

JAN 16 1992

Town of Hampton

WATER BY-LAW NO. 110-91

The Council of the Town of Hampton under the authority vested in it, enacts the following Water By-law No. 110-91

Interpretation

In this By-law, unless the context otherwise requires:

1. Definitions

- a) "Commercial Use" shall be as permitted in the Zoning By-Law.
- b) "Council" shall mean the Council of the Town of Hampton.
- c) "Curb Stop" shall mean a shutoff valve attached to a water service pipe installed near the property line which may be operated by a valve key to start or stop flow in the water supply lines of a building.
- d) "Dwelling Unit" shall mean a suite operated as a housekeeping unit used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities;
- e) "Industrial Use" shall be as permitted in the Zoning By-Law.
- f) "Institutional Use" shall be as permitted in the Zoning By-Law.
- g) "Owner" shall mean the beneficial owner and where applicable shall mean the owner of the fee simple or if such property is held subject to a mortgage, it shall mean the owners of the equity of redemption and if title is held in joint tenancy or in tenancy in common, it shall mean each of such owners jointly and severally.
- h) "Person" shall mean any individual, firm, company, association, institution, society, corporation or group.
- i) "Premises" shall mean a building, which may contain more than one dwelling unit, institutional unit, industrial unit, and/or commercial unit, connected to the Water System of the Town by one service connection.
- j) "Residential Use" shall be as permitted in the Zoning By-Law.
- k) "Service Connection" shall mean any piping system that conveys water from a water main to any premises.
- l) "Shall" is mandatory, "May" is permissive.
- m) "Town" shall mean the Town of Hampton.
- n) "Water" and "Water Supply" shall mean the water supplied to consumers for the purposes herein specified.
- o) "Water System" shall mean all of the property involved in the operation of the Town of Hampton water utility, including land, wells, water lines and appurtenances, treatment plants, reservoirs, pumping stations, and general property.

2. Commission

The Council shall, by resolution, establish the Hampton Utilities Commission, which shall be known as the Commission, to operate the Water System of the Town.

3. Application For Service

- a) No person shall make a connection to any water main of the Town unless a permit has been issued pursuant to this By-law by the Commission.
- b) An application for a permit shall be in a form prescribed by the Commission accompanied by such plans, specifications or other information required to properly describe the work.
- c) No permit shall be issued under this section until such fees as may be established by the Commission from time to time have been paid to the Town.
- d) No permit shall be issued under this section unless the applicant's property abuts the water main and is capable of being connected thereto.
- e) The Commission may from time to time establish a maximum number of users of the Water System of the Town.
- f) The cost of installing the connection between the water main and the premises shall be paid by the person applying for the connection.
- g) The size, shape, alignment, materials or construction of a service connection and methods to be used in excavating, placing of the pipe, joining, testing and backfilling the trench, shall be as specified in the Town of Hampton Specifications For Developers and shall be subject to supervision and approval of the Commission.

4. Service Connection

- a) No service connection shall be covered in until it has been inspected and approved by the Commission and an approval issued therefor.
 - b) If the owner of property serviced by water, or his agent, covers in any service connection before it has been inspected and an approval issued therefor, the Commission may open the same for the purpose of inspection and the cost of so doing shall be recoverable from the owner.
- 5.
- a) The owner of a premises located on land by which a water main runs shall connect up with the said water main after notice has been given by the Commission.
 - b) Where an owner fails to comply with a notice under subsection 5(a) above, such owner shall pay a rate equal to what the rate would be applicable to that property if the connection with the Water System had been made.
6. The Town shall not be required to lay any service pipe or pipes during any season of the year which in the opinion of the Commission is not suitable for the performance of the work.
7. No person shall supply water or permit water to be supplied from his dwelling unit, commercial unit, institutional unit, industrial unit, or premises to any other dwelling unit, commercial unit, institutional unit, industrial unit, or premises.
8. No owner shall permit the improper use or waste of water and shall promptly repair leaks due to worn tap washers, toilet valves or other causes and the Commission shall have the authority to suspend the supply of water until such defects are properly repaired.

