



Town of Hartland

By-Law C-05

WATER SYSTEM & SEWER SYSTEM

1. AUTHORITY. The Council of the Town of Hartland, under the authority vested in it by section 81 of the *Local Governance Act*, enacts this by-law to regulate the use of the water system and the sewer system of the Town of Hartland.
2. DEFINITIONS.
 - 2.1. "Backwater Value" means a device that prevents the flow of liquids and solids from reversing their direction. Examples of liquids and solids include water and sewage.
 - 2.2. "BOD" means biochemical oxygen demand as in the quantity of oxygen used in the biochemical oxidation of organic matter in a specified time, at a specified temperature, and under other specific conditions.
 - 2.3. "CAO" means Chief Administrative Officer for the Town of Hartland.
 - 2.4. "Employee" refers to any person employed on a full-time or part-time basis by a private enterprise or a public institution that works (a) 25 hours or more per week for 40 or more weeks per year or (b) a total of 1000 hours per year.
 - 2.5. "Leaseholder" refers to any tenant that the Owner permits to use his or her property according to the terms of a lease.
 - 2.6. "Mains" refers to all common sewers and water pipes and related systems of the Town.
 - 2.7. "Owner" means the legal Owner of the property or premises.
 - 2.8. "Private System" refers to a water system or a sewerage system or pipeline that (a) resides outside the Town's right-of-way and (b) is not owned by the Town.

- 2.9. "Residential Dwelling" refers to a house, an apartment, a mobile home or trailer, a group of rooms, or a single room occupied as separate living quarters, or if vacant, intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building and have direct access from outside the building or through a common hall. For clarity with respect to billing, a duplex would represent two (2) residential dwellings.
 - 2.10. "Service" means a water system pipe extending from a water main line to any building or a sewer system pipe extending from a sewer system main line to any building.
 - 2.11. "Service Connection" means a water service pipe extending from a water main line to the limits of the road or street or a sewer service pipe extending from a sewer main line to the limits of the road or street.
 - 2.12. "Storm Sewer" means a pipe or conduit for carrying only storm water, surface water, or excess ground water.
 - 2.13. "User" means any person or structure connected to the water system or the sewer system of the Town of Hartland. A "user" may or may not also be the "Owner" of the property or premises.
 - 2.14. "Town" means the municipality of Hartland.
 - 2.15. "Sewer System" refers to the Town's system of storm sewers and sanitary sewers, including wastewater mains, branch mains, force mains, drains, pumps, treatment works, cleanouts, discharge outlets, and other elements owned or leased by the Town to collect, treat, and dispose of surface water and wastewater.
 - 2.16. "Water Main" means a water pipe leading from a water system.
 - 2.17. "Water System" refers to all the infrastructure and facilities in the Town's water system, including the wells, tanks, reservoirs, filtration plants, watercourses, lakes, streams, rivers, buildings, machinery, cribs, basins, hydrants, pumping stations, water mains, water service pipes, fittings, motors, water works, and other elements that draw, collect, treat, distribute, sell, and store water.
3. SERVICE APPLICATION PROCESS.
 - 3.1. HOW TO APPLY FOR SERVICE. When a user requires a service connection, the user must (a) complete and file an Application for Service Connection with the Director of Public Works and (b) submit full payment for the service to the Town Clerk.
 - 3.2. APPLICATION REVIEW PROCESS. Upon receipt of the application and payment, the CAO will direct the work to be completed, unless, in the opinion of the CAO, the work cannot be completed without a compromise or a risk of compromise to the working order and operation of the water system or the sewer system.

