



**TOWN OF SAINT ANDREWS
W. C. O'NEILL ARENA COMPLEX BALLROOM
Regular Council Meeting
October 7, 2019 at 7:00PM**

MINUTES

RECORDING OF ATTENDANCE

A Regular Meeting of the Town of Saint Andrews Council was held at the W. C. O'Neill Arena Complex Ballroom beginning at 7:00 PM with the following members present: Mayor Doug Naish, Deputy Mayor Brad Henderson, Councillors Kate Akagi, Edie Bishop, Guy Groulx and Andrew Harrison. Also were present: Chris Spear, Acting Clerk, Terry Acton, Acting Deputy Clerk and Alex Henderson, Planning Director SWNBSC.

Absent: Councillor Kurt Gumushel

APPROVAL OF AGENDA

Motion 207 - 10/19

It was moved by Councillor Akagi, seconded by Councillor Groulx to adopt the Agenda as presented.

It was moved by Councillor Groulx and seconded by Councillor Bishop to amend the Agenda to add the following items listed under New Business; Use of town Roads by Cyclecross the Tide and a Grant Application from Vincent Massey Elementary School.

Carried.

The vote to approve the original motion to adopt the Agenda, with Amendments, was **carried.**

Motion 208 - 10/19

Following discussion, it was moved by Councillor Groulx, seconded by Councillor Bishop and carried to adopt the Agenda as amended with the following additions under New Business: RCS191001 Use of Town Roads and FA190901(3) VMES Home and School Association Grant Request

Carried

DISCLOSURE OF CONFLICT OF INTEREST

Deputy Mayor Henderson declared a conflict of interest on item FA190901(3) VMES Home and School Association Grant Request

APPROVAL OF THE MINUTES OF PREVIOUS MEETING

Motion 209 - 10/19 Regular Meeting of Council- September 9, 2019 – 7:00 p.m.

It was moved by Councillor Bishop, seconded by Deputy Mayor Henderson and carried that the Minutes of the September 9, 2019 Regular Meeting of Council be adopted as presented.

Carried

Motion 210 - 10/19 Special Meeting of Council September 23, 2019

It was moved by Deputy Mayor Henderson, seconded by Councillor Akagi and carried that the Minutes of the September 23, 2019 Special Meeting of Council be adopted as presented.

Carried

Motion 211 – 10/19 Special Meeting of Council September 30, 2019

It was moved by Deputy Mayor Henderson, seconded by Councillor Akagi and carried that the Minutes of the September 30, 2019 Special Meeting of Council be adopted as presented.

Carried

PRESENTATIONS

Peter Logan, CPA, CA, Auditor from Teed-Saunders-Doyle presented to Council the 2018 Audited Consolidated Financial Statements for the Town of Saint Andrews.

Rachel Gillespie, VP of Strategy and Stakeholder Engagement for NBCC presented points on their "Together We Rise" Five Year Plan which aims to increase the student base within the College system as well as work with Municipalities to address the lack of housing for these students.

COMMUNICATIONS

None

STAFF REPORT

- FINANCIAL REPORT - N/A

Motion 212 - 10/19

It was moved by Councillor Groulx, seconded by Deputy Mayor Henderson and carried that Council accept the Staff Reports as presented. **Carried**

INTRODUCTION, CONSIDERATION AND PASSING OF BY-LAWS AND MOTIONS

Finance & Administration - Councillor Bishop

Motion 213 – 10/19 FA190804 – Tender TSA 2019-03 -Concrete Reservoir Rehabilitation

It was moved by Councillor Bishop, seconded by Councillor Akagi and carried that Council award Tender TSA 2019-03, Saint Andrews Concrete Reservoir Rehabilitation, to Fairville Construction Ltd. for the bid amount of \$171,695 HST included, but the project will be completed in the spring of 2020. **Carried**

Motion 214 - 10/19 FA190902 – Environmental Advisory Committee Applicants

It was moved Councillor Bishop, seconded by Councillor Groulx and carried that Council appoint the following individuals to the Environmental Advisory Committee for the Town of Saint Andrews: **Todd Ross** for a **two-year** term; **Rick Smith** for a **one-year** term; **Kalen Mawer** for a **one-year** term; **Briana Cowie** for a **two-year** term; **Jessie Davies** for a **one-year** term; **Donna Muir**, Ex-Officio member from the Chamcook Watershed Association for a **two-year** term. **Carried**

Motion 215 - 10/19 FA190903 – Audited Consolidated Financial Statements

It was moved by Councillor Bishop, seconded by Councillor Harrison and carried that Council adopt the 2018 Consolidated Financial Statements as audited by Teed-Saunders-Doyle, Chartered Professional Accountants subject to the amendments to Note 21 of the 2018 Consolidated Financial Statements. **Carried**

