



## BY-LAW 2012-243

**To amend Bylaw 1602 being a bylaw to enact rules and regulations covering the maintenance, construction and operation of a system of water works in the City of Markham (Delete Meter Sections 25 to 33)**

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**WHEREAS** subsection 11(3) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended (the "*Municipal Act*"), states that the City may pass by-laws respecting public utilities including systems that distribute Drinking Water to the public;

**AND WHEREAS** the City has certain responsibilities for the distribution of Drinking Water within the jurisdiction of the City of Markham;

**AND WHEREAS** Part 7 of the Ontario Building Code, as amended, authorizes a municipality to regulate the connection of individual water services to municipal potable water works;

**AND WHEREAS** Council at its meeting held on November 20, 2012 enacted a new Water Meter By-law;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:**

(A) That Waterworks System Bylaw 1602 be amended to delete the following sections:

**"Meters**

25. (1) All meters shall be furnished and installed by the Superintendent before the water shall be turned on.
- (2) The entire cost of installing and repairing meters up to and including one-inch meters shall be paid for by the Township of Markham unless such meter is damaged by the carelessness or neglect of the owner, lessee, tenant or occupant of the premises on which such meter is installed, and where such meter is damaged by the carelessness or neglect of the owner, lessee, tenant or occupant of the premises or the person causing the damage shall pay to the Corporation the cost of making the necessary repair to such meter.
- (3) The cost of installing and repairing meters larger than one inch, including the cost of such meter, shall be prepaid by the applicant before the water is turned on.
26. If a meter fails to register the consumer will be charged at the average consumption as shown by the meter when in order.
27. All water passing through meter will be charged for whether used or wasted.
28. (1) The owner and tenant shall provide ready and convenient access to the meter so that it may be frequently read and examined by the Township Inspectors at all reasonable hours.
- (2) Where a meter cannot conveniently be placed inside a building the meter for such premises shall be placed in a meter chamber, the location and construction of which are approved by the Superintendent.
29. (1) A meter not exceeding one inch in size will be removed and tested upon request on the deposit of one dollar and if it is found to register correctly, slow, or not to exceed three percent in favour of the

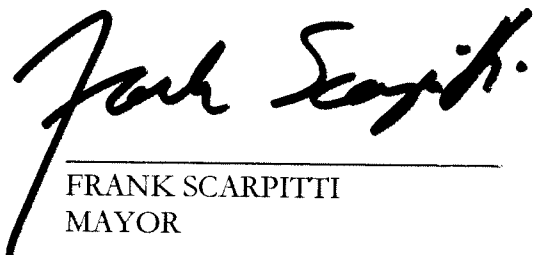
Corporation, a minimum charge of \$1.00 will be made and any additional expense of removing and testing of the meter to be paid by the person requesting that such meter be removed and tested.

- (2) Meters exceeding one inch in size will be removed and tested upon such terms and conditions as the Superintendent may direct, and if these terms and conditions are not satisfactory to the party requesting such removal and testing, the party concerned may apply to the Council for its decision.
- 30.
- (1) Not more than one meter shall be placed in each building, apartment, house or other place in the Township unless special permission is granted by the Superintendent in writing, and the plumbing shall be so arranged that all water used on such premises shall pass through such meter and the owner of the premises will be held liable for all water charges.
  - (2) Every meter shall be placed in such location as the Superintendent may direct.
- 31.
- (1) All rates are based on three months' consumption and no charge shall be for less than the minimum meter rate fixed by Council. If meters are for any reason not read quarterly an average will be taken. Where a house is vacated during a period between meter readings, a charge shall be made for either the quantity of water used to the time of the reading of the meter or the proportional part of the minimum bill calculated to the time of vacating the premises, whichever is the larger amount.
  - (2) Where a person occupies a building during a period between the reading of meters, said party shall notify the Superintendent and shall pay the amount of the minimum bill and the meter shall be specially read. The charge at the next regular billing period shall be calculated on the amount of water used during the part period and on the time of occupancy during the period and the bill shall be for the greater amount.
32. If a meter when tested is found to register in excess of three per cent in favour of the Corporation, a refund will be made to the consumer of an amount equal to such excess percentage of the water rates paid for the three months prior to the testing of said meter provided, however, that no reduction shall be made which will reduce the water rates for the three months prior to the testing of such water meter below the minimum water rates fixed by Council.
33. No reduction shall be made when the owner or occupant of the building has not complied with the provisions of this by-law."
- (B) All the Sections subsequent to Section 33 of the Waterworks System Bylaw 1602, as amended, be renumbered consecutively.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS  
20<sup>TH</sup> DAY OF NOVEMBER, 2012.



MARTHA PETTIT  
ACTING CITY CLERK



FRANK SCARPITTI  
MAYOR