

BE IT RESOLVED THAT the following be and the same is hereby adopted and enacted as a by-law of the Town of Mahone Bay when and if the same has received the approval of the Minister of Municipal Affairs, and that the Town Clerk be and he is hereby instructed to forward the same to the Minister and request his approval hereof.

BY-LAW NO. 415

A BY-LAW RESPECTING THE TOWN'S  
WATER UTILITY

1.1 This by-law shall be known as and may be cited as the "Water Utility By-Law" and the Town may act as provided herein on behalf of the water utility of the Town hereinafter referred to as the "Water Utility". Short Title


1.2 This by-law shall be read and construed as subject in all respects to the provisions of the Public Utilities Act any orders and regulations made thereunder and the Rules and Regulations of the Water Utility, as now or from time to time hereunder amended and in case of conflict the provisions of the Public Utilities Act, any orders and regulations made thereunder, and the Rules and Regulations of the water utility, as so amended, shall prevail.

Public  
Utilities  
Act

2.1 The water supply treatment and dis- Responsibility  
tribution system of the Water Utility (herein- for Water  
after the "Water System"), the management, Utility  
maintaining, working and extension thereof,  
the officials employed in connection therewith,  
and the operations of the water utility, shall  
be under the supervision of the Water Committee  
(hereinafter the "Committee") subject to the  
general direction and control of Council.

3.1 The Council may appoint an engineer Superintendent  
and shall annually appoint a Superintendent of  
the Water System (hereinafter the "Superinten-  
dent") who shall hold office for one year or  
until his successor is appointed or until he is  
removed by a vote of the Council.

3.2 The Superintendent shall be sworn To be Sworn  
before the Mayor, Stipendiary Magistrate or  
Town Clerk, to the faithful performance of his  
duties and he shall, if required, give such  
security as the Council may direct and receive  
such remuneration as the Council may by resolu-  
tion appoint.



3.3 The Superintendent shall be under the direction of the Committee, and shall perform such duties and carry out such orders as shall be assigned and made from time to time by the Council and the Committee.

Duties

3.4 Subject to the direction of the Committee, the Superintendent shall have supervision of the Water System, and shall see that the same is maintained and in good repair and working order; that all by-laws, orders, regulations & job descriptions relating to them are duly observed and enforced; that all contracts in connection with it are complied with; that the hydrants and valves are at all times kept in a thoroughly effective and serviceable condition; and shall be vigilant and detect abuses and shall report the same to the chairman of the Committee. Records of meter installation & Inspection, hydrant Installation inspecting and system flushing be maintained by the superintendent.

Responsibilities

4.1 The by-laws of the Town in relation to the Water Utility and the Rules and Regulations of the Water Utility approved by the Board of Commissioners of Public Utilities shall be considered a part of the contract with any person taking and using water, and the fact of taking water shall be considered as expressing assent on the part of the person taking water to be bound thereby.

By-laws part of contract

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5.1 Application for the laying of service pipes shall be made in writing at the Town Clerk's office, and the applications will only be received from the owner of the premises in respect of which such applications are made, except under special circumstances; every application shall be in the form of Schedule A, which form shall be signed by the applicant. Application for the turning on or off of water shall be made in writing to the Town Clerk's office by the owner of the premises, or water customer.

Application  
for services

6.1 Rates and charges for the supply of water and regulations concerning the supply of water shall be in accordance with those as approved from time to time by the Nova Scotia Board of Commissioners of Public Utilities (hereinafter the "Board").

Rate subject  
to P.U.B.

6.2 Persons making applications for the use of the water for any premises, where required, shall at the time of application deposit with the Water Utility a sum equal to the greater of \$25, or the estimated charges

Payment



for water service for a period of six months. This deposit shall be held by the Water Utility as collateral security for the payment of its bills, but is not to be considered as a payment on account thereof. When the customer ceases to use the service and discharges all his liability to the Water Utility in respect of the service, the deposit shall be returned to him, with interest thereon at the rate prescribed by the Utility Rules and Regulations.

7.1 In any case where the water shall have been turned off from any premises by reason of the non-payment of the rates or charges, the water shall not again be turned on to such premises until, in addition to the rate or charges due, the person or persons in default shall have paid the further sum prescribed by the Rules and Regulations of the Water Utility to cover the cost of such turning off and on of the water.

