deposit applied as payment**

Where a deposit has been made pursuant to section 4.1 of this by-law, and the water supplied to the customer has not been paid for on demand as may be provided by the Town's by-laws and regulations, then the deposit, or as much of it as shall be necessary, shall be applied in payment for such water, and the water service shall be discontinued until further monies have been paid to the Town sufficient to again bring up the deposit to the amount required.

## **WATER SYSTEM OPERATION**

### **5.1 Conditions on water supply**

The Town agrees to use reasonable diligence in providing a regular and uninterrupted supply and quality of water, but does not guarantee a constant service or the maintenance of unvaried pressure or quality or supply of water and is not liable for damages to the customer caused by breaking of any water service pipe or attachment, or for shutting off water to repair mains or to tap mains, if reasonable notice of the intention to shut off the water is given.

### **5.2 Authority for water supply**

The Town in its own right shall have the sole responsibility, authority, power and capacity to construct, maintain and operate all water works plant and equipment within its boundaries serving the Town of Lakeshore to establish whether and the terms upon which municipalities or persons outside the Town of Lakeshore may be allowed to connect to the said water works as consumers, and the rates to be charged for water delivered to such consumers; and the Town as Administering Municipality, acting on behalf of all other Water Supply Systems that service the Town, shall have the sole responsibility, authority, power and capacity to construct, maintain and operate all water works equipment in conjunction with these systems, to establish whether and the terms upon which municipalities or persons outside the Town of Lakeshore maybe allowed to connect to the said water works as consumers, and the rates to be charged for water delivering to such consumers.

### **5.3 Unauthorized operation on fire hydrants - offence**

No person other than a person authorized by the Town for that purpose shall be permitted to open or otherwise interfere with or operate or take water from any fire hydrant.

### **5.4 Unauthorized operation or interference - offence**

No person other than a person authorized by the Town for that purpose shall open or close a valve in the waterworks distribution system, or remove, tamper with or in any way interfere with any valve, water meter, structure, water main or water service in the water works distribution system.

### **5.5 Improper use of water from fire service - offence**

Any water supplied or made available for any land or building 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.

## **WATER SERVICES**

### **6.1 Installation - by Town - by contractor**

All water service pipes shall be installed by the Town or by contractors engaged by the owner for the purposes of such installation, except in new land development projects where agreements with the Town require the developer or subdivider to complete such work.

### **6.2 Installation - to Town specifications - Ontario Building Code requirements**

All water service pipes and private mains located within Town property shall be constructed according to the Town's specifications as approved by the Director of Public Works from time to time. All water service pipes and private mains located on private property shall be constructed in accordance with good engineering practices and shall be approved by the Chief Building official. Where the Ontario Building Code is silent the Town's specifications shall be applied and shall prevail.

### **6.3 Connection to main - prior application**

The installation of the water service pipe connection will not be scheduled or commenced in any way until the customer has met the requirements of this by-law.

### **6.4 Installation - alteration - approval by Town**

For any new water service pipe or private main installation, or alteration of existing water service pipes or private mains, the owner must apply for approval from the Town for such work as specified in the Town's standard contract documents and the Town's specifications.

### **6.5 Installation inspection by Town**

All water service pipes and appurtenances installed, including those required by a Town subdivision or Development Agreement, must be inspected by the Town as specified in the Town's standard contract documents and the Town's specifications.

### **6.6 Installation - access for inspection**

The Town and persons authorized by the Town for inspection shall be, at all times, entitled to enter any premises for the purposes of examining pipes, connections and fixtures which are used in connection with the water service pipe and/or service main.

### **6.7 Disconnection of service**

The water service pipe must be disconnected at the watermain, the watermain plugged and the curb box and rod removed at the owner's expense. The Town of Lakeshore must inspect all work and the charge for such inspection is as shown in the tariff of fees by-law.

### **6.8 Maintenance of service stub - Town**

The water service stub shall be maintained by the Town at the Town's expense.

### **6.9 Maintenance of service extension and private main - owner**

Any and all defects to the water service extension, private main and meter pits, shall be repaired by the owner of the property being serviced. Should the Town become aware of any such defect, and upon written notification to the owner, the said defect is not repaired, within seven (7) days of the date of the notification or within such time as the Town may deem necessary, then the Town may turn off

the water supply to the property. If the Town is ordered to restore the water supply, then the Town may repair the defective water service pipe and charge the cost to the owner 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 like manner as taxes. The Town shall not be held responsible for the cost of restoration.

