

TOWN OF STRATFORD

WATER AND SEWER CUSTOMER SERVICE REGULATIONS BYLAW

BYLAW NUMBER 21

A Bylaw establishing the terms and conditions of service for customers of the Stratford Utility Corporation.

BE IT ENACTED by the Council of the Town of Stratford as follows:

1. Name

This Bylaw may be cited as “The Stratford Water and Sewer Customer Service Regulations”.

PART 1 - INTERPRETATION

2. Definitions

In this Bylaw:

“council” means the council of the Town of Stratford;

“customer” means a person, firm or corporation who or which requests or is supplied with water or sanitary sewer or water and sanitary sewer service at a specific location or locations;

“customer classification” means a category of customers to which a specific rate schedule applies;

“domestic service” means the type of water or sanitary sewer or water and sanitary sewer service supplied to the owner or his authorized agent or to the occupant or tenant of any space or area occupied for the distinct purpose of a single-family house, each unit of a multiple dwelling, individual apartment, mobile home, flat and the like, furnished with separate kitchen facilities provided with running water;

“due notice” means the requirement that forty-eight (48) hours written notice be given by the utility to a customer before any action is taken against the customer for failure to comply with this bylaw;

“frontage charge” is a rate set based on property frontage that is charged on undeveloped property on a street where service is available and on property that has street frontage in excess of 30.5 metres (100 feet) on a street where service is available;

“general service” means any type of water or sanitary sewer service other than domestic service, fire protection service and municipal service;

“lateral” means a water or sewer line from the main line to the customers premises.

“owner” includes a part owner, joint tenant or tenant in-common of the whole or any part of any land or building and also includes a trustee, an executor, and administrator, a guardian, an agent, or mortgagee in possession or other person having the care or control of any land or building in case of the absence or disability of the person having the title thereto;

“person” includes a firm, corporation, association and the town;

“service” includes the collection, transmission, treatment and disposal of domestic, commercial or industrial sewage or the treatment, purification, storage, supply or distribution of water, and all matters incidental thereto;

“shall” means the imperative and that an act must be done;

“system” means water or sanitary sewer mains, laterals, manholes and appurtenances;

“tariff” includes any user rate, frontage charge or other form of levy demanded or intended to be demanded by the utility for service provided to any person;

“town” means the Town of Stratford;

“user pay” means that individual customer classifications will pay the same rate or rates for service based on the cost of providing service, measured using fully allocated costs to each customer classification in a manner consistent with generally accepted public utility rate design principles; and

“utility” means the Stratford Utility Corporation.

PART 2 - SCOPE AND APPLICATION

3. Scope

This bylaw applies to all properties in the town.

4. Administration

This bylaw shall be administered by the utility.

PART 3 - GENERAL CONDITIONS

5. Service by Tariff Only

The utility shall not knowingly provide and no customer shall knowingly solicit, accept or receive any service or any concession or rebate in respect of any service whereby such service is, by any device whatsoever, provided free or at a lesser rate than named in the tariff.

6. Application Form

The utility shall, before rendering service, require an application form be signed by a prospective customer or his or her agent and a connection fee to be paid, the amount of which is set forth in Schedule A to this bylaw.

7. Plumbing Permit Required

No service shall be provided until the utility has been provided with a permit issued by a recognized plumbing inspector.

8. Plumbing Code Application

- (a) All plumbing, pipes, fittings, vents, fixtures and other devices for conveying, distributing, controlling or utilizing water or sanitary sewer which are used by a customer and are not the property of the utility shall be installed according to the requirements of the current edition of A Code to Plumbing Services Regulations.
- (b) Except for construction or testing purposes, service shall not be provided until the applicant for service has satisfied the requirements of subsection a.
- (c) Service may be refused or discontinued to any customer at any time, if, in the opinion of the utility, the plumbing, pipes, fittings, vents, fixtures and other devices as herein before mentioned, or any of them, fail to comply with requirements of subsection (a), or if any part of the water or sanitary sewer system of such customer is in any unsuitable, dirty, unsanitary or inaccessible place.
- (d) Service shall not be re-established until conditions are corrected to the satisfaction of the utility.

9. Discharge of Liability

Service shall be refused or suspended to any customer who has failed to discharge any of his or her liabilities to the utility.