Cost of turning on and off

8.1 Where meters are not installed or to be installed, applicants shall give a full and true statement of the size and description of their premises, the purpose for which the water

Application for service



will be used, the number and description of taps or other fixtures and all other information that may be necessary to make a correct estimate of the rates or charges to be made against them.

8.2 Subject to the subdivision regulations and by-laws of the Town and any agreement entered into with a subdivider or developer by the Town on behalf of the Water Utility, upon applications being made, as aforesaid, the Town on behalf of the Water Utility will lay all service pipes for the supply of premises, with the exceptions hereinafter mentioned, from the main to the curb stop (and such curb stop shall be not more than one foot outside the property owners line) free of cost to the applicant but special arrangement must be made with the Committee in the winter season. The Water Utility may install the service line from the street connection to the premises at the cost of the water customer.

Laying  
Service  
Pipes

8.3 The Superintendent will in every case determine the size of the pipe to be used in supplying any premises, and also the position

Size and  
location

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in the street in which it is to be laid, and the main pipe will not be tapped for a larger connection stop than two inches.

8.4 The Town on behalf of the Water Utility will lay only one service pipe for the supply of any single house or premises, free of charge, and any person desiring more than one service for the supply of his premises will be charged with the cost of the extra service.

One Service

8.5 Subject to the subdivision regulations and by-laws of the Town, the Rules and Regulations of the Water Utility, and any agreement entered into by the Town with a subdivider or developer, no work of any kind connected with the water service, either for the laying of new or the repair of old service, will be permitted to be done within the limits of any street by other than the employees of the Town, and the Council retains the right through the Superintendent of directing all matters in connection with the work upon the premises of water takers.

Direction  
of Work



8.6 The onus shall lie upon the water customer to show that the pipe laid within his premises is in accordance with the requirements of the Town and the Rules and Regulations of the Water Utility and, unless such be shown to the satisfaction of the Superintendent in charge of the work, no connection shall be made with the street pipe.

Onus

8.7 All service pipes upon the premises of water customers shall be laid to a depth of not less than four feet below the level of the surrounding ground and they shall be properly protected against settlement.

Depth of pipes

8.8 The material employed in the construction of service pipes shall be brass or copper or other material approved by the Committee.

Material to be used

8.9 No two premises supplied with water shall be dependent upon one service pipe beyond the street line, but each separate and distinct tenement or premises shall be supplied through a separate pipe provided with proper curb stops or other means of cutting off the water.

Separate pipes

9.1 Prompt notice shall be given in writing at the Town Clerk's office, and written

Changes in Fixtures







cutting off of the water, and generally the engineer or Superintendent or other officer shall have authority to cut off the supply of water at any point when necessary.

11.1 All hose connections must have the valves by which water is turned on and off inside the building from which the hose projects.

Hose  
Connections

12.1 Any person or persons about to vacate any premises that have been supplied with water from the water system, or who is or are desirous of discontinuing the use thereof, must give ten days' notice thereof in writing at the Town Clerk's office before such vacating or discontinuing, otherwise such person or persons shall be held liable for the charges thereafter accruing for water used from the water system on the premises and for all damages including the cost of the waste of water that may be occasioned by reason of such notice not having been given.

Disconnec-  
tions

13.1 No person or persons shall make or allow to be made any connection whatsoever with any part of the water system or with any water piping on private property without written permission from the water system

Permission  
for  
connection



Superintendent.

14.1 No person or persons shall obstruct the access to any fire hydrant, valves, stop-cock, or any other fixture connected with the water system by placing on or near them any earth, brick, stones, timber or other material, or otherwise obstruct the same, nor shall permit his, her or their employees so to do; and the Water Committee, engineer or Superintendent or other employee of the Town shall have the power to remove such obstruction at the expense of the offending party.

No  
obstruction

15.1 Except in cases of emergency, no person being inmate, occupant or tenant of any premises supplied with water from the water system shall vend, sell or dispose of the water therefrom or give away or permit the same to be carried or taken away or allow the same to be used for the benefit of any other person or persons whatsoever.