**6.10 Operation of shut-off valve**

No person, other than persons authorized by the Town for that purpose shall be permitted to operate the shut-off valve to any premises.

**6.11 Access to shut - off valves**

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 Town.

**6.12 Responsibility for protection, water loss, damage**

All water service extensions to and including the meter, as well as any water pipes beyond the meter on the property, shall be properly protected from frost and any other damage at the expense and risk of the owner of the property being serviced. The owner shall be responsible for the water loss occasioned by a leak in the water service extension and/or private main and the charge for such water loss shall be as determined by the Town in accordance with the applicable rates from time to time, and shall include sewage charges at all times for any customers in the sanitary sewer service area where sewer charges are applicable, which 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.

**6.13 Responsibility - vacant and unheated premises**

When any premises is left vacant or without heat, it is the owner's responsibility to shut off the water supply from within the premises and to drain the piping therein. The owner or occupant may apply in writing to the Town to have the shut-off valve turned off to stop water supply. The valve will be turned on only at the owner's request and in the owner's presence. The owner shall pay for this service at the rate established by the Town for this purpose.

**6.14 Responsibility - water damage**

When 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 Town become aware of such leaking or burst pipes, the Town shall turn off the shut-off valve, and the water supply shall not be turned on until the Town, in its discretion, considers it advisable.

**6.15 Responsibility for frozen pipes - Town - owner**

Thawing out frozen water service stubs on the municipal right of way shall be the Town's responsibility. Thawing out frozen service extensions and private mains shall be the owner's responsibility. Where any employee of the Town assists the owner in the thawing of frozen pipes on the owner's property, all such assistance work will be considered to be at the owner's risk, and the owner shall have no claim against the Town by reason of such work.

**6.16 Responsibility for repairs and investigation**

In all instances where there is a leak, frozen pipes or other damage to the water pipes on private property, including sprinkler systems, it is the responsibility of the owner to arrange, at his expense, for the necessary investigation and repairs. Where any employee of the Town assists the owner in any of these matters on the owner's property, all such assistance work will be considered to be at the owner's risk, and the owner shall have no claim against the Town by reason of such work.



**6.17 Responsibility for hydrant maintenance**

Any hydrant situated within the road allowance is the property of the Town and shall be maintained by it. The Town shall maintain any Town-owned hydrants located on private property. Hydrants owned and paid for by any persons other than the Town and located on private property shall be maintained by such persons through a written agreement with the Town.

**6.18 Renewal of service - Town - owner**

The Town shall renew service stubs on public property at its expense and to its specifications when:

- a) Piping is deemed by the engineer to be beyond repair;
- b) The existing pipe material is lead and supplies a single detached residence provided the owner is prepared to replace the service extension before the Town replaces the service stub. Replacement piping shall conform to the specifications of the Town. Replacement pipe shall be the same size as existing or the minimum size for the area. If an owner request a larger size, the owner shall pay the difference in material costs.

**6.19 Access - removal - inspection - fittings**

Where the consumer discontinues the use of the water service, or the Town lawfully refuses to continue any longer to supply it, the engineer may, at all reasonable times, enter the premises in or upon which the consumer was supplied with the water service, for the purpose of cutting off the supply of the water service or of making an inspection from time to time to determine whether the water service has been or is being unlawfully used or for the purpose of removing therefrom any fittings, machines, apparatus, 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.

**6.20 Connections - specific restrictions**

Any connections to existing water mains are required to be made by the municipality.

**WATER METERS**

**7.1 Water to be metered - remedy for violation**

All water used on premises within the Town of Lakeshore, except water used for fire fighting purposes, or water authorized by the Town, for construction or other purposes, shall pass through the meter supplied by the Town for use upon such premises, and in addition to whatever other remedies the Town may have by law in respect to infringement of this by-law, the Town may, upon ascertaining that water has been used which has not passed through the meter of such premises, forthwith, without notice, shut off and stop the supply of water.

**7.2 Supply - installation - ownership - replacement**

The owner shall pay the water service charge shown in the tariff of fees by-law before the Town will supply the owner with a meter and the meter must be installed prior to occupancy of the building. The meter shall remain the exclusive property of the Town and may be removed as and when the town may see fit, upon the same being replaced by another meter, or for any reason, which the Town may, in its discretion, deem sufficient.