- 3.3. HOW TO APPEAL A REJECTED APPLICATION. When the CAO rejects an application, the applicant may appeal the decision in a written letter addressed to Council, who will hear and render a final decision on the appeal in the next meeting of Council.
4. RIGHTS AND REQUIREMENTS OF TOWN – WATER SYSTEM.
- 4.1. RIGHT TO CHARGE LEVY. Under section 81 of the *Local Governance Act*, the Town has the authority to charge fees for water system connection and use to cover its cost to finance, operate, and maintain the system. These fees are outlined in Section 8.
- 4.2. RIGHT TO AMEND RATES. Council may, by resolution and from time to time, amend the water rates and fees defined in Section 8.
- 4.3. REQUIREMENT TO OWN AND MAINTAIN SYSTEM. The Town shall own, operate, and maintain all common water systems within the Town.
- 4.4. RIGHT TO ACCESS PROPERTY TO READ METER. At all reasonable times, the Town shall have access to any property or premises for the purpose of reading water meters or for any other purpose associated with the operation and maintenance of the water system.
- 4.5. REQUIREMENT TO PROVIDE SERVICE FOR TOWN. The Town shall supply water for the uses of the Town and its employees and departments, including the Public Works Department, the Recreation Department, and the Fire Department.
- 4.6. REQUIREMENT TO PROVIDE SERVICE FOR RESIDENTS. The Town shall supply water for the domestic uses of Town residents.
- 4.7. REQUIREMENT TO PROVIDE SERVICE FOR ORGANIZATIONS. The Town shall supply water for the uses of commercial or industrial enterprises, public institutions, and non-profit organizations such as schools and churches that are located inside the municipality.
- 4.8. RIGHT TO NOT PROVIDE SERVICE. The Town, at its sole discretion, may choose to not supply water to any user if the Town believes that doing so would impair its ability to supply water safely and efficiently to residents and other users.
- 4.9. RIGHT TO NOT INSTALL PIPES DUE TO CONDITIONS. The Town reserves the right to not lay pipe or pipes at any time when, in the opinion of the Town, conditions or circumstances are not suitable to perform the work.
- 4.10. RIGHT TO REQUIRE WATER METER INSTALLATION – EXISTING STRUCTURE. The Town, at its sole discretion, may require any residential dwelling, commercial or industrial enterprise, public institution, or non-profit organization to install a water meter on an existing structure that is connected to the Town water system. Cases where the Town is likely to require the

installation of a water meter include a retirement home, a car wash, a food processing plant, a grocery store, a laundromat, and a greenhouse.

- 4.10.1. Commercial enterprises, industrial enterprises, public institutions such as schools, churches, retirement homes, and nursing homes shall be responsible for the costs to purchase and install a water meter.
- 4.10.2. The Town shall be responsible for the costs to purchase and install a water meter for non-profit organizations and residential dwellings.
- 4.10.3. The Town will give the owner of the residential dwelling or business enterprise, or the senior manager of the public or non-profit organization, notice in writing of no less than six (6) months or 180 days that a water meter must be installed.
- 4.11. RESPONSIBILITY FOR REPAIR AND MAINTENANCE. The Town shall be responsible to pay for the cost to repair and maintain all elements of the water system located within the Town's right-of-way.
- 4.12. RESPONSIBILITY FOR LOSS OR DEGRADATION OF SERVICE. The Town shall not be liable for any loss, damage, or injury caused by the interruption, disruption, or variation in the supply of water, including a loss of water pressure.
- 4.13. RIGHT TO DISCONNECT SERVICE FOR NON-PAYMENT. The Town may disconnect water service if the Town does not receive payment in full for the service for a period of more than ninety (90) days after said payments are due, as defined in Section 8. Owners who fail to submit payment to the Town in time and in full for water service shall be subject to pay disconnection and reconnection fees as defined in Section 8.
- 4.14. RIGHT TO DISCONNECT SERVICE FOR NON-COMPLIANCE. The Town reserves the right to disconnect a water service if the related Owner or user violates any provision of Section 5.
- 4.15. IMPROPER USES AND FINES. The Town, at its sole discretion, may levy a fine of up to one thousand dollars (\$1000) against any Owner or Leaseholder for any of the following offences:
 - 4.15.1. Any action or inaction by the Owner or Leaseholder or any person acting on their behalf to (a) use water or (b) configure or maintain a private water system in such a manner as to result in (i) damage to Town's water system or (ii) a material compromise to the normal operation of the Town's water system.
 - 4.15.2. Providing water to another user or other third party for any use that is not related to normal use by the Owner that takes place on premises.

4.15.3. Using water to support construction or agricultural activity that requires a building permit from the Regional Service Commission or authorization from the Town.

