

Crapaud Water and Sewer Corporation Bylaw
GENERAL RULES AND REGULATIONS

1. Application

- 1.1. As required by Water and Sewerage Act, Section 16, the following Rules and Regulations have been approved by the Crapaud Water and Sewer Corporation.
- 1.2. These Rules and Regulations are subject to the Water and Sewerage Act as well as to directives of and special contracts approved by the Crapaud Water and Sewer Corporation.

2. Definition

In these Rules and Regulations, unless the context otherwise requires, the expression:

Commission means the Island Regulatory and Appeals Commission established under the *Island Regulatory and Appeals Commission Act R.S.P.E.I. 1988, Cap. I-11.*

Council means the Official Trustee or the Mayor and other members of the Council of the Municipality.

Customer means a property, person, firm or corporation who or which requests, or is supplied with water and sewer service at a specific location or locations.

Domestic Service means the type of water or sewerage, or water and sewerage 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-unit dwelling, individual apartment, 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 any of these Rules and Regulations.

General Service means any type of water or sewerage service other than domestic service, fire protection service and municipal service.

Municipality means the Rural Municipality of Crapaud

Service means water or sewerage or water and sewerage service.

Shall in the context of these Rules and Regulations means the imperative and that an act must be done.

Public Utility means a public utility as defined in the *Water and Sewerage Act R.S.P.E.I. 1988, Cap. W-2.*

3. General

3.1. Disputes

If any Dispute arises between the Water or Sewer Utility and a customer over the interpretation or application of these rules and Regulations, either party may refer the matter to the Council for decision, and the council may, notwithstanding anything contained in these rules and regulations, make such order as it may deem appropriate.

3.2. Application for Service

The Utility may, before rendering service, require an application form signed by a prospective customer.

As stated in the Sewage and Water Act, a person along whose lands run sewer or water mains shall be deemed to receive service, be supplied with water or provided with sewerage disposal, as the case may be, notwithstanding that such sewer or water mains are not physically connected by lateral lines to any residence, building or other structure situate upon the said lands of such person. 1989, c.9, s.2 {eff. June 12, 1980}.

3.3. Plumbing Permit

In the case of an owner of an existing building or premises applying for service, no service shall be provided until the Utility has been provided with a Certificate of Approval issued by the Plumbing Inspector.

3.4. Plumbing to be Satisfactory

All plumbing, pipes, fittings, vents, fixtures, and other devices such as Grease interceptors for conveying, distributing, controlling or utilizing water or sewerage 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 the Canadian Plumbing Code. Except for construction or testing purposes, the water shall not be turned on until the applicant for service has satisfied the requirements. The supply of water 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 the above requirements, or if any part of the water or sewerage system of such customer is in any unsuitable, dirty, unsanitary, or inaccessible place. Service shall not be re-established until such condition is corrected to the satisfaction of the Utility.

3.5. Refusal of Service

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

3.6. Condemned Premises

Services shall be immediately discontinued to any property condemned under any Federal or Provincial statute or municipal bylaw.

3.7. Season for Laying Pipe

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.

3.8. Access to Customer's Premises

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 sewerage

pipes or fittings, or appliances, or for the purpose of installing, removing, repairing, reading, or inspecting water meters. The Utility shall have the right to suspend service to any customer who refuses such access.

3.9. Prohibited Appliances

Service may be refused or suspended by the Utility to any customer who installs or uses any device or appurtenance, as for example: 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 pipelines, or affect the stability or regulation of water pressure in the Utility's system. A permit to install or use any such device or appurtenance must be obtained from the Utility. The permit shall specify what special arrangements, such as elevated storage tanks, surge tanks or equalizing tanks, etc., must be provided by the customer.

3.10. Interference with Utility Property

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 sewerage pipe or main or other property of the Utility, or obstruct the free access to any hydrant, stop cock, meter, building, etc., provided however that 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.

3.11. Improper Use of Waste of Water

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

3.12. Repair of Leaks

Leaks due to broken water or sewerage services, worn tap washers, toilet valves or other causes shall be promptly repaired. 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.

3.13. Cooling Water

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. In the case of refrigeration equipment, including air conditioning systems, no system having a water consumption rate more than 0.45 litres per minute per metric ton of capacity shall be provided with cooling water. This

Regulation shall apply to all new installations and to any existing systems when they are to be enlarged, renewed, or replaced.

3.14. Suspension of Service for Violation

Whenever, in the opinion of the Utility, violation of any of these Rules and Regulations is existing or has occurred, the Utility may cause the service to be suspended from the premises where such violation is existing or has occurred and may keep the same so suspended until satisfied that the cause for such action has been removed.