**7.3 Installation - maintenance - repair - access**



The Town may shut off or restrict the supply of water to a property if the Town requires access to the property to install, replace, repair or inspect a water meter. Any person authorized by the Town for that purpose has free access, at all reasonable times, and upon notice given as set out in section 7.4 of this by-law, to all parts of every building or other premises to which any water service is supplied for the purpose of inspecting or repairing, or of altering or disconnecting, within or without the building, or for placing meters upon any water service pipe or connection within or without the building as he/she considers expedient and for that purpose or for the purpose of protecting or regulating the use of the meter, may set it or alter the position of it.

**7.4 Notice required - access**

Before shutting off or restricting the supply of water, except for emergency purposes, the Town shall,

- a) By personal service or by registered mail, serve the owners and occupants of the property as shown on the last returned assessment roll of the Town with a notice of the date upon which the Town intends to shut off or restrict the supply of water if access to the property is not obtained before that date; or
- b) Ensure that a copy of the notice described in clause (a) is securely attached to the property in a conspicuous place.

**7.5 No shut-off - reasonable effort-gain access**

The Town shall not shut off or restrict the supply of water unless it has made reasonable efforts to get access to the property and has been unable to get access within fourteen (14) days after the later of,

- a) The day the last notice under part (a) of section 7.4 of this by-law was personally served;
- b) The day the last notice under part (a) of section 7.4 of this by-law was mailed; and
- c) The day a copy of the notice was attached under part (b) of section 7.4 of this by-law.

**7.6 Restoration of water supply - as soon as practicable**

If the Town has shut off or restricted the supply of water under 7.3 of this by-law, the Town shall restore the supply of water as soon as practicable after obtaining access to the property.

**7.7 Every building metered - Town's discretion**

Every separate property to which water is being supplied shall be furnished with a separate water meter, supplied by the Town except where non-compliance is acceptable to the Town. Additional water meters, if supplied by the Town, may only be installed at the discretion of the Town.

**7.8 Installation to Town specifications**

All water meters, supplied by the Town, shall be installed to conform to the specifications of the Town.

**7.9 Meter location - Town to consent to change**

The location of a meter, when once installed to the specifications of the Town, shall not be changed by any person except with the consent of the Town.

**7.10 Private meters - owner responsible**

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 meters must be connected to the owner's plumbing after the Town's meter.

**7.11 Reading meter-access**

The Town and persons authorized by the Town for that purpose shall be allowed access to the premises and be provided free and clear access to the meter where water is being supplied at all reasonable times for the purpose of reading, at the discretion of the Town. Where such access to the premises and/or free and clear access to a meter is not provided by the occupant within fourteen (14) days upon written notification by the Town, the Town 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 is provided.

**7.12 Valve maintenance - responsibility of owner**

The owner shall supply and install the inlet valve to the water meter where the water meter is larger than 19 mm and the water service is 25 mm diameter or larger. The owner shall be responsible for maintaining in good working order, the inlet valve to the meter if the water meter is larger than 19 mm and the water service is 25 mm diameter or larger and the outlet and by-pass valves for all meters, and shall ensure that such valving is accessible.

**7.13 Leaks must be reported**

Any leaks that may develop at the water meter or its couplings must be reported immediately to the Town. The Town is not liable for damages caused by such leaks.

**7.14 Interference with meter not permitted**

No person, except a person authorized by the Town 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 meter, and should any person change, tamper with or otherwise interfere, in any way whatsoever, with any water meter placed in any building, the engineer may forthwith, without any notice, shut off the water from such building or premises, and the water shall not be again turned on to such building or premises without the express consent of the Town.

**7.15 Owner responsible to repair piping**

If, in the opinion of the Town, the condition of the water service pipe and/or valves and of the plumbing system on such piping is such that the 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 engineer may require the owner or occupant to make such repairs as may be deemed necessary to facilitate the removal or testing of the meter. If, upon notification, the owner does not comply with the engineer's request, then the water supply to the property may be turned off at the shut-off valve during removal, replacement, repair and testing of the meter and the Town shall not be held responsible for any damages to the owner's property arising from such work.

**7.16 Non-functioning meter - amount of water estimated**

If, for any cause, any meter should be found to not be working properly, then the amount of water to be charged for shall be estimated on the average reading for the previous months, when the meter was working properly, and the charge for the water for the period during which the meter was not working properly shall be based thereon.