10. Condemned Property

Service shall be immediately discontinued to any property condemned under any federal or provincial statute or municipal bylaw.

11. Pipe Laying Season

The utility shall not, on application or otherwise, lay any pipe at any season of the year which, in the opinion of the utility, is deemed unsuitable for such construction.

12. Access

- (a) Representatives of the utility shall have the right of access to a customer's property or premises at all reasonable hours for the purpose of inspecting any water or sanitary sewer pipes, backflow prevention devices or fittings, or appliances, or for the purpose of installing, removing, repairing, reading or inspecting water meters.
- (b) The utility may suspend service to any customer who refuses such access.

13. Devices and Appurtenances

- (a) Service may be refused or suspended by the utility to any customer who installs or uses any device or appurtenance, such as booster pumps, quick-opening or quick-closing valves, water-operated pumps or siphons, standpipes or large outlets, which may occasion sudden large demands of short or long duration, thereby requiring oversize meters and pipe lines, or affect the stability or regulation of water pressure in the utility's system.
- (b) Written authorization to install or use any such device or appurtenance must be obtained in advance from the utility. Where approved, the authorization shall specify special arrangements, such as elevated storage tanks, surge tanks, equalizing tanks, or other equipment or devices that are to be provided by the customer.

14. Interference with Utility Equipment

No person, unless authorized by the utility in writing, shall draw water from, open, close, cut, break or in any way injure or interfere with any fire hydrant, water or sanitary sewer pipe or main or other property of the utility, or obstruct the free access to any hydrant, stop cock, meter, building, other facilities or equipment of the utility. Nothing in this section shall be deemed to prevent an officer or member of the fire department engaged in the work of such department, from using any hydrant or other source of water supply of the utility for such purpose.

15. Use of Water

No customer shall permit the improper use or waste of water nor shall he or she sell or give water to any person except upon such conditions and for such purposes as may be approved in writing by the utility.

16. Repair of Customer Leaks

- (a) Leaks due to broken water or sanitary sewer pipe, worn tap washers, toilet valves or other causes shall be promptly repaired by the customer.
- (b) If, after being notified, a customer refuses or unduly delays in having the repairs or alterations made, the utility may suspend the service if, in its' opinion, such action is necessary to prevent improper use or wastage of the service.

17. Cooling Water

- (a) Water shall not be used for cooling purposes by any customer of the utility except where the system or equipment to be supplied is of the recirculating conservation type with make-up water only being added.
- (b) In the case of refrigeration equipment, including air conditioning systems, no system having a water consumption rate in excess of 0.50 litres per minute per metric tonne (1 imperial gallon per minute per 20,000 lbs) of capacity shall be provided with cooling water.

18. Suspension of Service

Whenever, in the opinion of the utility, any violation of this bylaw is occurring or has occurred, the utility may cause the service to be suspended from the premises where such violation is occurring or has occurred and may suspend that service until it is satisfied that the cause for such violation has been removed.

19. Due Notice

In every case calling for a suspension of service, due notice shall be given to the customer concerned.

20. Service Interruption

- (a) In the case of service interruption, the cause of such interruption or other condition shall be removed or corrected and normal operating conditions restored as soon as is reasonably possible.
- (b) The utility shall not be responsible for any damage, direct or consequential, loss or liability, that a customer may sustain by reason of interruption of service, variation of pressure or on account of the turning off or turning on of the water for any purpose, drawing a vacuum on the system by fire pumpers, intermittent flow of the sanitary sewer system or flooding of basements as a result of stoppages in the sanitary sewer system unless caused by the negligence of the utility.
- (c) Interruptions in service shall not relieve the customer from any charge for service.

PART 4 - LATERAL SERVICES

21. Utility Jurisdiction

The utility shall have jurisdiction over all laterals and extensions including those on a customer's premises up to and including the first clean out point immediately inside the premises, in the case of sanitary sewer service, and up to the shut off valve, including meters, and backflow prevention devices where applicable, in the case of water service.

22. Lateral Shut Off

Every water lateral to a premises shall have a shut-off valve in an accessible position at the point of entry to the premises.