Motion 216 - 10/19 FA190904 Charlotte County Hospital Foundation, Inc. Radiothon

It was moved by Councillor Bishop, seconded by Councillor Groulx and carried that Council support the Charlotte County Hospital Foundation, Inc.'s Radiothon Fundraiser in the amount of \$1,000. **Carried**

Motion 217 - 10/19 FA190906 Request from Dunn Foundation

It was moved by Councillor Bishop, seconded by Deputy Mayor Henderson and carried that Council put in an application for funding to the Sir James Dunn Foundation for the following projects:

- | | |
|-----------------------------|----------|
| 1. Street End Parks | \$50,000 |
| 2. Refurbishing Dining Room | \$50,000 |
| 3. Hop on Hop Off Bus | \$50,000 |
| 4. Score Clock – Arena | \$15,000 |

Carried

Public Works - Councillor Akagi

Motion 218 – 10/19 PW190801 By-law 19-07 Water Wastewater Systems & Rates
 It was moved by Councillor Akagi, seconded by Councillor Groulx and carried that Council proceed with Third and Final Reading, by title, of By-law 19-07, Being a By-law Related to Water Systems, Water Rates, Wastewater Systems and Wastewater Rates in the Town of Saint Andrews. *"Schedule A"* **Carried**

Mayor Naish Read By-law 19-07, by title for a Third and Final Time.

Public Safety - Councillor Groulx**Motion 219 - 10/19 PS190802 Town Owned Lands-Nuisance Deer Hunt-Follow-up**

It was moved by Councillor Groulx, seconded by Deputy Mayor Henderson that Council approve the use of the New Brunswick Department of Energy and Resource Development identified Town-owned lands for the purpose of a Nuisance Deer hunt within Town limits and authorize the Acting CAO to authorize the hunter(s) who will carry out the 2019 Nuisance Deer Hunt on Town property.

Motion 219a – 10/19

Following discussion on the motion,

It was moved by Deputy Mayor Henderson, seconded by Councillor Groulx and carried that PS190802 be tabled until Staff provides Parcel Identifiers for the properties in question. **Carried**

Motion 220 - 10/19 PS190901 Jaws of Life – Pay it Forward Request

It was moved by Councillor Groulx, seconded by Councillor Akagi and carried that Council declare the recently replaced Jaws of Life a surplus asset and donate it to the Lawrence Station Fire Department for their use as a rescue tool. **Carried**

Business, Tourism, Heritage and Culture - Deputy Mayor Henderson
None**Recreation and Community Services - Councillor Gumushel**
None**Planning & Economic Development - Councillor Harrison**

Motion 221 10/19 PED190901 Chris & Joanne Hannan Development Agreement
 It was moved by Councillor Harrison, seconded by Councillor Bishop and carried that Council approve the Subdivision Development Agreement between Chris and Joanne Hannan and the Town of Saint Andrews in relation to the property at 387 Queen Street with Parcel Identifier 01322106.

At this point Council returned to item PS190802 for further discussion

Motion 222 - 10/19

It was moved by Deputy Mayor Henderson, seconded by Councillor Akagi and carried that Council approve PID15064074 for the 2019 Nuisance Deer Hunt. Councillors Groulx and Harrison registered Nay votes.

Motion 223 - 10/19

It was moved by Deputy Mayor Henderson, seconded by Councillor Groulx and carried that Council approve PID15030083 and PID15030091 for the 2019 Nuisance Deer Hunt. Councillors Groulx and Harrison registered Nay votes.

Councillor Groulx asked that his comment be noted in the minutes that his Nay vote is related to "risk perspective to the public".

Councillor Harrison asked that his comment be noted in the minutes that his Nay vote is related to "the land use should be for recreational purposes only".

**Motion 224 - 10/19 Amendment to Zoning By-law to Allow for Liquor Licenses
for Cultural Organizations**

It was moved by Councillor Harrison, seconded by Deputy Mayor Henderson and carried that Leave be Granted to Introduce for First Reading, Amendment Z19-09 to By-laws No. Z18-04 and Z19-01, A By-law of the Town of Saint Andrews Respecting Zoning. **Carried**

Motion 225- 10/19 Views of the Planning Review and Adjustment Committee

It was moved by Councillor Harrison, seconded by Councillor Groulx and carried that Council requests the written views of the Planning Review and Adjustment Committee on the proposed By-law amendments in accordance with Section 110 of the *Community Planning Act*. **Carried**

Motion 226 - 10/19 Hearing of Objections

It was moved by Councillor Harrison, seconded by Councillor Groulx and carried that Council set 6:30 p.m. on November 4th, 2019 at the W. C. O'Neill Arena for the Public Hearing of Objections in accordance with Section 111 of the *Community Planning Act*. **Carried**

NEW BUSINESS

Motion 227 - 10/19 RCS191001 Use of Town Roads

It was moved by Councillor Akagi, seconded by Councillor Groulx and carried that Council authorize the use of Marine Science Drive and Brandy Cove Road as corresponded by Jamey Smith for the Cross the Time Cycle Race on October 20th, 2019 and to approve the use for future years, under terms and conditions set by the Acting CAO. **Carried**

Deputy Mayor Henderson declared a Conflict of Interest regarding the following item for discussion and left the Council Chambers.