9. Every service connection to a premises shall have a stop drain shut-off valve in an accessible position immediately inside the service entrance wall of the premises.
10. All plumbing pipes and fittings, vents, fixtures, or other devices for conveying, distributing, controlling or utilizing water which are used by an owner and are not the property of the Town shall be installed in a manner satisfactory to the Commission.
11. The water shall not be turned on except for construction or testing purposes until the applicant for services has satisfied the Commission that the Commission's requirements have been met.
12. The supply of water may be discontinued to any premises at any time if in the opinion of the Commission the plumbing, pipes, fittings, vents, fixtures or other devices as hereinbefore mentioned or any of them fail to comply with the requirements of this by-law or if any part of the water system of such premises is in any way unsuitable, dirty, unsanitary or in an inaccessible place.
13. No water supply discontinued under Section 12 shall be reestablished until the condition is corrected to the satisfaction of the Commission.
14. No person shall make a connection between any line containing water supplied by the Town and any other source of water supply.
15. If a connection described in Section 14 is made, the Commission may discontinue the supply of Town water to such person.
16. a) No person shall connect
 - i) a booster pump;
 - ii) a quick opening or quick closing valve;
 - iii) a flush valve;
 - iv) a heat pump;
 - v) a standpipe;
 - vi) a large outlet which may occasion sudden large demands of short or long duration thereby requiring oversize pipe lines;
 - vii) any device which may affect the stability or regulation of water pressure in the water system;

to a service connection, or a line connected to a service connection, without obtaining a permit from the commission.

 - b) An application for a permit to install a device mentioned in subsection (a) shall be accompanied by plans and specifications and such other information required to properly describe the work.
 - c) The Commission may discontinue the supply of water where a connection of any of the devices referred to herein is made without a permit required by this section.
17. a) No connection shall be made 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 Water System.
- b) If a condition is found to exist which in the opinion of the Commission is contrary to subsection (a) hereof, the Commission may either:
 - i) shut-off the service or services, or
 - ii) give notice to the owner to correct the fault within a specified period.

- c) Notwithstanding the foregoing, the Commission may permit cross connection control devices to be installed on the owner's water piping at the sources of potential contamination and/or on the water service pipe.
 - d) Where, in the opinion of the Commission, a high risk of contamination of the potable water system exists, or the potential contaminant is extremely dangerous, water service to an owner shall be provided only on the provision that the customer have installed on the owner's water service pipe a cross connection control device approved by the Commission in addition to the cross connection control devices installed on the owner's water piping at the source of potential contamination.
 - e) Where a cross connection control device is required by the Commission, that device shall be tested upon installation, and thereafter annually, or more often if required by the Commission, by personnel approved by the Commission, to demonstrate that the device is in good working condition. The owner shall submit a report in a form approved by the Town, on any or all tests performed on a device within 30 days of a test.
 - f) Should a test show that a cross connection control device is not in good working condition, the Commission shall give notice to the owner to make repairs or replace the device within a specified period, and if the owner fails to comply with such notice the Commission shall shut off the service or services.
 - g) The Commission may permit the use of a water service for construction purposes for a limited time, provided it is satisfied that adequate provision is made to prevent backflow into the water system.
 - h) In all new construction, where water hose connections are installed for purposes other than fire protection, such hose connections shall be fitted with atmospheric vacuum breakers.
 - i) All cross connection control devices shall be installed as recommended by the manufacturer and approved by the Commission.
18. a) No fire protection lines within any premises shall have connections to serve any other purpose.
- b) All fire protection lines shall have separate service connection lines.
19. a) Subject to subsection (b) all service connections shall connect directly from the premises to the water main.
- b) The Commission may approve a new service connection to be connected to an existing and active service connection.
20. The Commission may refuse to construct a service connection to any premises.
21. The Town may enter into agreements with surrounding municipalities for the supply of water and the Town's ability to supply water to any premises is contingent upon the supply of water being available from time to time to the Town. The Town is under no obligation to provide water to any premises if such supply is not available.
22. No person, unless authorized by the Commission in writing, shall draw water from, open, close, cut, break or in any way injure or interfere with any fire hydrant, water or sewer pipe or main or other property of the Town, or obstruct the full access to any hydrant, stop cock, or premises, provided however, that nothing in this paragraph contained shall be deemed to prevent an officer or member of the Hampton Fire Department engaged in the work of such Department, from using any hydrant or other source of water supply of the Town for fire fighting.

23. Not more than one premises shall be serviced from each service connection, unless a special permit is obtained from the Commission.
24. The supply of water to all premises shall be paid for on a user charge basis to be fixed by the Commission.
25. The Commission shall have the right of access to all parts of a premises at all reasonable hours for the purpose of inspecting any pipes, fixtures or appliances.