23. Separate Services

Except with the special written approval of the utility, each separate residential building or premise including semi-detached units and individual row housing units but excluding multiple apartment buildings, shall have a separate water lateral to the water main with a curb stop and a separate sanitary sewer lateral connection directly to the sanitary sewer main.

24. Deposit

- (a) Each applicant for service may be required to deposit with the utility an amount up to the estimated charges for three months service to be held by the utility as collateral security for the payment of bills. The deposit, less any amount owed the utility, shall be returned to the customer after a payment history has been established to the utility's satisfaction or after service has been discontinued.
- (b) When the deposit is held for a period in excess of one year, simple interest at a rate based on the nearest one-half percent of the utility's prime rate as of the first banking day of each year shall be credited to the account when refunded.

25. Customer Work

- (a) Whenever a customer requests that the utility do work for which such customer is required to pay, and the utility agrees to do the work, before the work is started the utility may require the customer to submit a sum of money equal to the utility's estimate of the probable cost of the work.
- (b) When the actual cost is determined, the customer shall pay any amount owing in excess of the sum deposited or, if the sum deposited exceeds the actual cost, the utility shall refund the remainder of the deposit to the customer.
- (c) Service shall not be established or continued by the utility until all charges are paid.

26. Non-Negotiable Cheques

A charge shall be made for each non-negotiable cheque in accordance with the charge set forth in Schedule A of this Bylaw.

27. Lateral Conditions

- (a) Upon receipt of an application for service to any premises located on a lot abutting a street within the service area of the utility, which is served by a main water pipe or a main sanitary sewer pipe, and which premises are not already provided with service, the utility shall install or permit to be installed a water lateral or a sanitary sewer lateral which it considers to be of a suitable size and capacity.
- (b) No water pipe smaller than 19 mm (3/4") in diameter shall be laid for any water lateral and no sanitary sewer pipe less than 100 mm (4") in diameter shall be laid for any sanitary sewer lateral.

28. Existing Lots

- (a) For existing lots abutting a street in residential areas where mains are existing the cost of supplying and laying a 19 mm (3/4") water lateral and fittings and a 100 mm (4") sanitary sewer lateral between the mains and the property line of the property to be served shall be paid by the utility.
- (b) For existing lots abutting a street in residential areas where mains are existing and where water laterals larger than 19 mm (3/4") and sanitary sewer laterals larger than 100 mm (4") are required, the whole cost shall be paid by the customer, less the cost of a 19 mm (3/4") lateral from the main to the property line in the case of a water lateral, and less the cost of a 100 mm (4") lateral from the main to the property line in the case of a sanitary sewer lateral.
- (c) Except as provide in subsections (a) and (b) above, where mains are existing the customer shall pay the full cost of the lateral services from the mains to the premises.
- (d) The customer shall, in all cases, pay the full cost of lateral services from the property line to the premises.

29. Installation of Laterals

- (a) Subject to subsections (b) and (c) below, the customer may engage an independent contractor to install laterals which the utility considers to be of a suitable size and capacity if:
 - (i) The utility does not contribute to the cost; or
 - (ii) The utility approves of the independent contractors engagement. .
- (b) Any work carried out by an independent contractor for the customer shall be subject to inspection and approval by the utility. No pipe or fitting shall be backfilled until work is inspected and approved by the utility.
- (c) The cost for inspection of work carried out by an independent contractor shall be borne by the customer or his or her agent. The cost of the inspection shall be in accordance with the charge set forth in Schedule A of this bylaw.

30. Water Only If Sanitary Sewer is Installed

Water service shall not be provided to a premises unless sanitary sewer facilities deemed suitable by the utility are also installed or are already available to the premises in question.

31. Relocation or Alteration of Laterals

After service has been provided by the utility, no relocation of, or alteration to, the portion of the lateral installed shall be made except at the expense of the customer or other persons requesting such removal or alteration, and any work must be approved in advance by the utility and must be inspected prior to backfilling.

32. Billing Where Service is Available

- (a) Where water and/or sanitary sewer service is available and the premises is capable of being served, the utility shall bill the owner of the premises for service
 - (i) when the premises is connected to the service; or
 - (ii) three months after notification to the customer that service is available when such notification is given on or before October 31; or
 - (iii) six months after notification to the customer that service is available when such notification is given after October 31.
whichever is the earliest. **(August 1, 2003 amendment)**
- (b) Where water and/or sanitary sewer service is available and the premises is capable of being served, the utility may order the owners of the premises to connect to the water and or sanitary sewer mains in accordance with the Mandatory Water and Sewer Connection Bylaw and to abandon onsite servicing.
- (c) On- site servicing shall be abandoned by the customer in accordance with Provincial Standards and Requirements.