5. RIGHTS AND REQUIREMENTS OF TOWN – SEWER SYSTEM.

- 5.1. RIGHT TO CHARGE USER FEES. Under section 81 of the *Local Governance Act*, the Town has the authority to charge user fees for sewer system connection and use to cover its costs to finance, operate, and maintain the system. These fees are outlined in Section 8.
- 5.2. RIGHT TO AMEND RATES. Council may, by resolution and from time to time, amend the sewer fees and charges defined in Section 8.
- 5.3. REQUIREMENT TO OWN AND MAINTAIN SYSTEM. The Town shall own, operate, and maintain all common sewerage systems within the Town.
- 5.4. REQUIREMENT TO PROVIDE SERVICE FOR TOWN. The Town shall supply access to sewer service for the uses of the Town and its Departments, including the Public Works Department, the Recreation Department, and the Fire Department.
- 5.5. REQUIREMENT TO PROVIDE SERVICE FOR RESIDENTS. The Town shall supply access to sewer service for the domestic uses of Town residents.
- 5.6. REQUIREMENT TO PROVIDE SERVICE FOR ORGANIZATIONS. The Town shall supply access to sewer service for the uses of commercial or industrial enterprises, public institutions, and non-profit organizations such as schools and churches located inside the municipality.
- 5.7. RIGHT TO NOT PROVIDE SERVICE. The Town, at its sole discretion, may choose to not provide wastewater service to any user if the Town believes that doing so would impair its ability to provide wastewater to residents and other users.
- 5.8. RIGHT TO NOT INSTALL PIPES DUE TO CONDITIONS. The Town reserves the right to not lay pipe or pipes at any time when, in the opinion of the Town, conditions or circumstances are not suitable to perform the work.
- 5.9. RIGHT TO ACCESS PROPERTY TO INSPECT COMPONENTS. At all reasonable times, the Town shall have access to any property or premises for the purpose of inspecting sewer system components or for any other purpose associated with the operation and maintenance of the sewer system.
- 5.10. RESPONSIBILITY FOR REPAIR AND MAINTENANCE. The Town shall be responsible to pay for the cost to repair and maintain all elements of the sewer system located within the Town's right-of-way.
- 5.11. RESPONSIBILITY FOR LOSS OR DEGRADATION OF SERVICE. No person or business shall be entitled to receive damages for the discontinuance or degradation of Town sewer service.

- 5.12. RIGHT TO DISCONNECT SERVICE FOR NON-COMPLIANCE. The Town reserves the right to disconnect a sewer service if the related Owner or user violates any provision of Section 7.
6. RIGHTS AND REQUIREMENTS OF OWNERS AND USERS – WATER SERVICE.
- 6.1. REQUIREMENT TO COMPLY WITH CODES. All connections to Town water pipes must conform to the plumbing codes of the Province of New Brunswick.
- 6.2. RIGHT TO TURN OFF WATER. An owner may request to have water service to a property discontinued on any basis upon filing a written request with the Town, but no credit will be given for any of that 6-month billing period. An owner who turns off their own water supply must notify the Town in writing.
- 6.3. REQUIREMENT TO CONNECT. Where the Town has provided water to all or a portion of the frontage of any property that requires water service, the Owner of that property must connect to the Town water system, unless the Owner (a) applies in writing to the CAO to waive access to the Town water system and (b) the Town Council waives the requirement upon the Owner to access the Town water system.
- 6.4. REQUIREMENT TO DISCONNECT FROM ALTERNATIVE SERVICE. Once an Owner connects a building on his or her property to the Town water system, the Owner shall become a user of that service and must disconnect all buildings on that property from any other water service and no alternative water service and thereafter, shall not use any alternative water service in any building on his or her property unless approved to do so by Council.
- 6.5. REQUIREMENT FOR PROPER USE. No person shall permit the improper use or waste of water. All leaks due to worn tap washers, defective toilet valves, or other causes shall be promptly and properly repaired. The Town reserves the right to suspend the supply of water until such leaks are stopped and such defects are repaired.
- 6.6. REQUIREMENT FOR CONNECTION DEPTH. All connections for water service shall be placed at sufficient depth and in such manner as to prevent the freezing of the water line.
- 6.7. REQUIREMENT TO INSTALL WATER METER – NEW STRUCTURE. All legal Owners of any new residential, commercial, or industrial structure that is connected to the Town water system must install and maintain, at their cost, a water meter of sufficient size to measure water consumption.
- 6.8. REQUIREMENT TO LOCATE WATER METER AFTER ENTRY POINT. A water meter must be located in such a manner as to connect to the water service connection pipe at the first possible point after said pipe enters the building or structure. No person shall cause water to be taken from the connection point at any point before it enters the water meter.
- 6.9. REQUIREMENT TO PROTECT WATER METER FROM FREEZING. All water meters must be located in such a manner as to prevent damage from freezing.