3.15. Suspension of Service

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

3.16. Liability of the Utility

3.16.1. The Utility shall endeavor to maintain reasonable continuity of service. If the service is interrupted, the cause of such interruption or other condition shall be removed or corrected and normal operating conditions restored as soon as possible.

3.16.2. 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 sewerage system or flooding of basements as a result of stoppages in the sewerage system unless caused by the negligence of the Utility. 3.16.3.

Interruptions in service shall not relieve the customer from any charge for service.

3.17. Jurisdiction of the Utility

The Utility shall have jurisdiction over all services and extensions including those on a customer's premises up to and including the first clean out point immediately inside the premises.

4. Services

4.1. Installation of Shut-off

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

4.2. Individual Service

Except with the special written approval of the Utility, each separate residential building, or premises, not including multiple apartment buildings exceeding two (2) units, shall have a separate water service with a curb stop and a separate sewerage connection directly to the sewerage main.

4.3. Deposits on Custom Work

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, the Utility may require, before

the work is started, a sum of money equal to the Utility's estimate of the probable cost of the said work. When the actual cost is determined, an adjustment in the payment shall be made. Service shall not be established or continued by the Utility until all charges are paid.

4.4. Service Pipes

Upon receipt of an application for service to any premises located on any portion of a street within the service area of the Utility, which is served by a main water pipe or a main sewerage pipe, and which premises are not already provided with service, the Utility shall install or permit to be installed a water service pipe or a sewerage connection which it considers to be of a suitable size and capacity. The customer may engage an independent contractor to install connections which the Utility considers to be of a suitable size and capacity. No water pipe smaller than 19 mm in diameter shall be laid for any water service and no sewerage pipe less than 100 mm in diameter shall be laid for any sewerage connection. Any work carried out by an independent contractor for the customer shall be under the inspection and supervision of the Utility. An inspection fee, as approved from time to time by resolution of Council, shall apply to work installed by an independent contractor.

4.5. Cost of Service Pipes

In cases where mains are existing, the whole cost of supplying and laying a 19 mm water service pipe and fittings and a 100 mm sewerage connection pipe between the Utility main and the property line of the property to be serviced shall be paid by the Utility, From the property line to the premises, the cost shall be paid by the Customer.

4.6. Cost of Oversized Service Pipes

In cases where mains are existing, for water services larger than 19 mm and sewerage connections larger than 100 mm, the whole cost shall be borne by the Utility from the Utility main to the property line of the property to be serviced. From the property line to the premise, the whole cost shall be paid by the Customer.

4.7. No Water Service Without Sewerage Services

Water service shall not be extended to a premise unless sanitary sewer facilities are also installed or are presently available to the premises in question.

4.8. Relocation of Service

After service has been installed by the Utility, no relocation of or alteration to, the portion of the service installed shall be made except at the expense of the customer or other persons requesting such removal or alteration.

4.9. Multiple Service Connection

In the event of more than one (1) service being required to the same property, such as a sprinkler system connection or an additional general service connection or connections, the full cost of the additional services to the system mains, any necessary

repairs and maintenance to the additional services between the main and the customer's premises and any necessary repairs and replacement to any portion of the streets or sidewalks or property of the municipality damaged in providing such additional services shall be paid by the customer. The decision as to the necessity of the additional services shall be made by the Utility.

4.10. Unauthorized Extensions, Additions or Connections

No person shall, without the written consent of the Utility, make or cause to be made any connection to any pipe or main or any part of the water or sewerage system of the Utility or in any way obtain or use water therefrom in any manner other than as set out in these Rules and Regulations.

4.11. Cross Connections Prohibited

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. Failure to comply with this Regulation shall entitle the Utility to suspend the service and due notice is not required.

4.12. Contaminated Interconnection

No connection shall be permitted to any installation, equipment, or source in such a manner as may allow any contamination to pass from such installation, equipment, or source into the Utility's water supply system. If any such connection exists, the Utility may discontinue the supply of water to such customer, and due notice is not required.

4.13. Repairs to Service Lines

If a leak, stoppage, or other trouble occurs on a water or sewerage line, it shall be repaired as soon as possible. The following work shall be carried out at the expense of the Utility:

(I) Repairs necessitated by a leak or other trouble occurring between the water or sewerage main and the property line.

(II) Repairs necessitated by a leak or other trouble occurring between the property line and the customer's premises which has been caused by the installation having insufficient grade or because of poor workmanship.

