

THE CORPORATION OF THE MUNICIPALITY OF WEST GREY

BY-LAW NUMBER 65 - 2008

BEING a bylaw to require mandatory connections to municipal water and sanitary sewage works;

WHEREAS pursuant to sections 8 (2) and 11 of the Municipal Act 2001, as amended, municipalities may pass by-laws to require persons to connect to municipal water and sanitary sewage works;

AND WHEREAS pursuant to section 86 of the Municipal Act 2001, as amended, a municipality shall supply a building with a water or sewage public utility if the building lies along a supply line of the municipality for the public utility; in the case of a water utility, there is sufficient supply of water for the building; in the case of a sewage public utility, there is sufficient capacity for handling sewage from the building; and the owner, occupant or other person in charge of the building requests the supply in writing;

AND WHEREAS the Council of the Municipality of West Grey deems it expedient and in the public interest to require mandatory connections to municipal water and sanitary sewage works;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF WEST GREY ENACTS AS FOLLOWS:

1. An owner of any house, building or occupied structure that contains sleeping, eating or food preparation facilities; or contains washing, toilet or cleaning facilities; or contains a well, cistern or other source of water supply, or contains a septic system or any other sewage disposal system; shall connect at the owner's expense to the municipal drinking water system and the municipal sanitary sewage works, where said house, building or occupied structure fronts or has access to a sideyard along a municipal watermain or sanitary sewer, except where there is not adequate capacity in the municipal water or sanitary sewer system.
2. Property owners fronting on or having access to a side yard along the municipal water system and not connected to the municipal water system shall have twelve (12) months to connect to the municipal water system, effective from the time of notice being given to connect to the municipal water system.
3. All private wells shall be decommissioned after connection to the municipal water system at the owners expense.
4. Property owners fronting on or having access to a side yard along the municipal sanitary sewers and not connected to the municipal sewer system shall have twelve (12) months to connect to the municipal sewer system, effective from the time of notice being given to connect to the municipal sewer system.
5. All septic systems or any other sewage disposal system shall be decommissioned after connection to the municipal sewer system at the owners expense.
6. The Municipality of West Grey may, at any reasonable time enter land in accordance with section 436 of the Municipal Act, 2001, as amended, for the purpose of carrying out an inspection to determine whether or not this by-law is being complied with.
7. In the event that a person fails to make a connection to the municipal water system and municipal sewer system, as applicable; or fails to decommission a well and/or septic system, as applicable; the Municipality of West Grey may enter onto the lands and make the connections or decommissioning at the landowner's expense in accordance with sections 435 to 439 inclusive, and section 446 of the Municipal Act, 2001, as amended.

8. Pursuant to section 446 of the Municipal Act 2001, as amended, if the owner fails to take such action as stipulated in section 6 of this by-law, the costs of making such connection or decommissioning by the Municipality of West Grey may be recovered by adding the costs to the tax roll and collecting them in the same manner as municipal taxes upon the land in respect of which the connection was made. This cost shall be added to the Collector's Roll by the Treasurer of the Municipality and shall be collected in the same manner as overdue taxes and shall bear interest from the date the first demand for payment is made at the same rate as overdue taxes.
9. All persons exercising a power of entry to carry out remedial works under this by-law shall be accompanied by an employee or agent of the Municipality of West Grey and show identification as required by section 435 of the Municipal Act, 2001, as amended.
10. Provisions to By-law Number 76-2007 shall take precedence of any conflict with this by-law.
11. This By-law shall come into force and effect on the date of its passage.

Read a first and second time this ____ day of _____, 2008.

Read a third time and finally passed this 3rd day of September, 2008.

Kevin Eccles, Mayor

Christine Robinson, CAO/Clerk