- 6.10. RIGHT TO REMOVE WATER METER. No water meter may be removed without the written permission of the CAO.
- 6.11. MEANING OF WATER METER READING. The reading of the water meter shall be prima facie evidence of the quantity of water supplied.
- 6.12. RIGHT TO CHALLENGE READING. Any Owner who is not satisfied with a meter reading may have the meter tested by the Town. To test a meter, the Owner must submit a request to the CAO in writing. After the test is completed, if the meter is found to be accurate, the Owner must pay a fee of fifty dollars (\$50) to the Town.
- 6.13. RESPONSIBILITY FOR REPAIR AND MAINTENANCE. The Owner shall be responsible to pay for the cost of all repairs to water service, including connection pipes, fittings, valves, and appurtenances that fall within their property.
- 6.14. REQUIREMENT FOR WATERSTOP INSIDE BUILDING. Every water service to a building shall have a stop in an accessible position immediately inside the service entrance wall of the building.
- 6.15. OWNER IDEMNIFIES TOWN FOR WATER SERVICE INSTALLATION. The property owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of a service connection to the water system.
- 6.16. REQUIREMENT TO PAY FOR SERVICE DISCONNECTION. If water service is disconnected for any reason, the Owner must pay any applicable fees listed and described in Section 8. If repairs or other work are required to shut-off valves or valve boxes to facilitate service disconnection, the Owner must pay for the cost of such repairs and related work.
- 6.17. NO RIGHT TO DAMAGES FROM SERVICE DISCONTINUANCE. No person shall be entitled to receive damages for the discontinuance of water service hereunder.
- 6.18. REQUIREMENT TO MAINTAIN WORKING ORDER OF LATERALS. The owner of a building shall be responsible to take all steps necessary to maintain in good working order the water laterals that service the building.
- 6.19. REQUIREMENT TO MAINTAIN WORKING ORDER OF PRIVATE SYSTEM. The owners and operators of private water systems, including those systems used by residential dwellings, must keep those water systems in good repair, to protect them from frost and to prevent the waste of water.
- 6.20. REQUIREMENT TO NOT OBSTRUCT OR INTERFERE WITH FIRE HYDRANTS. No person shall obstruct access within 4.5 meters (or 15 feet) of a fire hydrant valve or a water system fixture by placing anything at or nearby or by tying an animal at or nearby. No person shall open or interfere with a fire hydrant, except members of the Fire Department or persons authorized by the Fire Chief or the Director of Public Works to do so. Any person who

obstructs access to a fire hydrant, or interferes with the use of a fire hydrant, is subject to a fine of one hundred dollars (\$100) plus any of the costs to remove the obstruction and repair the damage that resulted from the obstruction or interference.

- 6.21. REQUIREMENT TO PAY FOR DAMAGE. Any person who breaks or causes to be broken, a water pipe, a hydrant, or any other component of the water system, is liable to pay a fine of two hundred dollars (\$200) plus the costs to repair and replace the component.
 - 6.22. RIGHT TO DRILL A WELL. No person shall drill a new well on a lot in the Town without the approval of Council, which must be affirmed through a resolution of Council.
 - 6.23. RIGHT TO ACCESS MAIN. No person shall tap into, connect to, or otherwise access a water main in the Town without the written approval of the CAO.
7. RIGHTS AND REQUIREMENTS OF OWNERS AND USERS – SEWER SERVICE.
- 7.1. REQUIREMENT TO COMPLY WITH CODES. All connections to Town sewer service pipes must conform to the plumbing and other building codes of the Province of New Brunswick.
 - 7.2. REQUIREMENT TO ACCURATELY ESTIMATE USERS. To support the billing of sewerage services under Section 0, commercial and industrial enterprises, public institutions, and non-profit organizations must estimate the number of users that work or volunteer on a regular basis on premises for twenty (20) hours or more per week. Each organization must submit their estimate to Town each year by October 31. The estimate must be based on the known user base that existed at the organization over the prior 12-month period.
 - 7.3. REQUIREMENT TO CONNECT. Where the Town has provided sewer service to all or a portion of the frontage of any property that requires sewer service, the Owner of that property must connect their private sewerage service to the Town sewer system, unless the Owner (a) applies in writing to the CAO to waive access to the Town sewer system and (b) the Town Council waives the requirement upon the Owner to access the Town sewer system.
 - 7.4. REQUIREMENT TO MAINTAIN WORKING ORDER. The owner of a building shall be responsible to take all steps necessary to maintain in good working order the sewerage laterals that service the building, including the portion of the sewerage lateral located between the property line and the sanitary sewer.
 - 7.5. RIGHT TO INSPECT. The Manager of Public Works, or anyone he or she chooses to act as an agent on behalf of the Town, may inspect, without constraints and at all reasonable times, the plumbing and private sewerage system installed in any premises or property within the Town.
 - 7.6. REQUIREMENT TO DISCONNECT FROM ALTERNATIVE SERVICE. Once an Owner connects a building on his or her property to the Town sewer system, the Owner shall become a user of that service and must disconnect all buildings on that property from any other sewer service

and no alternative sewer service and thereafter, must not use any alternative sewer service in any building on his or her property unless approved to do so by Council.

