

CM: August 17, 1993

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

BY-LAW NO. R 93-106

BILL NO.: 2177

BEING A BY-LAW TO AMEND THE REGIONAL
WATERWORKS BY-LAW NO. R84-026, AS AMENDED, TO
IMPLEMENT A REVISED REPLACEMENT OF WATER
SERVICE POLICY

WHEREAS Section 46 of the Regional Municipalities Act, R.S.O. 1990, C. R.8, as amended, provides that the Regional Corporation has the sole responsibility for the supply and distribution of water in the Regional Area and that all provisions of any general Act relating to such supply and distribution of water and the financing thereof by a municipal corporation and all provisions of any special Act relating to such supply and distribution of water and the financing thereof by an area municipality apply with necessary modifications to the Regional Corporation, except the power to establish a public utilities commission;

AND WHEREAS on the 20th day of March, 1984, the Council of The Regional Municipality of Hamilton-Wentworth did pass and enact By-law No. R84-026, known as "The Regional Waterworks By-law", being a by-law respecting the management and maintenance of the water works systems of The Regional Municipality of Hamilton-Wentworth and the Establishment of Water Rates and Charges;

AND WHEREAS on the 17th day of August, 1993, the Council of The Regional Municipality of Hamilton-Wentworth did approve of Item 8 of Report No. ENV-8-93 of the Environmental Services Committee and thereby did authorize the passing and enactment of this By-law to amend The Regional Waterworks By-law to implement a revised replacement of water service policy;

NOW THEREFORE, THE COUNCIL OF THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH ENACTS AS FOLLOWS:

1. That Subsection 4(13) of the Regional Waterworks By-law No. R84-026, as amended, is hereby repealed and the following substituted therefor:
 - (13)(a) Despite sub-section (9), where the Owner of a parcel of land on which a premises is located submits in writing to the Commissioner of Transportation/Environmental Services that such premises is receiving an inadequate supply of water, and

- (i) where such Owner's premises receives its water supply directly from an individual service connection for such premises or from a common service connection that directly or indirectly services such premises as well as other premises; and
- (ii) where the service connection to such Owner's premises is less than 20 mm diameter; and
- (iii) where no Special Water Servicing Agreement or other Agreement regarding water supply to such Owner's premises exists between the Regional Corporation and such Owner;

then the Commissioner of Transportation/Environmental Services may replace the existing service connection with a 20 mm diameter service connection or may install a new 20 mm diameter service connection if the Owner's premises does not have a separate existing service connection, after the Owner, at the Owner's cost,

- (iv) replaces the existing yard service for the Owner's premises with at least a 20 mm diameter yard service or, if the Owner's premises does not have an existing yard service, installs at least a 20 mm diameter yard service; and
- (v) installs a water meter; and
- (vi) eliminates all plumbing interconnections between the Owner's premises and any other premises such that the replacement or new service connection, as the case may be, supplies only the Owner's premises with water.

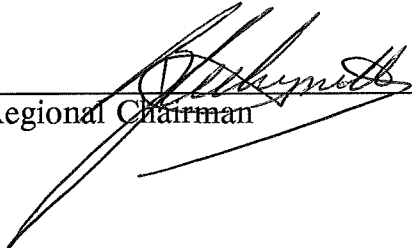
- (b) Where the Owner of a premises referred to in clause (a) herein requests in writing that the Regional Corporation install a service connection that is greater than 20 mm diameter, the Commissioner of Transportation/Environmental Services may comply with the Owner's request provided that the Owner pays to the Region all costs associated with the installation of the service connection greater than 20 mm diameter.

2. That the Regional Waterworks By-law No. R84-026, as amended, is further amended, by striking out every reference in said By-law to "Commissioner of Engineering" and by substituting in each case "Commissioner of Transportation/Environmental Services".

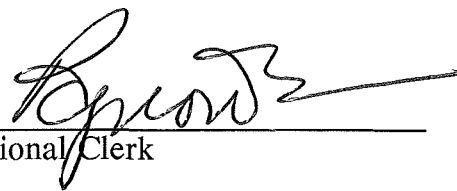
3. That Section 21 of the Regional Waterworks By-law No. R84-026, as amended, is hereby repealed and the following substituted therefor:

Any person who contravenes any of the provisions of this By-law is guilty of an offence and upon conviction is liable to a fine as provided for in the Provincial Offences Act.

PASSED AND ENACTED this 17th day of August, 1993.



Regional Chairman



Regional Clerk

Approved
as to form

Legal
Services