33. Multiple Lateral Services

- (a) In the event of more than one lateral being required to the same property, such as a sprinkler system connection or an additional general service lateral or laterals, the full cost of the additional laterals to the system mains, any necessary repairs and maintenance to the additional laterals between the main and the customer's premises and any necessary repairs and replacement to any portion of the streets or sidewalks of the municipality damaged in providing and maintaining or repairing such additional laterals shall be paid by the customer.
- (b) The decision as to the necessity of the additional laterals shall be made solely by the utility.

34. Permission to Connect

No person shall, without written consent of the utility, make or cause to be made any connection to any pipe or main or any part of the system of the utility or in any way obtain or use water therefrom in any manner other than as set out in this bylaw.

35. Interconnection

Connections of any customer's installation served by the utility to any other source of water supply is prohibited, except with the written permission of the utility with the terms and conditions of interconnection clearly defined. The utility may suspend service for violation of this section.

36. Backflow Prevention on Domestic Lines

- (a) Any installation, equipment or source of connection that may allow any contamination whatsoever to pass from such installation, equipment or source into the utility's water supply system shall be equipped with a suitable backflow prevention device accessible for inspection. All costs associated with the purchase, installation, operation and maintenance of the backflow prevention device shall be paid by the customer.
- (b) The backflow prevention device shall be installed in accordance with the latest edition of A Code to Plumbing Services Regulations. CSA B64.10 shall be used to select the appropriate device for each application.

37. Leaks on Water and Sanitary Sewer Lines

- (a) If a leak, stoppage or other trouble occurs on a water or sanitary sewer line, it shall be repaired as soon as possible.
- (b) Repairs necessitated by a leak, stoppage or trouble occurring between the main and the property line, unless caused by improper use of the service by the customer, shall be carried out by, and at the expense of, the utility.
- (c) Repairs necessitated by a leak, stoppage or trouble occurring between the property line and the premises shall be carried out by, and at the expense of, the customer.
- (d) Repairs necessitated by a leak, stoppage or trouble occurring between the main and the property line caused by improper use of the service by the customer shall be carried out by the utility at the expense of the customer.

38. Backflow Prevention on Fire Protection Lines

- (a) Fire protection lines within buildings shall be equipped with a suitable backflow prevention device accessible for inspection. All costs associated with the purchase, installation, operation and maintenance of the backflow prevention device shall be paid by the customer.
- (b) The backflow prevention device shall be selected and installed in accordance with the latest edition of A Code to Plumbing Services Regulations. CSA B64.10 shall be used to select the appropriate device for each application.
- (c) No connection for any purpose other than fire protection shall be made to the sprinkler line and no fire protection line shall be connected in such a way to be served through a customer's metered service without the written permission of the utility.

39. Construction Water

- (a) The utility may furnish water to persons requiring a supply thereof for the construction of buildings or other works.
- (b) Such persons shall deposit with the utility such sum as may be determined by the utility as sufficient to defray the cost of making the necessary connection to and disconnection from the service mains, together with the cost of any meter to be installed to measure the water consumed.
- (c) Upon completion of the work and return of the meter to the utility, after deducting the cost of testing and repairing the meter, and after determining the base, connection and disconnection charges, and the consumption rates in respect to such installation, the customer shall pay any amount owing to the utility in excess of the sum deposited or the utility shall refund the remainder of the deposit in excess of the actual cost, whichever is the case.

40. Sanitary Sewer Check Valve

- (a) In all new buildings or premises, or in cases of existing buildings or premises so located that any part of the building or premises is below street level or so as to be affected by a back flow on the sanitary sewer line, such building or premises shall be provided with a suitable sanitary sewer line check valve.
- (b) The complete cost of installation and maintenance of the check valve shall be paid by the customer.