(III) Repairs necessitated by tree roots occurring between the water or sewerage main and the property line.

The following work shall be carried out at the expense of the customer:

(I) Repairs necessitated by normal wear and tear occurring between the property line and the customer's premises.

(II) Repairs necessitated by any stoppage attributable to the improper use of the water or sewerage facilities occurring between the main and the customer's premises.

(III) Repairs necessitated by tree roots occurring between the property line and the customer's premises.

4.14. Private Fire Protection

Fire protection lines within buildings shall be accessible for inspection, and no connection for any purpose other than fire protection shall be made thereto. No fire protection line shall be connected in such a way as to be served through a customer's metered service without the written permission of the Utility.

4.15. Water for Construction

The Utility may furnish water to persons requiring a supply thereof for the construction of buildings or other works. 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 the service mains, together with the cost of any meter to be installed to measure the water consumed. Upon completion of the work and return of the meter to the Utility, an adjustment shall be made after deducting the cost, if any, of repairing the meter and of testing the same, and after determining the base and connection charges and the consumption rates in respect to such installation.

4.16. Sewerage Line Check Valve

In the case of a building so located that any plumbing fixture in the building is below street level or so as to be affected by a back flow on the sewerage line, such premises shall be equipped with a suitable check valve. The complete cost of the check valve, its installation and maintenance are the responsibility of the customer. The Utility shall give notice on an annual basis, in a form to be determined by the Utility, to all customers of the advisability of installing a sewerage line check valve. If, after the issuance of such notice, the customer chooses not to install a check valve and a backup occurs in the customer's premises, the customer shall be responsible for any damages sustained.

4.17. Prohibited Sewage

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

- (I) Storm water, surface water, ground water, roof run-off, surface drainage or the like.
- (II) Matter having a temperature of more than 66°C.
- (III) Gasoline, benzene, naphtha, fuel oil, motor oil, grease, acetone, solvents or other flammable or explosive matter.
- (IV) Ashes, cinders, sand, mud, straw, shavings, metals, glass, rags, feathers, tar, disposable wipes, plastics, wood, cellulose, garbage, excluding properly shredded garbage, or other solids of a type or quantity capable of causing obstruction to the flow in sewers or other interference with the proper operation of pumping facilities or sewerage treatment equipment.
- (V) 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.

(VI) Matter that may cause the death or injury to any person or capable of causing damage or hazard to structures, equipment or personnel of the sewage works.

(VII) Hydrogen sulphide, carbon bisulphite, ammonia, trichloroethylene, sulphur dioxide, formaldehyde, chlorine, bromine, pyridine, or any other matter that has or may cause an offensive odour or can create a public nuisance.

(VIII) Any matter in which the BOD exceeds three hundred (300) parts per million.

(IX) Animal wastes such as hair, wool, fur, feathers, intestines or stomach casings, paunch manure, intestinal contents, hides or parts thereof, hooves, toenails, horns, bones, and fleshing's.

(X) Matter containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or constituting a hazard to humans or animals. Included in this category are waters or wastes containing metals or chemicals such as cyanide, hexavalent chromium, phenols, copper whose concentrations are more than:

Chromium as CR (hexavalent) 3 ppm

Cyanide as HCN 2 ppm

Phenol equivalents (primary treatment) 50 ppb

Phenol equivalents (secondary treatment) 100 ppb

Copper as Cu 1 ppm

5. Billing and Metering

5.1. Payment of Bills

All bills shall be payable within thirty (30) days after the date rendered for all customers. If not so paid it shall be deemed to be in arrears. No customer shall be billed more than maximum charge per billing cycle per service unit.

5.2. Prorating of Rates

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.

5.3. Number of Billings

No customer shall be billed more than twelve (12) minimum charges in any twelve (12) month period.

5.4. Suspension of Service for Non-Payment of Bills

The Utility may suspend service to customers whose bills remain unpaid for more than sixty (60) days

5.5. In all cases where service has been discontinued by means of a curb stop for nonpayment of bills or on account or for violation of any section of these Rules and Regulations, service shall not be restored until all arrears has been paid. A customer will be billed for all costs associated with the turn off and turn on of a water or sewerage service if a service was disconnected due to non payment.

5.6. Delayed Payment Charge

All bills shall be computed according to the rates fixed by the Island Regulatory and Appeals Commission, and if any bill is not paid within thirty (30) days after the date rendered, as indicated by the postmark, or such date as may be clearly shown upon the bill, whichever is the later, it shall be subject to a delayed payment charge. The following charges apply: (I) For customers of Crapaud Sewerage and Water Collection the charge shall be equal to 2% per month of the amount of such bill.