### **7.17 Meter testing for customer-deposit-conditions**

Any customer may, upon written application to the Town, have the water meter 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 as determined by the Town from time to time. If the meter is found to register correctly, slow or not to exceed three per cent (3%) in favor of the town when tested at a flow rate of one gallon (4.54 litres) per minute, the customer's deposit shall be forfeited towards the cost of the test. Any additional expense of removing and testing of the meter will be paid for in full by the customer. If the meter is found, when tested to register in excess of three per cent (3%), a refund will be made to the customer equal to such excess percentage of the amount of the account for the period of four (4) months prior to such testing of the meter, plus the customer's deposit for test.

### **7.18 Meter reading supercedes remote device reading**

Where the water meter is equipped with a remote read-out unit 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 meter to be correct, and will adjust and correct the customer's account accordingly.

## **USE OF WATER EXTERNALLY**

### **9.1 Regulations-external use of water**

For the purpose of limiting the consumption of water as necessary:

The Town is authorized to implement at any time any regulation, notice or by-law which, in the Town's discretion, considers advisable to limit the external use of water, and this authority includes the right to ban completely the external use of water.

- a) Notice of the implementation of a water use regulation or by-law by the Town and the effective date thereof shall be given immediately in a manner determined by the person designated by the Town to perform this function;
- b) Upon the announcement of the implementation of a water use regulation or by-law by the Town, no person shall use water except in accordance with the provisions of such regulation

## **PROHIBITIONS**

### **10.1 Prohibitions under this by-law**

No person or persons shall at any time:

- a) 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;
- b) Willfully let off or discharge water so that the water runs waste or useless out of the works;
- c) Being a customer, tenant, occupant or inmate of any house, building or other place supplied with water from the waterworks, improperly waste the water or, without the consent of the town, lend, sell, or dispose of the water, give it away, use or apply it to the use or benefit of another, or to any use and benefit other than his own or increase the supply of water agreed for;

- d) Without lawful authority willfully open or close any or hydrant, or obstruct the free access to any hydrant, stopcock, valve, chamber or pipe by placing on it any building material, rubbish or other obstruction;
- e) Throw or deposit any injurious or offensive matter into the water or waterworks, or upon the ice if the water is frozen, or in any way foul the water or commit any wilful damage or injury to the works, pipes or water, or encourage the same to be done;
- f) Wilfully alter 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
- g) Lay or cause to be laid any pipe or main to connect with any pipe or main of the waterworks, or in any way obtain or use the water without the consent of the Town;
- h) Use water externally except in accordance with any regulations or by-laws set out by the Town.

## **ENFORCEMENT**

### **11.1 Fine-contravention**

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 Continuation-repetition-prohibited-by order**

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 Offence-additional-damage to waterworks**

Every person who, by act, default, neglect or omission occasions any loss, damage or injury to any water public utility works, or to any waterworks plant, machinery, fitting or appurtenance thereof is guilty of an offence and is liable to the Town therefore.

### **11.4 Offence-additional-willful damage**

Every person who willfully or maliciously damages or causes or knowingly suffers to be damaged any water meter, lamp, luster, water service pipe, conduit, wire, rod or water fitting belonging to the Town or willfully impairs or knowingly suffers the same to be altered or impaired, so that the water meter indicates less than the actual amount of the 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, lamp, luster, water service pipe, 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 Offence-additional-injuring waterworks**

Every person who willfully removes, destroys, damages, fraudulently alters or in any way injures any water service pipe, conduit, wire, rod, pedestal, post, plug, lamp 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*.

**REPEALS**

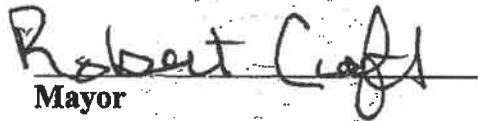
Any previous By-laws of the Town of Lakeshore or the former municipalities of the Town of Belle River, or the Townships of Lakeshore, Maidstone, Rochester, Tilbury North and Tilbury West that deal with the same subject matter are hereby repealed.

**EFFECTIVE DATE**

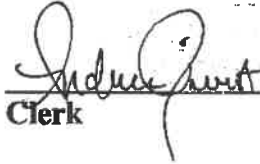
Effective Date: July 19, 2004

This by-law comes into force on July 19, 2004.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS NINETEENTH DAY OF JULY, 2004.**

  
\_\_\_\_\_

Mayor

  
\_\_\_\_\_

Clerk

**1. Amended by 37-2005**  
**Amended by 66-2005**