**Motion 228 - 10/19 FA190901(3) VMES Home and School Association Grant
Request**

It was moved by Councillor Bishop, seconded by Councillor Akagi and carried that Council approve grants of \$1,000 for 2019 and \$1000 for 2020 from the Albert McQuoid Trust Fund to Vincent Massey Elementary School for the continued support of in-school music programs. **Carried**

Deputy Mayor Henderson returned to the Council Chambers follow the discussion and adoption of the above motion.

**QUESTION PERIOD
NONE**

COUNCILLORS' AND DEPUTY MAYOR'S COMMENTS

MAYOR'S COMMENTS

CLOSED SESSION

Motion 229 - 10/19

At 8:45 p.m. it was moved by Councillor Groulx, seconded by Councillor Akagi and carried that Council move to Closed Session per the *Local Governance Act*, Section 68(1)(f) information concerning legal opinions or advice provided to the local government by its solicitor or privileged communications between solicitor and client in a matter of local government business. **Carried**

Motion 230 - 10/19

At 9:15 p.m. it was moved by Councillor Groulx, seconded by Councillor Akagi and carried that Council return to Open Session. **Carried**

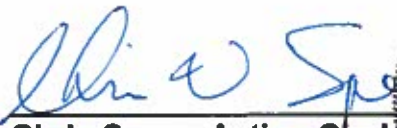
ADJOURNMENT

Motion 231 - 10/19

At 9:15PM, it was moved by Councillor Akagi, seconded by Councillor Groulx that the meeting be adjourned.



 Doug Naish, Mayor



 Chris Spear, Acting Clerk



Schedule "A"

By-Law No. 19-07
 A By-Law Relating to Water Systems,
 Water Rates, Wastewater Systems and Wastewater Rates

BE IT ENACTED BY THE COUNCIL OF THE TOWN OF SAINT ANDREWS UNDER AUTHORITY VESTED IN IT BY THE LOCAL GOVERNANCE ACT AS FOLLOWS:

1. Interpretation

- (a) "**Backflow**" a flowing back or reversal of the normal direction of flow;
- (b) "**Backflow Preventer**" a device that prevents the backflow from a non-potable environment to a potable environment due to either back-siphonage or back pressure;
- (c) "**Back pressure**" means pressure higher than the supply pressure;
- (d) "**Back-siphonage**" means backflow caused by pressure below atmospheric in the system;
- (e) "**Back Water Valve**" means a valve in that portion of the homeowner's plumbing system known as the building drain, which is installed downstream of any connection and which is intended to prevent reverse flow from a public wastewater system into the wastewater portion of the building plumbing system;
- (f) "**CAN/CSA**" means Canadian Standards Association;
- (g) "**CAO**" means the Chief Administrative Officer appointed by the Town of Saint Andrews Council;
- (h) "**Curb Cock**" means a valve to temporarily turn on/off the municipal water supply to the owner.
- (i) "**Cross Connection**" means any actual or potential connection between a potable water system and any source of pollution or contamination. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices, or any other temporary or permanent connecting arrangements through which backflow may occur are considered to be cross-connections;
- (j) "**Owner**" means that person in whose name a property is assessed under the Assessment Act and includes the executors, administrators and assigns of such person;
- (k) "**Private Wastewater System**" is a wastewater system owned by a person other than the Town;
- (l) "**Private Water System**" is a water system owned by a person other than the Town;
- (m) "**Primary Wastewater Zone**" means all lots bordering the wastewater system as per Godfrey & Associates Drawing #4603 dated January 2003, plus those lots which, in the future, border approved extension of the system;
- (n) "**Primary Water Zone**" means all lots bordering the water system as per Godfrey & Associates Drawing #4602 dated January 2003, plus those lots which, in the future, border approved extension of the system;
- (o) "**Property Line**" means the boundary between the road or right-of-way and the property concerned;
- (p) "**Property Connection**" means (a) that section of water pipe extending from the curb cock near the property line (b) that section of the sewer extending from the property line onto the property concerned;
- (q) "**Standard Service Connection**" means a three-quarter inch copper water line and four-inch PVC wastewater line, which extends from the main pipes on the street to the owner's property line. The water service connection shall terminate in a "curb cock" located on or near the property line;
- (r) "**Wastewater System**" means that system of wastewater mains, branch mains, force mains, drains, pumps, treatment works, discharge outlets and other things owned or leased by the Town which may be used for the collection treatment and disposal of wastewater;
- (s) "**Town**" means the Town of Saint Andrews;
- (t) "**Water and Water Supply**" means the water supplied by the water system to consumers for purposed herein specified;
- (u) "**Water System**" means that system of wells, tanks, reservoirs, dams, water courses, lakes, streams, rivers, filtration plants, water mains, service pipes, fittings, motors, apparatus, water works, and all other things owned or leased by the Town which may be used for the drawing, collection, storing, treating, distributing and selling of water to consumers;

2. Schedule Amendments

The Council may from time to time amend by resolution Schedules "A" to "F" inclusive of this by-law.