5.7. Owner of Premises Billed

Charges for service shall be billed to the owner of the premises.

5.8. Rates During Vacancy

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

5.9. Multiple of Joint Use Premises

Billing of a multiple of joint use premises may be carried out either by billing each individual customer according to the applicable rate schedule or by billing the total premises, at the option of the Utility.

5.10. Municipal Departments

Water and sewerage facilities used by the municipality for any purpose shall be billed to the municipality by the Utility at the rates and charges established herein and under these Rules and Regulations.

5.11. Fire Protection Service Charge

The Utility shall annually render to the municipality not later than the last day of June an account for fire protection service. Such account shall be calculated in the manner set out in the Utility's Schedule of Rates.

5.12. Payments Re Adjoining Municipalities

Unless otherwise ordered by the Commission, customers located in one (1) municipality and receiving service from another, shall pay charges in accordance with the rates prescribed for the municipality in which they are located. The Utility in the municipality in which such customer is located shall be billed and be responsible for the payment of charges to the adjoining utility for such services as may be provided by that utility.

6. Extension of Services

6.1. Customer Contributions

Unless otherwise ordered by the Council, property owners or customers shall, in cases where service is not available, contribute towards the cost of extending mains, including service laterals to the property line, on the following basis:

- I. In the case of water service, One Hundred percent (100%) of the total cost.
- II. In the case of sewerage service, One Hundred percent (100%) of the total cost.

Such contributions shall, in cases of developed, non-serviced land, be based on a property owner's lot frontage in relation to the total frontage of the service extension.

6.2. Customer Contribution Frequency

A customer contribution shall not be made more than once in the case of a sewerage line on any frontage. No charge shall be made where service has been provided in the past.

6.3. Orderly Extension of Services

The Utility shall provide service facilities to new street extensions or development areas on an orderly and following basis only. If any person is desirous of obtaining service when not available on this basis, such service may be provided to the person by the person paying, in addition to the charges set forth in Regulation 6.1, the full cost of the construction from the existing main to the new street extension or development area.

6.4. Individual Service Extensions

Where extensions of individual services are being provided, the property owner or customer shall be billed only for the size of the mains required to give adequate service to the premises concerned. The Utility shall be responsible for the additional costs incurred.

6.5. Extensions Over Private Property

In cases where service extensions are required over private property to serve other than owners of that property, such extensions shall be subject to separate negotiation and agreement between the Utility, the customer, and the property owner.

6.6. Extensions Through Public Rights-of-Way-Intersections

The total cost of service extensions through public right-of-way or intersections in new development areas shall be allocated in accordance with Regulation 6.1. In other areas, the total cost shall be borne by the Utility.

6.7. Extensions Past Municipal Land

The total cost of service extensions past municipal land in new development areas shall be allocated in accordance with Regulation 6.1, with the Utility's share of the costs charged against the municipality. In other areas, the total cost shall be charged against the municipality.

6.8. Extensions Past Vacant Property-Liens

In situations where service facilities are extended past lots not requiring service at the time of the extension, but capable of being served, the Utility may place a lien against the property and that part of the construction need not be paid until service is provided, or the property is sold, or five (5) years have elapsed since the completion of the extension covered by the lien, whichever occurs first.

6.9. Interest on Liens

In cases where the utility charges a lien against property, interest at a rate of two (2)

percentage points above a rate based on the nearest one-half (1/2 %) of the bank's prime lending rate as of the first (1st) banking day of each year shall be charged against the property.

6.10. Contracted Work

Where the Utility does not carry out its own construction, any contract work shall be done for, on behalf of, and with the approval in writing of the Utility.

6.11. Use of Independent Contractors

In a case where construction is to be carried out on behalf of the Utility by an independent contractor, the customer is to be party to any decision relative to accepting any quotation by the Utility, or alternately, the Utility may allow the customer to have plans and specifications prepared, and after being approved by the Utility, an acceptable contractor shall be authorized by the Utility to proceed with construction under its inspection and supervision. An inspection fee, as approved from time to time by resolution of Council, shall apply to laterals installed by an independent contractor.

6.12. Signed Agreements

Where construction is estimated to cost in excess of one thousand (\$1,000.), a signed agreement shall be entered into between the Utility and the customer. Where construction is estimated to cost less than this amount, the Utility may require a signed agreement between itself and the customer.

6.13. Service Laterals

In the case of service extensions, laterals, from mains to property lines, shall be installed when mains are installed.