



## Staff Memo

To: South Huron Council  
From: Sandy Becker, Director of Financial Services/Treasurer  
Date: August 12, 2019  
Re: Regulation of Water Services By-law #56-2014

By-Law #56-2014 includes clauses (3.5 and 3.6) for non-payment of accounts which indicates that, if an account is not paid by the specified date the water supply will be shut off.

Section 398 of the *Municipal Act* and more specifically Regulation 581/06 indicates that fees and charges for the supply of a public utility remains the responsibility of the property to which it is supplied, has a priority lien status and therefore can be added to the property tax account and collected in a manner like taxes.

Staff are recommending that clause 3.5 and 3.6 be amended so that the priority lien status be used as the first course of action and the shut off of the water service would only be used as a last resort for those utility accounts where we have no other recourse (ie the supply of water to properties in other municipalities).

This will be a more favorable action for property owners and will require less staff resources than the shut off of the water supply.

The following housekeeping amendments are proposed that do not involve a substantive change to the By-law:

### Section 1.1 Definitions

- Updated definition of Director to reflect current title.



- Definition of remote read-out unit updated to clarify that the device is used to “access” the meter read.

**Section 2.1, 2.3, 3.4, 3.6, 3.7, 3.8, 3.9, 3.11, 3.12, 3.13, 5.5, 5.7, 5.13, 6.7 and 6.18**

Deleted reference to specific Schedule in Fees and Charges By-law to eliminate any cross reference errors between the By-laws.

**Section 5.5**

Deleted inspections by Municipality’s “engineer” .....and replaced with inspections by the Municipality, as not all inspections are carried out by an engineer.

**Section 5.16**

Clarifies that private hydrant maintenance can be carried out by the private property owner if their contractor is trained and qualified to do so.

**Section 6.2**

Clarified the ownership and responsibility for maintenance/replacement of the PRV, BFP and shut off valve, as the current by-law only states that the meter is the responsibility of the Municipality and assumes that the property owner is responsible for the balance of the devices.

**Section 7.2**

Clarifies that a copy of the BFP test is also to be provided to the Municipality

**Section 7.3**

Clarifies that the water can also be turned off if a copy of the BFP test result is not provided to the Municipality.

**Section 11.2**

Deleted “*repeal of by-law prior to amalgamation*” as this is now redundant.