3. Obligations of the Town with respect to Water:

(a) Water shall be furnished for the following purposes:

- (1) Domestic and fire protection purposes within the Town.
- (2) Town purposes.
- (3) Industrial, Commercial and Recreational.

(b) Water shall not be furnished for industrial, commercial or recreational purposes, nor for irrigation or any purpose not specified in Section (a) when in the opinion of the Town the efficiency of the water supply for domestic and fire protection purposes would be thereby impaired.

(c) Water shall be furnished for recreation purposes for a minimum charge of \$500.00 plus the water consumption charge for the water supplied.

(d) The Committee may, subject to the foregoing limitations, furnish water, for purposes other than domestic or fire protection, under an agreement with the Town.

(e) The Town is liable for all repairs, cost of materials including labor and any other expenses necessarily incurred to repair or replace any water service connection from the main to the "curb cock".

(f) The Town shall not be liable for any loss, damage or injury caused or done by interruption, disruption or variation in supply or pressure of water in the water system.

4. Obligations of the Town with respect to Wastewater:

(a) The sewage system shall be for the collection, treatment and disposal of domestic wastewater and such industrial and commercial wastewater as the Town may agree to.

(b) The Town shall be under no obligation to furnish wastewater service to any industrial or commercial establishment, if in the opinion of the Town such service would jeopardize the service to domestic users.

(c) The Town shall not be liable for any loss, damage or injury caused or done by intermittent flow or blockage of the wastewater system.

5. Obligations of the owner

(a) The owner of the property is liable for all water rates and charges, and wastewater rates and charges imposed by this by-law, on that property whether it is occupied by himself or his tenants, or vacant, and shall pay all those rates, rentals and charges to the clerk at the times prescribed by this by-law.

(b) Where the owner with a private system fails to connect up with the wastewater system, such owner shall pay a connection charge as per schedule "D" at the time the connection permit is submitted to the Town.

(c) The owner of a property is liable for all repairs, costs of materials including labor and any other expenses necessarily incurred to connect, repair or replace any water connection from the shut-off to the owner's residence. "Expenses" shall be deemed to include the cost of repair of public property such as roads and streets.

(d) The owner of a property is liable for all repairs, costs of materials including labor and any other expenses necessarily incurred to repair or replace any wastewater connection from the wastewater main to the owner's residence. "Expenses" shall be deemed to include the cost of repair of public property such as roads and streets.

(e) The owner of a property that is connected to a private wastewater system will be required to connect to the Town wastewater system upon the failure of the private wastewater system.

(f) All new wastewater connections must include the installation of a backwater valve as per the National Building Code and the National Plumbing Code.

(g) Where an owner's water system requires a pressure-reducing valve to control excess pressures, such valve and its installation shall be the responsibility of the owner.

6. Responsibilities of Town Council:

The Town Council shall appoint such officers and employees as are deemed necessary for the efficient and continuous operation of the water and wastewater systems.

7. Responsibilities of CAO:

(a) Subject to the direction of the Town, the CAO shall have general administration of the construction of the water and wastewater systems, and shall have available plans, diagrams, records and reports, as the Town may deem necessary.

(b) The CAO shall be responsible for maintenance and shall have charge of all employees engaged in any work connected with the water and wastewater systems, and subject to the approval of the Town may define the duties of all employees engaged in work connected with the water and wastewater systems.

8. Extensions, Alterations and Repairs to Water and Wastewater Systems

(a) No extension, repairs, replacement, alteration or connection shall be made to any part of the water or wastewater systems without the required permit and the consent of Town.

(b) Within the primary water and wastewater zones, all new construction shall be connected to the water and wastewater systems. Where separate storm and sanitary wastewater mains are available; roof and cellar drains shall not be connected to the sanitary wastewater system.

(c) Replacement of private water system nor private wastewater system shall not be built within the primary zones without the consent of the Town and the Department of Health.

(d) All new construction outside the primary zones shall have private water or wastewater systems, which meet or exceed requirements of the Town and the Department of Health.

(e) Property owners outside the existing primary zones may negotiate with the Town Council for extension of water and wastewater systems under the terms of local improvement by-laws, or such other terms as are mutually agreeable.