General

26.
 - a) Sprinkler system service installation or private hydrant installation shall be the responsibility of the owner who shall assume the entire cost of installing and maintaining such service, including the cost of the tee and valve, excavation, tamped backfill and street or sidewalk surface repairs.
 - b) Hydrants are to be as specified in the Town of Hampton Specifications For Developers.
27.
 - a) Nothing in this by-law shall be deemed to be a guarantee of an uninterrupted water supply of a sufficient or uniform water pressure and the supply of water by the Town is contingent on the Town's ability to obtain the same.
 - b) The Town shall not be liable for any damage or injury caused or done by reason of the interruption of supply, operation, variation of pressure, or on account of turning off or turning on of water or of the drawing of a vacuum on the system by fire pumps.
28. Water services shall be discontinued to any premises condemned by order of the Council of the Town.
29.
 - a) Whenever an owner requests the Commission to provide water or perform work related to the water supply ("water work") for which such owner is required to pay such owner shall pay in advance a sum equal to the Commission's estimate of the cost of the water work.
 - b) When the actual cost of the work done is determined, the amount paid under 29 (a) shall be adjusted accordingly.
 - c) No water service to any premises shall be established or continued by the Commission until the charges as required by this section are paid.
30. Unpaid accounts for water work performed by the Commission on private property under Section 29 at the request of the owner may be collected by the inclusion of the unpaid amounts in the periodic water bill.
31. Whenever, in the opinion of the Commission, a violation of any of the clauses of this by-law has occurred or is existing, the Commission may cause the water service to be discontinued to the premises where such violation has occurred or is existing until the violation has been remedied.

32. Maintenance

- a) The main line of the water systems shall be maintained and operated by the Town.
- b) The service connection from (and including) the curb stop at the property line to the main line of the water system shall be maintained and operated by the Town.

- c) The service connection from (but NOT including) the curb stop at the property line to the building shall be maintained and operated by the owner.

Rates

33. The owner of premises receiving water services shall pay a user charge based upon the attached Schedule "A" at such rates as may be established by the Commission from time to time. Rates shall be determined by the Commission and shall be calculated in one or more of the following manners:
- a) By measuring the consumption of water being supplied by means of a meter or other mechanical device; or
 - b) By imposing a uniform flat rate upon different classes of users of water, which classes of users shall be determined by the Commission in a rational way referable to use, or potential use, of water.
34. The Commission may order that the water supply to any premises shall be metered by a water meter or other mechanical device approved by the Commission and rented to the owner of the premises by the Town.
35. Bills for water service shall be rendered to each owner at intervals as established by the Commission.
36.
 - a) Every rate and charge for water services is due and payable on the date the billing is mailed.
 - b) Where an amount is paid for water services, such amount is to be applied first in payment of arrears.
 - c) The net amount will be the amount payable only if the bill is paid within 30 days after the date of rendering the bill, which date shall be clearly shown on the bill.
 - d) Interest shall be payable on all accounts remaining unpaid after thirty days of rendering at a rate to be established by the Commission from time to time, such rate of interest to be set forth on the invoice.
37.
 - a) The Commission may suspend water service to any owner whose bill remains unpaid for more than forty days after the date the bill is mailed.
 - b) Where water service has been suspended for non-payment of bills, the service shall not be restored until all arrears have been paid in addition to a reconnection fee. The reconnection fee shall be established by the Commission from time to time.
38.
 - a) Whenever the water has been turned off from any premises on account of a violation of this by-law, a reconnection fee shall be paid to the Town to cover the expense of turning the water off and on before the same is turned on.
 - b) Whenever an owner, for any reason, requests that the water be turned off from any premises, a reconnection fee shall be made for turning off the water, and no additional charge shall be made for turning it on again when this is requested.

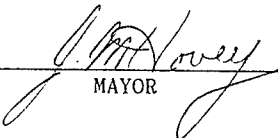
Notice

39. Where a notice is authorized to be given under this by-law, other than a notice under Section 33 and 24, such notice shall,
- a) be in writing;
 - b) be signed by the Chairman of the Commission;
 - c) be served personally on, or sent by prepaid registered mail to the owner of the premises in respect of which the notice is issued;
 - d) state the nature of the work to be performed and grounds upon which the work is required; and
 - e) state that the work must be carried out or effected by the owner within the period stated in the notice, such period to be not less than seven days and not more than two months from the date the notice is served or mailed.

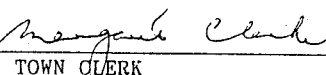
Enforcement

40. A person who violates any provision of this by-law is guilty of an offence and is liable on summary conviction to a fine not exceeding \$200.00.

IN WITNESS WHEREOF the Town of
 Hampton has caused the Seal of the said
 Town to be affixed to this By-law the
13 day of December 1991,
 and signed by:



 MAYOR



 TOWN CLERK

First Reading: Dec. 13/91

Second Reading: Dec 13/91

Third Reading: Dec 13/91