- (c) The utility shall give written notice on an annual basis to all customers of the necessity of installing a sanitary sewer line check valve and if, after the issuance of such notice, the customer chooses not to install or properly maintain a check valve and a backup occurs in the customer's premises, the customer shall be responsible for any damages sustained including damages to the town or utility.

41. Prohibited Discharge

No person shall discharge or permit or cause to be discharged directly or indirectly into any sanitary sewer any of the following:

- (a) storm water, surface water, ground water, roof run-off, surface drainage, subsurface drainage, foundation drainage, water used for heating and cooling, or the like.
- (b) matter having a temperature of more than 66° C (151° F).
- (c) gasoline, benzene, naphtha, fuel oil, motor oil, grease, acetone, oil based paints, solvents or other flammable or explosive matter.
- (d) ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, cellulose, garbage, excluding properly shredded garbage, or other solids of a type or quantity capable of causing obstruction to the flow in sanitary sewers or other interference with the proper operation of pumping facilities or sewage treatment equipment.
- (e) matter having a pH lower than 5.5 or higher than 9.5 or where the pH becomes lower than 5.5 or higher than 9.5 if the matter is diluted by any liquid.
- (f) matter that may cause death or injury to any person or that is capable of causing damage or hazard to structure, equipment or personnel of the sewage works.
- (g) hydrogen sulphide, carbon bisulphide, ammonia, trichlorethylene, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine or any other matter that will or may cause an offensive odour or is capable of creating a public health hazard, public nuisance or interfere with sewage treatment operations.
- (h) any matter in which the biological oxygen demand (BOD) exceeds three hundred milligrams per litre.
- (i) animal wastes such as hair, wool, fur, feather, intestines or stomach casings, paunch manure, intestinal contents, hides or parts thereof, hooves, toenails, horns, bones and fleshings.

- (j) any pesticides or herbicides.
- (k) sewage containing more than a total of fifty (50) milligrams per litre (8 oz. per 1000 imperial gallons) of fat, oil and grease of animal and vegetable origin.
- (l) water, wastewater or waste material containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or which constitute a hazard to humans or animals. Such prohibited substances include any water, wastewater or waste material containing chemicals in concentrations greater than the level indicated in the following table:

Aluminum	Al	1	mg/1	3.5	oz./100,000 gal.
Arsenic	Ar	0.1	mg/1	0.35	oz./100,000 gal.
Barium	Ba	1	mg/1	3.5	oz./100,000 gal.
Borate (boron)	B	10	mg/1	35	oz./100,000 gal.
Cadmium	Cd	1	mg/1	3.5	oz./100,000 gal.
Chromium (hexavalent)	Cr	3	mg/1	10.5	oz./100,000 gal.
Cyanide	HCH	1	mg/1	3.5	oz./100,000 gal.
Copper	Cu	1	mg/1	3.5	oz./100,000 gal.
Lead	Pb	0.1	mg/1	0.35	oz./100,000 gal.
Manganese	Mn	1	mg/1	3.5	oz./100,000 gal.
Mercury	Hg	0.01	mg/1	0.035	oz./100,000 gal.
Nickel	Ni	3	mg/1	10.5	oz./100,000 gal.
Zinc	Zn	2	mg/1	7	oz./100,000 gal.
Phenol equivalents (primary treatment)			50	ppb	
Phenol equivalents (primary treatment)			100	ppb	

Note: Concentrations of metals listed as total metal in a unfiltered sample

PART 5 - BILLING AND METERING

42. Billing

- (a) Unless otherwise stated in this bylaw, bills for all classes of service shall be rendered to each customer for billing periods of one, two or three months, at the option of the utility.
- (b) Un-metered customers shall be billed in advance.
- (c) All bills shall be payable within thirty days after the date rendered and if not so paid shall be deemed to be in arrears.

43. Partial Billing Period

In the case of a customer not receiving service for a full billing period, the flat rate or base charge shall be computed on a pro-rata basis for the period involved.

44. Maximum billing

No customer shall be billed more than twelve minimum charges in any twelve month period in the case of monthly billing, more than six minimum charges in the case of by-monthly billing or more than four minimum charges in the case of quarterly billing.

45. Suspension of Service for Unpaid Bills

Provided that due notice is given, the utility may suspend service to un-metered customers whose bills remain unpaid for more than sixty days and to metered customers whose bills remain unpaid for more than thirty days after the date rendered.