9. Cross Connections

(a) No person in any house, building, or other place connected to the water system, shall connect, cause to be connected, or allow to remain connected to the water system, or plumbing installation, without the express written consent of the town, any piping fixtures, fittings, containers or appliances in a manner which, under any circumstances, may allow water, wastewater, or any other liquid, chemical or substance, to enter the water system.

(b) Where, in the opinion of the town, there may be a risk of contamination to the water system, notwithstanding the provisions of subparagraph (a), the town may require the customer, at the customer's sole cost and expense, to install at any point on the customer's property connection, one or more backflow prevention devices, which devices shall be of a quality and type approved by the town. The devices shall be installed in accordance with manufacturer's recommendations, CAN/CSA-B64.10-01 or more recent version, and to the satisfaction of the Town. A person who fails to install an approved backflow preventer as required by the Town is guilty of an offence.

(c) All backflow prevention devices shall be maintained in good working order and the effectiveness of backflow preventers shall not be reduced by the installation of a bypass or other devices. All testable devices must be inspected and tested by a certified tester, approved by the town, at the expense of the customer. Such inspections shall take place upon installation, and thereafter annually, or more often if required by the town. For testable devices the customer shall submit a report in a form approved by the town on any or all tests performed on a backflow device within 7 days of a test. A record card shall be displayed on or adjacent to the backflow preventer on which the tester shall record the name and address of the owner of the device, the location, type, manufacturer, serial number and size of the device, the tester's name, the name of his employer, and the tester's license number.

(d) All non-testable prevention devices must be replaced every five years from the initial installation date or a frequency determined by the Town based on performance evaluations of the device. Installation, maintenance, field-testing and selection of all backflow prevention devices shall fully conform to the latest revision of CSA B64.10 and CSA B64 series, manufacturer's recommendations and to the satisfaction of the Town.

(e) Employees of the Town shall have free access, during normal working hours of the day, to all premises connected to the water system or wastewater system for the purpose of ensuring compliance with relevant by-laws and inspecting of potential cross connections or backflow preventers.

(f) In the event of any breach, contravention or non-compliance by a person of any of the provisions and regulations in subparagraphs 9(a), (b), (c), or (d), the Town may:

- (i) suspend water to such person, or
- (ii) give notice to the person to correct the breach, contravention or non-compliance within 5 days, or a specified lesser period. If a person fails to comply with such notice, the Town may immediately thereafter suspend water service to such person.
- (iii) Impose any conditions or actions, which the Town feels appropriate.

10. Alternate Water Supply Prohibited

Connection of any owner's installation served by the Town water system to any other water source is prohibited. Failure to comply with this regulation shall entitle the Town to suspend the service.

If complete disconnection of the alternate supply from the municipal water system is not possible strict conditions will be imposed by the Town, which may include but are not limited to:

- (a) A severe hazard backflow preventer (RP) is required to provide premise isolation.
- (b) Alternate water system operation and maintenance procedures similar to the Town be followed.
- (c) Repairs or additions to their water systems are in accordance to AWWA standards including disinfection.
- (d) Cross connection control survey(s) are conducted using the services of personnel that are approved by the Town.
- (e) The installation of the required backflow prevention devices and testing is to be to the satisfaction of the Town.
- (f) Materials that are in contact with the water supply should meet recognized standards (CSA, NSF, AWWA)
- (g) Private water system operators should have training consistent with that of Town operators.
- (h) Any modifications to water system and alternate supply require prior approval of the Town.
- (i) Records, results and information about the alternate water supply shall be submitted to the Town.

11. Permits

No person shall make any connection to any watermain or wastewater main belonging to the Town, nor shall any water or wastewater service be supplied unless a permit has been issued pursuant to this By-law.

12. Applications

Application for permits for construction or renewal of services and property connections to the water and wastewater systems and supply of water or wastewater services shall be made at the Town Office on forms supplied by the Town and signed by the applicant.

13. Fees

- (a) Owners of new water, wastewater or water and wastewater connections shall pay a fee/deposit in accordance with Schedule "D".
- (b) Outside the primary zones, the fee for water and/or wastewater service connections shall equal the cost of the service requested. The cost is to be estimated, paid in advance and adjustment made on completion of the work.
- (c) No fee shall be necessary for permits respecting work to a property connection.
- (d) The Town shall install service connections for which the fee has been paid according to schedule "D".
- (e) Interim bill for property transfer shall pay a fee in accordance with Schedule "E".

(f) Temporary disconnection from the town water supply and temporary reconnection to the town water supply shall pay a fee in accordance with Schedule "E".

14. Water Meter Rentals

(a) All properties connected to the town water supply shall pay an annual rental for the use of a water meter in accordance with Schedule "A", whether the water supply is metered or not.

