

THE CORPORATION OF THE TOWN OF THE BLUE MOUNTAINS

By-Law No. 2008- 90

BEING A BY-LAW TO AMEND BY-LAW 2008-02, BEING A BY-LAW TO PROVIDE FOR THE REGULATION OF WATER SUPPLY IN TOWN OF THE BLUE MOUNTAINS

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, in Section 11 provides that lower-tier municipality may pass by-laws respecting matters within the public utilities sphere of jurisdiction;

AND WHEREAS the *Municipal Act, 2001* S.O. 2001, c. 25 as amended, in Part III, Public Utilities, further details specific municipal powers within the public utilities sphere of jurisdiction;

AND WHEREAS Section 398 of the *Municipal Act, 2001* permits the Treasurer of the municipality to add fees and charges imposed by the municipality to the tax roll to collect them in the same manner as municipal taxes;

AND WHEREAS Council has deemed it necessary to amend By-law 2008-02 to change the time requirements for connecting a building to the Town's Water System to be consistent with all other connection by-laws;

AND WHEREAS Council has deemed it necessary to impose a minimum charge for water meters that remain unapproved and uninspected after 180 days;

AND WHEREAS the Town has held a public meeting before passing this by-law and has provided notice of the public meeting and its intention to pass this by-law and made available to members of the public information with respect to the charges.

NOW THEREFORE the Council of The Corporation of the Town of The Blue Mountains hereby enacts as follows:

1. THAT Section 2.01 of By-law 2008-02, being a By-law to provide for the regulation of water supply in Town of The Blue Mountains, be amended to read:
 - 2.01 The owner of a building located on a property abutting Town lands in which a watermain is situate, shall connect the building to the water system. If the owner of a building fails to make a connection required within eleven (11) months after the Town has sent notice to the owner by prepaid mail to the owner's address shown on the latest revised assessment roll, requiring the connection to be made, the Town may make the connection at the expense of the owner, and for this purpose may enter in and upon the property of the owner. The notice shall advise the owner that if the owner fails to make the connection as required, the municipality has the right to make it at the owner's expense and to recover the expense by action or by adding the amount to the tax roll of the property and collecting the amount in like manner as property taxes.
2. THAT Section 3.03 of By-law 2008-02, being a By-law to provide for the regulation of water supply in Town of The Blue Mountains be amended to read:
 - 3.03 Water supply charges on a newly constructed building whose water service extension was inspected after December 31, 2006 commences from the date the water meter has been installed or 60 days from the date the water service was inspected, whichever occurs first. After 180 days, a minimum bill with 30m³ per month will be imposed where no water meter installation was inspected and approved.

Where the watermain has been extended in front of a property, on which

a building has been erected, water supply charges come into effect as follows:

- (a) on the date when the water meter has been inspected and approved by the Town inspector; or,
- (b) eleven (11) months after the watermain installation receives the certificate of substantial completion and notice as described in 2.01 has been sent to the property owner.

3. THAT this By-law shall come into full force and effect upon the enactment thereof.

Enacted and passed this ^{15th} ~~22nd~~ day of ^{October} ~~September~~, 2008.


Ellen Anderson, Mayor


Stephen Keast, Clerk