No sale  
of water

16.1 There shall be no unnecessary waste of water either to prevent freezing or for any other cause.

Waste

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has not been examined and approved by the Superintendent; and whenever the Superintendent reports that the water pipes or apparatus in, on or about any premises or private property are in a bad condition or in improper or dangerous position or insufficiently protected from frost, the Committee may turn off the water from the premises so reported upon and may decline to furnish water thereto until the pipes and apparatus are put in a satisfactory condition.

20.1 The Committee reserves the right in case of fire or of an alarm of fire or in case of making repairs or constructing new work or putting in and repairing service pipes of the Water Utility or doing any other necessary thing in connection with the water system, to shut off the water and keep it shut off as long as may be necessary.

Right to  
shut off

21.1 The Committee reserves the right to control the times at which places of business wash windows or adjoining sidewalks

Washing  
Windows

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and the times at which all customers  
sprinkle lawns.

22.1 The Superintendent and any police-  
man shall be allowed access at all reasonable  
times to the premises supplied with water to  
inspect the service pipes and faucets, baths,  
water closets and all other apparatus for the  
use and supply of water on the premises.

Inspection

23.1 No person except the Superintendent  
or such person or persons as the Council or  
Committee may appoint for the purpose, shall  
at any time open any public hydrant or fire  
plug connected with the water system, or let  
off or use any water therefrom nor turn any  
valve in the main or branch water pipe or  
any curb stop, nor place or deposit any dirt  
or material whatever in any valve or curb  
stop, nor injure, damage or destroy or in  
any way interfere or meddle with any building,  
machinery, hydrant, valve pipe, apparatus,  
tools or any other thing or work connected  
with the water system.

Opening  
Hydrants

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24.1 No person shall interfere with, damage or destroy any property belonging to the water system.

No inter-  
ference

25.1 No person shall bathe or fish in the waters of the water system's supply lake or reservoir, nor shall place or deposit in the waters or on the watershed area of the supply lake any substance or thing which could spoil, adulterate or render impure the water therein, or to interfere with and interrupt the water therein, or to interfere with and interrupt the supply of water to the Water Utility or its customers.

Bathing or  
fishing

26.1 Any person who violates any clause, provision, requirement or duty of this by-law shall, be guilty of an offence and liable upon conviction to a penalty not exceeding Two Hundred Fifty Dollars (\$250.00) for each offense, and in default of payment thereof to imprisonment for a period not to exceed one month.

Penalty

27.1 All former Water Works By-laws of the Town are hereby repealed and this by-law substituted therefor.

Repeal



SCHEDULE A  
TOWN OF MAHONE BAY  
WATER AND SEWER DEPARTMENTS

Application No.....

Application is hereby made by.....

.....for permission to install .....

.....

at the premises on the .....side of.....

Street between. ....Street and

. ....Street

Owner.....Occupant .....

Type of Building .....

Builder..... Plumber .....

All work to be done as provided by the By-laws of the  
Town of Mahone Bay as affecting the above departments.

The fee or deposit of \$.....accompanies  
this application.

.....  
Signature of Owner

Dated this .....day of .....19....

- "New Water Service"
- "New Sewer Connection"
- "Renewal of Water Service"
- "Addition to Plumbing"

Permit No.....granted

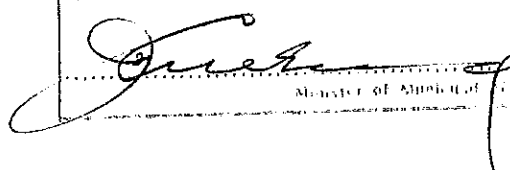
Date ....., 19...



This is to certify that the foregoing By-Law Respecting the Town's  
Water Utility \_\_\_\_\_, Number \_\_\_\_\_, is a true copy of a  
by-law passed by the Council of the Town of Mahone Bay at a duly  
called meeting held on the twenty-sixth day of August, 1980

  
TOWN CLERK

Dated at Mahone Bay, this twenty-third day of September, 1980

DEPARTMENT OF MUNICIPAL AFFAIRS
Recommended for approval of the Minister
<i>F. Robertson</i> Department of Municipal Affairs
APPROVED THIS <u>12th</u> day of <u>November</u> 19 <u>80</u>
 Minister of Municipal Affairs

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