(b) Meter rental fees shall be payable within 30 days of the respective water/wastewater billing dates.

15. Water and Wastewater Rates

(a) The water and wastewater rates for a property in which the water and wastewater supply is metered shall be calculated in accordance with Schedule "B".

(b) The water and wastewater rates for a property in which the water and wastewater supply is not metered shall be the amount calculated in accordance with Schedule "B".

(c) The owner of a building which is not connected to the town water supply or wastewater system which runs along the frontage of the land on which the building stands shall pay the base rates set out in Schedule "B".

(d) Water rates shall be payable within 30 days of the respective water/wastewater billing dates unless a longer period of grace is stipulated on the billing.

(e) A special rate may be set by the Town where water service is supplied under special or unusual circumstances.

16. General

(a) A property owner is entitled to a temporary disconnection or reconnection as per the fee prescribed in schedule "E".

(b) A waiver of the fee prescribed in section 16(a) maybe granted under special or unusual circumstances.

(c) Water used exclusively for irrigation purposes and separately metered shall be excluded from the calculation of wastewater rate for the property to which such water is supplied.

(d) Interest at the rate of 1.5% per month (19.56% per annum) shall be assessed as a penalty against any account with respect to which any rates or rentals payable under this by-law remain unpaid for more than thirty days after the same become payable.

(e) The Chief Administrative Officer may order the water supply to be shut off to a property to which any rates, rentals or penalty payable under this by-law remain unpaid for more than sixty (60) days after the same payable.

(f) Upon application of an owner, the Chief Administrative Officer may, with the approval of the Town, grant a refund of rates or rentals or an allowance for any cause, which he/she deems proper.

(g) Meter readings shall be prima facie evidence of the amount of water used by the owner. In the event of a discrepancy between the outside reading device and the meter register, the inside meter register shall govern. If the seal of a meter is broken or if a meter does not register due to damage, the bill for that water service shall be estimated by the Town in accordance with the best available data.

17. Property Connections

The cost of property connections shall be paid for by the property owner (Schedule "D"). All property connections shall be of such material and shall conform with such grades and standards, as the Chief Administrative Officer shall prescribe.

18. Inspection of Connections

No new or replacement property connection shall be covered until inspected and approved by the Town. If the owner or his agent covers a property connection before approval has been given, the Chief Administrative Officer may have the same re-opened for inspection, and the cost shall be recoverable from the owner.

19. Maintenance of Connections

(a) The normal maintenance of the water service connection, service box and curb cock shall be the responsibility of the Town. Damage caused to the water service connection, service box and/or curb cock beyond normal wear shall be repaired by the town and the incurred cost billed to the owner.

(b) The maintenance of the water property connection, and the wastewater service and property connections shall be the responsibility of the owner.

20. Time of Year

The Town shall not be required to lay any service pipe or pipes at any season of the year, which, in the opinion of the Chief Administrative Officer, is not suitable for the performance of the work.

21. Water Meter Provisions

(a) Unless authorized by the Town, a water meter shall measure the water supply to any premise, except those supplies used exclusively for fire protection systems.

(b) Before receiving water services, the owner shall install a shut-off valve before and after the meter and make provisions that the meter remains accessible so that it can be easily changed, serviced, read. The meter must also be protected from freezing temperatures. For meters larger than two-inch or turbine or compound, the owner shall provide a strainer for the meter and a valve bypass arrangement to enable testing and servicing of the meter.

(c) Where the premise of a customer is such a nature that a meter cannot be installed in a building, or if the building is not sufficiently frost proof as to ensure the safety of the meter, the Town may order the construction of an approved frost proof chamber in which the meter can be installed.

(d) All water meters shall be of an approved type by the Town. The Town will provide standard three-quarter inch meters. For meters larger than three-quarter inch the Town will provide at the expense of the owner.

(e) All meters installed by the Town or for the Town are and shall remain the property of the Town. Every owner whose water supply is metered shall be liable for any damage to, or loss of the meter resulting from any cause other than normal wear.

(f) Employees of the Town shall have free access, during normal working hours of the day, to all premises connected to the water system or wastewater system for the purpose of ensuring compliance with relevant by-laws, reading or inspecting or replacing any water meter.

(g) If any alteration is made to the building which cause a change to the meter or outside reader it is the owner's responsibility to contact the water department so that the Town can approve this change.

22. Wasted Water

The owner shall be liable for water wastage from his/her property connection.

23. Billing Appeals

(a) An owner wishing to appeal their water & wastewater invoice must complete the Billing Appeal Form supplied by the Town. The Town will review and rule on the appeal in a timely fashion.

(b) The appeal form must be received by the Town within 30 days of the invoice date of the disputed bill.