- 7.7. REQUIREMENT TO BLOCK FLOW OF SUBSTANCES FROM CONNECTION PIPES. All sewer connections must have check valves, back flow devices, or other such apparatus to prevent the flow of any substance from the Town sewer service connection pipes to enter the building or structure.
- 7.8. REQUIREMENT FOR COUNCIL TO APPROVE EXCAVATION. No excavation shall be made in any street, lane, or thoroughfare within the Town, for the purpose of connecting any private residence, building, or premises to the Town Water System, from December 1 to May 1, without the consent of the Council.
- 7.9. RESPONSIBILITY FOR REPAIR AND MAINTENANCE. The Owner shall be responsible to pay for the cost of all repairs to sewer service, including connection pipes, fittings, valves, and appurtenances that fall within their property.
- 7.10. OWNER IDEMNIFIES TOWN FOR SEWER SERVICE INSTALLATION. The property owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of a service connection to the sewer system.
- 7.11. IMPROPER DEPOSITS IN SYSTEM. No person shall deposit any object or substance or other thing in any part of the Town sewerage system that may impair, damage, or obstruct the normal operation and functioning of the system.
- 7.12. REQUIREMENT TO DISCHARGE WASTEWATER. All wastewater must be discharged into a public sewer or an approved private sewer system.
- 7.13. PROHIBITED DISCHARGES INTO SANITARY SEWER. No person shall discharge into any sanitary sewer, or cause to be discharged into any sanitary sewer, or continue to discharge into any sanitary sewer, any storm water, surface water, ground water, roof run-off water, sub-surface drainage water, cooling water, or unpolluted industrial water.
- 7.14. PROHIBITED DISCHARGES INTO PUBLIC SEWER. No person shall drain or deposit anything in any public sewer main, or in any pipe leading thereto, which would be liable to impair or obstruct any such sewer, nor willfully damage any sewer pipe or any part of the sewer system, including, but not limited to, the following:
 - 7.14.1. Matter having a temperature greater than 65 degrees Celsius.
 - 7.14.2. Matter that may contain fat, oil, or grease of more than 100 parts per million by weight (ppm), of animal or vegetable origin, or 15 parts per million (ppm) by weight of petroleum origin or lubricants of synthetic origin.
 - 7.14.3. Gasoline, bezone, naptha, fuel oil, acetone, solvents, or other inflammable or explosive matter.

- 7.14.4. Ashes, cinders, garbage, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, cellulose, paunch, manure, or other solids of a type of quantity capable of causing an obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- 7.14.5. Matter having a pH lower than 6.0 or higher than 9.5.
- 7.14.6. Any liquid matter containing suspended solids exceeding 350 milligrams per liter.
- 7.14.7. Matter that may cause the death of, or injury to, any person.
- 7.14.8. Matter that could damage or endanger the structures, equipment, or personnel of the sewage works.
- 7.14.9. Hydrogen sulfide, carbon bisulfide, ammonia, trichloroethylene, and other halogen substituted hydrocarbons, sulfur dioxide, formaldehyde, chlorine, bromine, pyridine, or any other matter that (a) has or may cause an offensive odor or (b) may create a public hazard or nuisance.
- 7.14.10. Any matter in which the biological oxygen demand (bod) exceeds 300 parts per million (ppm).
- 7.14.11. Animal waste of any type, including hair, wool, fur, feathers, intestines or stomach casings, paunch, mature, or intestinal contents, hides or parts thereof, hooves, toenails, horns, bones, and fleshings.
- 7.14.12. Matter containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or matter that constitutes a hazard to the health any human or animal. The Town may, as it deems necessary, set limits on other toxic or poisonous substances that may enter sewer system and may alter the acceptable levels of those substances as established in this by-law. Waste considered to be toxic or poisonous shall include, but not be limited to, waste that contains metals or chemicals such as cyanide, chromium, phenols, and copper with concentrations exceed the levels defined in Table 4 below.

