

# **The Corporation of the City of Kawartha Lakes**

## **By-Law 2019-**

### **A By-law to Amend By-law 2014-255, being Mandatory Connection By-Law**

The full title of the By-Law being amended is A By-Law to Require Owners of Buildings to Connect Such Building to Drinking Water Systems and/or Wastewater Collection Systems in The City of Kawartha Lakes, referred to as the "Mandatory Connection By-Law".

#### **Recitals**

1. Council adopted Resolution CR2018-591 on September 25, 2018 directing amendments to By-law 2014-255.
2. An amendment is required to change the timing requirements for property owners to connect to municipal water and/or wastewater systems.
3. These changes require an amendment to the original by-law.

**Accordingly, the Council of The Corporation of the City of Kawartha Lakes enacts this By-law 2019-      .**

#### **Section 1.00: Definitions and Interpretation**

##### **1.01 Definitions:**

All defined terms in the amending By-law take their meaning from By-law 2014-255 of the City of Kawartha Lakes.

##### **1.02 Interpretation Rules:**

- (a) The Schedules attached to this by-law form part of the by-law, and are enforceable as such.
- (b) The words "include" and "including" are not to be read as limiting the meaning of a word or term to the phrases or descriptions that follow.

#### **Section 2.00: Amendment Details**

- 2.01 **Amendment:** Section 2.01 to By-law 2014-255 is deleted in its entirety and replaced with the following:

**Section 2.01:** Subject to section 2.02 herein the owner of any Building as defined herein where such service or services have capacity, shall be responsible for the physical installation of a private sanitary lateral and/or private water service at the Owners expense and shall be responsible for the payment of all fees and charges payable to the Municipality for the installation and connection of a municipal sanitary lateral and/or water service in accordance with the provisions of this By-law and any and all by-

laws governing connections to municipal drinking water systems and wastewater collection systems upon failure and/or need for replacement of their existing private water supply and/or sewage/septic disposal system(s). For further explanation refer to Appendix 1: Connection Diagram.

- 2.02 **Amendment:** Section 2.02 to By-law 2014-255 is deleted in its entirety and replaced with the following:

**Section 2.02:** Subject to section 2.01, in the event that water and/or wastewater services become available after the date of passage of this by-law, persons described in section 2.01 shall connect their premises directly to the services in accordance with section 2.01 upon failure of their private water and/or sewage/septic disposal system(s).

- 2.03 **Amendment:** Section 2.03 to By-law 2014-255 is deleted in its entirety and replaced with the following:

**Section 2.03:** Notwithstanding sections 2.01 and 2.02, in the event that:

- i. the non-municipal source of potable water for a premises described in Section 2.01 or 2.02 is or may be contaminated or otherwise unsuitable for drinking water as determined by the Medical Officer of Health under the Health Protection and Promotion Act, R.S.O 1990, C.H.7, as amended; or
- ii. the private sanitary sewage septic system servicing a premises described in Section 2.01 or 2.02 is or may contravene the Environmental Protection Act, R.S.O. 1990, c.E.19 or the Building Code Act, 1992, S.O. 1992, c. 23; then

the owner of the premises shall connect the premises to the services immediately.

- 2.04 **Amendment:** Section 2.04 to By-law 2014-255 is deleted in its entirety and replaced with the following:

**Section 2.04:** Any connection required to be made by an owner under this by-law shall be made as soon as reasonably possible following the failure of the existing private water and/or sewage/septic disposal system(s).

- 2.05 **Amendment:** Section 2.05 to By-law 2014-255 is deleted in its entirety and replaced with the following:

**Section 2.05:** Any appeals or requests for exemptions from sections 2.01, 2.02, 2.03 and 2.04 of this By-law shall be forwarded to the High Water Bill Adjustment and Mandatory Service Connection Appeals Committee as per Section 24.00 of By-law 2018-039 "A By-Law to Regulate Water and Wastewater Services in the City of Kawartha Lakes", as amended.

- 2.06 **Amendment:** Section 2.06 to By-law 2014-255 is deleted in its entirety and replaced with the following:

**Section 2.06:** Subject to section 2.01, 2.02 or 2.03 of this by-law any Owner of a building on land that meet the requirements to connect to the municipal water and/or wastewater services shall be billed the Fixed Rate charges for water and/or wastewater as per the provisions of the By-law to Regulate Water and Wastewater Services in the City of Kawartha Lakes (By-law 2018-039, as amended) and the consolidated fees By-law 2018-234, as amended following three (3) month of the mailing of a notice to the Owner shown on the current tax roll.

- 2.07 **Amendment:** Section 4.01 to By-law 2014-255 is deleted in its entirety and replaced with the following:

**Section 4.01:** If the Owner fails to make a connection required by the conditions set out in this By-law, the City may make the connection at the sole expense of the Owner and for this purpose may enter into and upon the property of the Owner in accordance with section 435 to 439 inclusive of the Municipal Act, 2001. Failure to connect within a reasonable time from failure shall constitute an offence.

### **Section 3.00: Administration and Effective Date**

- 3.01 **Administration of the By-law:** The Director is responsible for the administration of this by-law.
- 3.02 **Effective Date:** This By-law shall come into force on the date it is finally passed.

By-law read a first, second and third time, and finally passed, this 15th day of January, 2019.

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Andy Letham, Mayor

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Cathie Ritchie, City Clerk