(c) Appeal applications based on meter over-registering disputes for meters one inch and smaller will require a deposit fee of \$50.00. Upon payment of the fee, an owner is entitled to a meter test which will be performed by the Water Dept. If the meter is shown to be over-registering by more than 3%, the fee will be refunded, and current and one preceding bill adjusted accordingly, otherwise the fee will be forfeited. For meters larger than one inch may require onsite testing or the meter to be shipped to the supplier. The Town shall be entitled to a fee to cover the expenses involved in contracting a third party for testing. This amount shall be billed to the customer if the meter should be found to be registering satisfactorily.

24. Limitations — Withdrawal of Service

Where a property connection is found to have been installed in an unworkmanlike or unsatisfactory manner, or has deteriorated to an unsatisfactory condition, or where a person has violated any provision of this By-Law, the Town may direct that the water supply be withheld or discontinued until such private systems are properly installed or repaired and approved, or the violation rectified.

25. Building & Plumbing Code Regulations

All Building and Plumbing Code regulations must be adhered to.

26. Interceptors & Separators

(a) Grease and/or Petroleum

(i) Grease interceptors and separators shall be installed at any commercial or industrial business that manufactures, uses or disposes of grease products which includes food preparation or dishwashing facilities. Wastewater effluent from each device shall not display visible free-floating grease and total influent shall not exceed the maximum design flow for the unit.

(ii) Petroleum interceptors and separators shall be installed at any commercial or industrial business that manufactures, uses or disposes of petroleum products. Wastewater effluent from each device shall not display visible free-floating petroleum and/or its by-products and total influent shall not exceed the maximum design flow for the unit.

(iii) Units shall be designed by an engineer and be approved by the Utility Operator and shall be installed to the satisfaction of a licensed plumbing inspector engaged by the Town for such installations.

(iv) Grease interceptors and separators shall be of obvious watertight construction.

(v) All grease interceptors and separators shall be maintained according to manufacturer recommendations.

(vi) A maintenance schedule and monthly record of maintenance shall be submitted to the Utility Operator annually for each grease interceptor and separator installed.

27. Wastewater Discharge

(a) Residential buildings are prohibited from discharging any substance except domestic wastewater into the wastewater collection system. Domestic wastewater does not include grease, oil, petroleum products, plastic, and any non-biodegradable product.

(b) Commercial buildings are prohibited from discharging any substance except domestic wastewater into the wastewater collection system.

(c) Industrial or commercial buildings may be required by the Town to install grease and or petroleum separators if the wastewater discharge from the property has the potential to discharge any substance other than domestic wastewater into the collection system

(d) Any new industrial or commercial property will have to establish to the Town that effluent from said business would not exceed the design specifications of the wastewater treatment system before being given permission to build.

28. Emergencies

(a) Should it become impossible to maintain adequate water reserves or pressures by voluntary water reductions, the Town Council may, by resolution, declare that a water emergency exists.

(b) Following the passage of such a resolution, the Town Council may place such restrictions on the use of water, as it deems necessary.

(c) Water users shall be given notice of such restrictions and any person violating same shall be liable, on summary conviction, to a maximum fine of \$50.00 for a first offence, or in default to imprisonment for period of 5 days, or to a maximum fine of \$200.00 for subsequent offences, or in default to imprisonment for a period of 10 days.

(d) Notice of said restrictions may be given either:

(i) By ordinary mail addressed to all householders.

(ii) By means of a public address system.

(iii) By verbal notice given to the person prior to any alleged offence under paragraph (c) hereof.

29. Penalties for Non-Payment

(a) In the event that rates, fees, rental, legal fees, interest and penalties as herein provided are due and payable for a period of sixty (60) days, such charges shall constitute a special lien and charge on the real property in respect of which such charges shall have been imposed pursuant to subsection 117(9) of the Local Governance Act.

(b) If the charges referred to it in Section 29(a) hereof shall remain unpaid after expiration of the said sixty (60) days as referred to therein, the Town may:

- (i) sue in the name of the Town in an action for debt, and
- (ii) cut of the water and/or wastewater service provided to such property and may discontinue such service until such time as the account including arrears and the cost of disconnecting the service have been paid in full by the owner.

30. Indemnity and Refunds

(a) No person shall have any cause of action against the Town for any claim for damages of whatsoever nature or kind which may be caused at any time to any person or property arising from the construction, maintenance or operation of the sewer system, except damages caused by the deliberate act or misfeasance of the Town.

(b) No person shall be entitled to a refund of any payment for stoppage or interruption of the wastewater system caused by accident, frost or for the purpose of making additions or repairs to the wastewater system or for any purpose, which in the opinion of the Town is necessary or desirable.

31. Offences and Penalties

(a) No person in any house, building, or other place connected to the water system, shall:

- (i) give, lend or sell the water or provide service to any other premises, except under permit issued by the Town.
- (ii) Wrongfully neglect or improperly waste water.