TABLE 4: MAXIMUM DISCHARGE ALLOWED BY ELEMENT

ELEMENT	MAXIMUM MILLIGRAMS PER LITRE (MG/L)
ALUMINUM (AI)	50.0
ARSENIC (AS)	1.0
BARIUM (BA)	5.0
CADMIUM (CD)	2.0
CHLORIDE (CL)	1500.0
CHROMIUM (CR)	5.0
COPPER (CU)	5.0
CYANIDE (HCN)	1.0
FLOURIDE (F)	10.0
IRON (FE)	50.0
LEAD (PB)	5.0
MERCURY (HG)	0.1
NICKEL (NI)	5.0
PHENOLIO COMPOUNDS	1.0
PHOSPHOROUS (ASP)	100.0
SULPHATE (SO)	1500.0
SULPHIDE (ASS)	2.0
TIN (SN)	5.0
ZINC (ZN)	5.0
PESTICIDES	0.0
HERBICIDES	0.0

7.15. REQUIREMENT TO MAINTAIN WORKING ORDER OF PRIVATE SYSTEM. The owners and operators of private sewer systems, including those systems used by residential dwellings, must keep those water systems in good repair, to protect them from frost and to prevent the waste of water.

7.16. NO RIGHT TO DAMAGES FOR SERVICE DISCONTINUANCE. No person shall be entitled to receive damages for the discontinuance of sewer service hereunder.

7.17. RIGHT TO INSTALL A SEPTIC TANK. No person shall install a septic tank or a septic field on a lot in the Town without the approval of Council, which must be affirmed through a resolution of Council.

7.18. RIGHT TO ACCESS MAIN. No person shall tap into, connect to, or otherwise access a sewer main in the Town without obtaining the written approval of the CAO.

8. RATES, FEES, CHARGES.

- 8.1. **BILLING AND PAYMENT.** The Town will issue water and sewer bills to users on or before March 31 but not before March 1. The legal Owner of the property or building that is connected to the water service or sewer service shall be responsible to pay in full all service connection fees and water/sewer fees and charges on or before April 30.
- 8.2. **REBATES.** The legal Owner of a property or building is entitled to a prorated rebate of the base fee for water listed under section 8.6 if the premises or structure is vacant for a continuous period of at least six (6) months, and then only if the Owner notifies the CAO in writing prior to the absence.
- 8.3. **LATE PAYMENT.** Owners that fail to pay their water and sewer bills on or before June 1 will be subject to (a) a one-time late fee of twenty-five dollars (\$25) and (b) an interest charge of 5% against the unpaid balance of the billing. The Town reserves to right, according to its own discretion, to waive these late payment fees on a case-by-case basis.
- 8.4. **CONNECTION FEES.** The rate structure outlined in Table 1 shall apply for service connections to the water system and sewer system.

TABLE 1: CONNECTION FEES TO WATER AND SEWER SERVICE

CONNECTION (WATER / SEWER)	FEE
¾ Water Line to Property	\$375
1" Water Line to Property	\$500
More than 1" and less than 2" Water Line to Property	\$500 plus material cost
Greater than 2" Water Line to Property	To be set by resolution of Council
4" Sewer Line to Property	\$400
6" Sewer Line to Property	\$600
8" Sewer Line to Property	\$800
Base Surcharge for Frozen Ground (see 8.5)	\$500
Incremental Fee for Frozen Ground (see 8.5)	As per cost to Town

- 8.5. **FROZEN GROUND SURCHARGE.** When the Town installs a water service connection or a sewer service connection when the ground is frozen, the user is subject to pay an additional surcharge of five hundred dollars (\$500). If, in the Town's estimation, the fees to install the frozen ground connection exceed five hundred dollars (\$500), after the Town accounts for the full cost of manpower, equipment, and materials to remove and replace frozen soil, the Town may, at its sole discretion, levy additional fees on the user to cover its costs.

- 8.6. **WATER RATES.** The Town shall charge fees for water as outlined in Tables 2 and 3 below. All owners will be subject to the applicable base fee. All owners on meters will also be subject to pay to the consumption fee.

TABLE 2: BASE FEES FOR WATER

USER CLASS	BASE FEE ¹
Residential Dwelling – Apartment ²	\$175
Small Commercial/Industrial/Institutional User ³	\$225
Residential Dwelling – Non-Apartment or Small Church ⁴	\$325
Retirement Home, Nursing Home, or Large Church ⁵	\$750
Large Commercial/Industrial/Institutional User ⁶	\$1250

TABLE 3: CONSUMPTION FEES FOR WATER

CONSUMPTION LEVEL	FEE PER GALLON
0 to 50,000 gallons per year	\$0.00375
50,001 to 250,000 gallons per year	\$0.00325
250,001 to 1,000,000 gallons per year	\$0.00275
1,000,001 gallons or more per year	\$0.00225

¹ Base Fee is per annum. The billing of the base fee may be annual or semi-annual.