46. Service Connection and Disconnection Charges

- (a) In all cases where service has been discontinued for non-payment of bills or for violation of any provision of this bylaw, service shall not be restored until all arrears and a disconnection/re-connection charge has been paid, such charge being in accordance with the charge set forth in Schedule A to this bylaw.
- (b) If a water turn-off and/or water turn-on is carried out at a customer's request, a water turn-off and/or water turn-on charge shall be paid by the customer, and if not paid, the charge may be included in any subsequent bill for service such charge being in accordance with the charge set forth in Schedule A to this bylaw

47. Late Payment Charge

If any bill, including arrears, is not paid within thirty days after the date rendered, as indicated by the postmark, or within thirty days of the date shown on the bill, whichever is later, it shall be subject to a late payment charge equal to one and one half (1-½) percent per month of the amount of such bill that is in arrears. (**August 1, 2003 Amendment**)

48. Owner of Premises Billed

At the option of the utility, charges may be billed to the owner of the premises.

49. Billing During Vacancy

In the case of a premises being vacant, the owner shall be billed for the period until a new tenant or owner becomes responsible for the service.

50. Multiple of Joint Use Premises

At the sole option of the utility, billing of multiple or joint use premises may be carried out by billing each individual customer according to the applicable rate schedule or by billing the total premises.

51. Metered Services

Except when water is used for construction purposes from a hydrant, under the supervision of the utility, and except as otherwise provided in this bylaw, all service other than that for domestic service and fire protection service shall be metered.

52. Meter Size

The utility shall determine the size and type of meter to be installed in each case.

53. Meter Ownership

All billing for metered water shall be through meters owned by the utility.

54. Installation and Removal of Meters

- (a) Water meters shall be installed and removed only by employees of the utility, and no other person shall install, alter, change or remove a meter.
- (b) Water meter connections shall be installed in accordance with the manufacturer's recommendations, including provisions for testing at the cost of the customer.
- (c) A meter bypass shall be installed by the customer where flow cannot be interrupted to replace or test the meter. Where a meter bypass exists, a seal shall be placed on the bypass valve by the utility. The bypass valve shall be of a type designed to have a seal applied.

55. Meter Location

The utility may refuse service to, or suspend the service of, any customer who does not provide a place which, in the opinion of the utility, is accessible and suitable for a water meter and associated mechanical, electrical or electronic equipment.

56. Meter Enclosure

- (a) Where the premises of a customer are of such a nature that a water meter cannot be properly installed in a building or if the building is not sufficiently insulated to ensure the safety of the meter, the utility may require the customer to construct, at his or her expense, a suitably insulated enclosure in which the water meter can be installed.
- (b) Service to such premises may be refused or suspended until such an enclosure is installed.

57. Remote Metering

- (a) If a remote or exterior reading meter installation is made at the option of the utility, the total cost shall be paid by the utility.
- (b) If such an installation is made at the request of the customer, all installation costs in excess of regular metering costs shall be paid by the customer.

58. Identification of Meter Readers

Each meter reader or utility inspector shall be provided with a suitable form of identification issued by the utility which he or she shall exhibit upon request.

59. Estimated Readings

- (a) If the utility is unable to obtain a water meter reading for billing purposes, the bill for that service shall be estimated in accordance with the best data available, but in no circumstances shall an estimated reading be used for more than two consecutive billing periods.
- (b) If an estimated bill is rendered for two consecutive billing periods, the utility shall notify the customer by registered mail that arrangements must be made for the utility to obtain a reading, and failing such arrangements, the utility may suspend service until such arrangements are made.
- (c) When such water meter reading has been obtained, the previous estimated bill or bills shall be adjusted accordingly.

60. Disputed Meter Accuracy

- (a) A customer may request that his or her water meter be tested by the utility.
- (b) The utility employee shall decide whether the meter will be tested on site or at a testing place.
- (c) The utility shall charge the customer a deposit equal to the estimated cost of removing the meter, replacing it with another meter tested and sealed by the utility, and testing the meter, which deposit charge shall be set forth in Schedule "A" to this bylaw.
- (d) If the water meter, upon testing by the utility, is within the prescribed accuracy limits of not more than four percent, the utility shall retain the customer's deposit.
- (e) If the water meter is found to be outside the prescribed accuracy limits, the utility shall return the deposit to the customer and the bill for service rendered to such customer shall be adjusted accordingly for a corresponding period not exceeding six (6) months.