(b) No person shall:

- (i) Remove, damage or otherwise interfere with a water meter or a backflow preventer.
- (ii) Unless authorized by the Town, use unmetered water for purposes other than firefighting.
- (iii) Unless authorized by the Town or being a member or under the direction of the fire department, draw water from, open, close, cut, break or in any way injure or interfere with or obstruct access to any fire hydrant, water or wastewater pipe or main or other property of the Town.
- (iv) Add or cause to be added to the water/wastewater system any corrosive, flammable, explosive, noxious, poisonous or toxic material or compound that might damage or interfere with the normal safe operation of the water/wastewater system.

(c) Any person who violates the provisions of this By-Law is guilty of an offence and on summary conviction is liable to a fine not exceeding \$500.00.

(d) By-Law Number 04-06 is hereby repealed.

(e) The repeal of By-law No. 04-06 by a By-law of the Municipality of the Town of Saint Andrews Respecting Water Systems, Water Rates, Wastewater Systems and Wastewater Rates, shall not affect any By-law infraction, penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any Agreement completed, existing or pending at the time of repeal.

Read First Time: September 9, 2019
 Read Second Time: September 30, 2019
 Read Third Time and Enacted: October 7, 2019

 Doug Naish, Mayor

 Chris Spear, Acting Clerk

SCHEDULE "A"

Part I- ANNUAL WATER METER RENTALS

No annual water meter rental

PART II- SEMI-ANNUAL WATER METER RENTALS

No semi-annual meter rental

SCHEDULE "B"

Flat Rates for Water Consumption and Wastewater Disposal

1. All properties serviced by 5/8" meters or less, the following rates apply:

Water and Wastewater service:

An initial annual rate of \$560.00 for the period September 30, 2018 to September 30, 2019. Thereafter, a semi-annual charge of \$280.00.

Water service only:

An initial annual rate of \$360.00 for the period September 30, 2018 to September 30, 2019. Thereafter, a semi-annual charge of \$180.00.

Sewer service only:

An initial annual rate of \$360.00 for the period September 30, 2018 to September 30, 2019. Thereafter, a semi-annual charge of \$180.00.

Out of Town Services

For any services not within the municipality of the Town of Saint Andrews, the prevailing rate will be 1.5 times the above rate.

2. All properties serviced by meters that exceed 5/8" the following rates apply

October 1, 2018

Water Rates

Base	\$140
Consumption	4.25/1,000 gallons up to 250,000 gallons 2.40/1,000 gallons over 250,000 gallons

Sewer Rates

Consumption	4.25/1,000 gallons up to 250,000 gallons 2.75/1,000 gallons over 250,000 gallons
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Effective October 1, 2019

WATER RATE

- (a) Base Charges

Size of Meter	Semi-Annual Charge
19 mm- ¾"	\$173.66
25 mm- 1"	\$286.53
37 mm- 1.5"	\$568.72
50 mm- 2"	\$907.35
75 mm- 3"	\$1,810.35
100 mm- 4"	\$2,826.23
150 mm- 6"	\$5,648.11

- (b) Consumption rate per 1,000 imperial Gallons \$4.47

WASTEWATER RATES

- (a) Base Charges

Size of Meter	Semi-Annual Charge
19 mm- ¾"	\$118.69
25 mm- 1"	\$197.82
37 mm- 1.5"	\$395.64
50 mm- 2"	\$633.03
75 mm- 3"	\$1,266.05
100 mm- 4"	\$1,978.21
150 mm- 6"	\$3,956.41

- (b) Consumption rate per 1,000 imperial Gallons \$4.97

3. Inflationary Escalator Cost

On the first day of October, 2020 and on the first day of October in each and every year thereafter, the rates and charges set out in Schedule "B" shall increase by an amount equal to two percent (2%) of the immediately prior year's rate or charge.

SCHEDULE "D"

Connection fees – Section 17

1. On application for 3/4 (three-quarter inch) domestic standard water service connection - \$550.00 plus applicable taxes.
2. On application for 4" (four inch) domestic standard wastewater service connection, - \$550.00 plus applicable taxes.
3. On application for standard domestic water and wastewater connections together, - \$1,000.00 plus applicable taxes.
4. Where an application is for a connection larger than the standard ¾" (three-quarter inch) water connection and 4" (four inch) domestic wastewater service connection, the applicant shall pay the fees noted above for the standard service connections as well as for all costs related to the non-standard connecting valve for the water connection and for all direct connections of the wastewater system to the primary water and/or wastewater system. The applicant is also responsible for future maintenance of any non-standard system.

SCHEDULE "E"

Temporary disconnection fees Section 13

1. Temporary disconnection from the town water supply - \$25.00
2. Reconnection to the town water supply - \$25.00
3. Interim billing (property transfers) - \$25.00

SCHEDULE "F"

- I. Charge for meter test -\$50.00