² For a dwelling that the primary occupant(s) does not own and for which they pay rent. Pursuant to this by-law, existing meters on apartment buildings will be defunct and disregarded for the purposes of billing, meaning that apartment buildings they will not be subject to consumption fees.

³ For government agencies, non-profit organizations, or discrete private enterprises that (a) reside in one building and (b) have 15 or fewer employees/members who each work or volunteer onsite for 750 or more hours per year.

⁴ For (a) a dwelling that the primary occupant(s) owns or is making payments to own or (b) a small church with 50 or fewer regular congregants. Pursuant to this by-law, existing meters on residential dwellings or small churches will be defunct and disregarded for the purposes of billing. For the purpose of clarity with respect to billing, a duplex would represent two (2) residential dwellings.

⁵ For (a) a large church with more than 50 regular congregants or (b) a nursing or retirement home that hosts more than 8 permanent residents. The Town shall classify a nursing or retirement home that hosts 8 or fewer permanent residents as a Residential Dwelling for the purposes of billing.

⁶ For government agencies, non-profit organizations, or discrete private enterprises that (a) reside in two or more buildings OR (b) have 15 or more employees who each work or volunteer onsite for 750 or more hours per year. For the purposes of billing, the Hartland Community School will be classified as a Large Institutional User.

- 8.7. **HOW FEES ARE APPLIED.** All metered users are subject to step ladder payments for water consumption. This means whether a user consumes 1 gallon or 1,000,000 gallons, each user must pay the rate of \$0.00375 per gallon for the first 50,000 gallons, \$00325 for gallons 50,001 to 250,000, and so on. For examples of fee applications, see Appendix 1.
- 8.8. **SEWER RATES.** The Town shall charge fees for sewer service as outlined in Tables 4 and 5. All owners will be subject to the applicable base fee. All owners on meters will also be subject to pay to the consumption fee (that is, each owner will pay the applicable base fee in addition to the consumption fee). Note that the definitions of each user type in Table 4 are specified by footnotes in Table 2.

TABLE 4: USER CHARGES FOR SEWER

USER CLASS	BASE FEE
Residential Dwelling – Apartment	\$125
Small Commercial/Industrial/Institutional User	\$175
Residential Dwelling – Non-Apartment or Small Church	\$300
Retirement Home, Nursing Home, or Large Church	\$500
Large Commercial/Industrial/Institutional User	\$750

TABLE 5: CONSUMPTION FEES FOR SEWER (BASED ON WATER CONSUMPTION)

CONSUMPTION LEVEL	FEE PER GALLON
0 to 50,000 gallons per year	\$0.00175
50,001 to 250,000 gallons per year	\$0.00150
250,001 to 1,000,000 gallons per year	\$0.00125
1,000,001 gallons or more per year	\$0.00075

- 8.9. **FEE TO DISCONNECT FROM WATER SERVICE.** The Town shall charge a fee of one hundred dollars (\$100.00) to discontinue or restore a water service during regular working hours (from 8 am to 5 pm). The Town shall charge a fee of two hundred dollars (\$200.00) to discontinue or restore a water service after regular working hours (from 5 pm to 8 am on weekdays or any time on Saturday or Sunday).
- 8.10. **CHARGE FOR BULK WATER.** The Town will charge ten cents (\$0.10) per gallon for purchases of bulk water from the Fire Hall, with a minimum charge of twenty-five dollars (\$25.00).
- 8.11. **APPLICABILITY OF FEES AND CHARGES.** Unless the Town has a signed and sealed agreement to exempt a user from the fees and charges herein, all users shall be subject to pay the fees and charges listed herein, effective January 1, 2023.

- 8.12. REFUNDS. Upon the application of an Owner, the CAO may grant a refund of rates or charges, or an allowance, up to a maximum of one thousand dollars (\$1000.00) for any cause or reason deemed proper. Any amount over one thousand dollars (\$1000.00) requires the approval of Council.
- 8.13. PENALTY FOR VIOLATION. In addition to the other fines and penalties specified in this by-law for specific acts, a person who violates any provision of this by-law is guilty of an offense and liable on summary conviction to a fine of not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1000.00).
9. REPEAL OF PRIOR BY-LAW. By-Law C-05 (Water System and Sewer System) repeals By-Laws C-2 (The Water System) and C-3 (The Sewerage System).

APPENDIX 1: FEE EXAMPLES

For the clarification of residents, this appendix contains examples of use cases and related fees.

CASE 1: Single apartment building on a meter, 4 units, annual consumption of 62,000 gallons.

EXPLANATION: As noted in Section 8, apartments are not subject to consumption fees. So, under this by-law, this user would pay \$1200 for the year as follows.