61. Meter Tampering or Damage

- (a) Every customer shall be responsible for any damage to the water meter and seals on his premises resulting from negligence, hot water or steam, the action of frost or from any other cause not the fault of the utility or its employees and the cost for any repairs or replacement of the utility's water meter or seal shall be paid by the customer.

- (b) The utility's meter or the seal shall not be tampered with or broken by an unauthorized person.
- (c) If the utility's meter or the seal has been broken by an unauthorized person in order that an illegal connection can be made, the utility shall immediately serve due notice and disconnect the customer.
- (d) If the utility's water meter or a seal is broken, or the water or sanitary sewer system is tampered with or the meter does not register correctly, the bill for that service shall be estimated on the basis of past consumption in a similar time period not exceeding six (6) months.

62. Town Usage

Water and sanitary sewer facilities used by the town shall be billed to the town by the utility in accordance with the tariff established by council.

63. Town Fire Protection Tariff

The utility shall include in its annual budget an amount to be billed to the town for fire protection where fire protection is available and such charge shall be adjusted for capital contributions towards fire protection from the town or from customers.

64. Private Fire Protection Tariff

Council may establish a tariff or tariffs from time to time for the provision of water for fire protection to customer premises.

PART 6 - EXTENSION OF SERVICES

65. Utility to Determine Serviced Areas

All new developments in town will be serviced by municipal water and/or sanitary sewer service where service is available or where the utility decides to make service available in accordance with this bylaw.

66. Utility Extensions to Un-Serviced Areas

- (a) Where the utility decides to extend water or sewer mains to or through an area that does not have water or sewer service, the utility may:

- (i) where the property is not serviced with on-site services, fix and determine a one time, non-recurring capital contribution that shall be paid by the owner of the property prior to connecting to the water or sewer system and the total contribution shall not exceed the total cost of installing the system.
 - (ii) where the property is serviced with on-site services, fix and determine a one time, non-recurring capital contribution that shall be paid by the owner of the property prior to connecting to the water or sewer system and the total contribution shall not exceed fifty percent the total cost of installing the system.
- (b) For the purpose of determining the non-recurring capital contribution, the cost of installation may include:
- (i) the cost of engineering, labour, materials and equipment associated with water or sewer mains, laterals and appurtenances required for a complete installation;
 - (ii) the cost of short term debt servicing and long term debt servicing (**March 15, 2004 Amendment**).
- (c) For the purpose of determining the non-recurring capital contribution, the cost of installation may not include:
- (i) the cost of over-sizing of the water or sewer mains to service adjacent areas but the minimum size deemed required to service any area shall not be less than 150 mm (6") for a water main or 200 mm (8") for a sewer main.
- (d) The utility may base the non-recurring capital contribution on frontage along the water or sewer main, on a per lot basis, or on a percentage of the area served by the water or sewer main.
- (e) For the purpose of determining if a property is serviced with on site services, a septic tank and tile field or a well and water pump will constitute on site sanitary or water service respectively.

67. Frontage Charges

Where frontage charges are applied, the calculation shall be based on the following:

- (a) The cost shall be distributed based on the applicable frontage of each customer in proportion to the total applicable frontage subject to Section 105 of the Charlottetown Area Municipalities Act or any successor act or provision..

- (b) The applicable frontage for lots with service being placed on more than one side will be calculated based on the average length of both sides, subject to a minimum length as set out in the tariff or a policy (**November 13, 2008 amendment**).
- (c) The frontage of lots already serviced from an existing main shall not be considered part of the total applicable frontage.
- (d) Public rights-of-way, easements and intersections shall not be considered part of the total applicable frontage (unless the easement is the only frontage on a main for a particular lot).

68. Customers Already Serviced

Customers shall contribute toward the installation cost only once and no charge shall be made when the customer has already connected to the system in the past.