SERVICE	BASE RATE	QTY	TOTAL
Water	\$175	4	\$700
Sewer	\$125	4	\$500
TOTAL	\$300		\$1,200

CASE 2: Single residence, one family, on meter, annual consumption of 32,000 gallons.

EXPLANATION: As noted in Section 8, residential dwellings and small churches are not subject to consumption fees. So, under this by-law, this user would pay \$625 for the year as follows.

SERVICE	BASE RATE	QTY	TOTAL
Water	\$325	1	\$325
Sewer	\$300	1	\$300
TOTAL	\$625		\$625

CASE 3: Single business, one building, 12 employees on premises with 1000 hours or more per year, on meter, annual consumption of 28,000 gallons. **EXPLANATION:** The Town would classify this case as a Small Commercial User. Under this by-law, the business would pay \$554 for the year as follows.

BASE FEES			
SERVICE	BASE RATE	QTY	TOTAL
Water	\$225	1	\$225
Sewer	\$175	1	\$175
TOTAL			\$400

CONSUMPTION FEES			
SERVICE	BASE RATE	QTY	TOTAL
Water	\$0.00375	28,000	\$105
Sewer	\$0.00175	28,000	\$49
TOTAL			\$154

SUMMARY OF FEES PAYABLE	
FEE	TOTAL
BASE	\$400
CONSUMPTION	\$154
TOTAL	\$554

CASE 4: One business, two buildings, 14 employees on premises with 1000 hours or more per year, on meter, annual consumption of 675,000 gallons. **EXPLANATION:** Because the business has two buildings that each receive water and sewer service, the Town would classify this case as a Large Commercial User. Under this by-law, this user would pay \$4925 for the year as follows.

BASE FEES			
SERVICE	BASE RATE	QTY	TOTAL
Water	\$1,250	1	\$1,250
Sewer	\$750	1	\$750
TOTAL	\$2,000		\$2,000

CONSUMPTION FEES - WATER			
SERVICE	BASE RATE	QTY	TOTAL
Water	\$0.00375	50,000	\$188
Water	\$0.00325	200,000	\$650
Water	\$0.00275	425,000	\$1,169
Water	\$0.00225	0	\$0
TOTAL		675,000	\$2,006

CONSUMPTION FEES - SEWER			
SERVICE	BASE RATE	QTY	TOTAL
Sewer	\$0.00175	50,000	\$88
Sewer	\$0.00150	200,000	\$300
Sewer	\$0.00125	425,000	\$531
Sewer	\$0.00075	0	\$0
TOTAL		675,000	\$919

SUMMARY OF FEES PAYABLE	
FEE	TOTAL
BASE (WATER AND SEWER)	\$2000
CONSUMPTION - WATER	\$2006
CONSUMPTION - SEWER	\$919
TOTAL	\$4925

CASE 4: One business, one building, 85 employees on premises with 1000 hours or more per year, on meter, annual consumption of 23,925,000 gallons. EXPLANATION: The Town would classify this case as a Large Commercial User. Under this by-law, this user would pay \$75,000 for the year as follows.

BASE FEES			
SERVICE	BASE RATE	QTY	TOTAL
Water	\$1,250	1	\$1,250
Sewer	\$750	1	\$750
TOTAL	\$2,000		\$2,000

CONSUMPTION FEES - WATER			
SERVICE	BASE RATE	QTY	TOTAL
Water	\$0.00375	50,000	\$188
Water	\$0.00325	200,000	\$650
Water	\$0.00275	750,000	\$2,063
Water	\$0.00225	22,925,000	\$51,581
TOTAL		23,925,000	\$54,481

CONSUMPTION FEES - SEWER			
SERVICE	BASE RATE	QTY	TOTAL
Sewer	\$0.00175	50,000	\$88
Sewer	\$0.00150	200,000	\$300
Sewer	\$0.00125	750,000	\$938
Sewer	\$0.00075	22,925,000	\$17,194
TOTAL		23,925,000	\$18,519

SUMMARY OF FEES PAYABLE	
FEE	TOTAL
BASE (WATER AND SEWER)	\$2,000
CONSUMPTION - WATER	\$54,481
CONSUMPTION - SEWER	\$18,519
TOTAL	\$75,000

1. EFFECTIVE DATE.

FIRST READING

August 16, 2022

SECOND READING

August 16, 2022

THIRD READING AND ENACTMENT

September 13, 2022

2. SIGNATURES.

MAYOR

Tracey DeMerchant



Chief Administrative Officer/CLERK

Rob Webber