69. Customer Extensions

- (a) Customers or developers shall pay 100% of the cost of extending water and/or sewer mains, laterals and appurtenances.
- (b) Extension of systems shall include installation of systems to the extent of the customer's property or the extent of the present phase of the development, including any street sections to the property boundary left for future extension.
- (c) Laterals from the main to the property line shall be installed when the mains are installed, except where mains are extended past lands not subdivided into individual lots.
- (d) Service shall be provided to new streets or development areas in an orderly and following basis only. If a customer is desirous of obtaining service when not available on this basis, such service may be provided to the customer by the customer's paying the full cost of the construction from the existing main to the new street extension or development area.
- (e) The utility shall establish standards for construction of the water and sanitary sewer systems. Customers shall have plans and specifications prepared in accordance with these standards. The plans and specifications shall be reviewed by the utility before construction, and the utility shall supervise construction.
- (f) The utility shall require a construction agreement to be entered into between the utility and the customer for extension of systems, the terms of which shall be determined by the utility.

- (g) Customers shall pay the full cost of mains sized to service their full development. Developments shall be designed with pipe sizes required to provide domestic and fire flows to the development area concerned but with a minimum water main size of 150 mm (6") diameter and sanitary sewer main of 200 mm (8") diameter. If larger lines are requested by the utility to service adjacent areas, the cost of the over-sizing shall be paid by the utility.

70. Domestic Water Supply Capital Contribution

All customers who connect to the utility's water system for domestic water and not water for sprinkler systems and who are not already serviced with an on-site water supply or municipal water supply shall be subject to a one time non-recurring capital contribution charge as set out in Schedule A to this bylaw.

71. Fire Rated Water Supply Capital Contribution

All customers who connect to the utility's water system to service a sprinkler system shall be subject to a one time non-recurring capital contribution charge as set out in Schedule A to this bylaw.

PART 7 - TARIFFS AND CHARGES

72. Tariffs

Council shall, from time to time by resolution, set a tariff of rates and frontage charges for customer classifications based on the user-pay principle.

73. Fees and Charges

The fees and charges referred to in this bylaw shall be set out in Schedule A annexed to and forming part of this bylaw.

74. Lien Against Property

All rates, charges and capital contributions established in this bylaw shall constitute a lien on real property in accordance with the Charlottetown Area Municipalities Act or any successor act or provision.

PART 8 - COMPLAINTS

75. Customer Complaints

- (a) Customers of the utility may make a complaint to the council in accordance with the Water and Sewerage Act or any successor act or provision.

76. Effective Date

The effective date of this bylaw is April 15, 2001

This 1st reading of this bylaw was approved by Council at a meeting held on March 14, 2001

This 2nd reading of this bylaw was approved by Council at a meeting held on April 11, 2001

This bylaw was formally adopted by Council at a meeting held on April 11, 2001

This bylaw is hereby declared to be passed and proclaimed as a bylaw of the Town of Stratford on this 12th day of April, 2001.

Michael A. Farmer
Mayor

Robert G. Hughes
Chief Administrative Officer

SCHEDULE “A”

to the

STRATFORD WATER AND SEWER CUSTOMER SERVICE REGULATIONS BYLAW

BYLAW # 21

A SCHEDULE OF FEES AND CHARGES

Pursuant to Section 73 of the Stratford Water and Sewer Customer Service Regulations Bylaw, Bylaw # 21, the following fees and charges are established effective April 15, 2002:

Bylaw Section	Description	Charge
26	n.s.f. cheque charge	\$15.00
29	lateral inspection during normal working hours	\$20.00
29	lateral inspection after normal working	\$50.00
46a	water disconnection/reconnection during normal working hours	\$20.00
46a	water disconnection/reconnection after normal working hours	\$50.00
46a	sewer disconnection/reconnection during normal working hours	\$50.00
46a	sewer disconnection/reconnection after normal working hours	\$125.00
46b	water turn on or turn off during normal working hours	\$10.00
46b	water turn on or turn off after normal working hours	\$25.00
60c	meter inspection deposit	\$40.00
70	domestic water supply non-recurring capital contribution for residential customers, per lot (April 15, 2002 amendment)	\$1,500
70	domestic water supply non-recurring capital contribution for non-residential customers, per acre	\$3,500
71	fire rated water supply non-recurring capital contribution per square foot of floor area that is sprinklered	\$0.75