

**BY-LAW #537**  
**A BY-LAW RELATING TO WATER AND SANITARY SEWERAGE SERVICES**  
**IN THE TOWN OF OROMOCTO**

**BE IT ENACTED** by the Council of the Town of Oromocto under the authority vested in it by Section 10 the *Local Governance Act (S.N.B. 2017 c. 18)* as follows:

1.0 This By-Law must be cited as the “Water and Sewerage By-Law.”

**2.0 SCOPE**

The Water and Sewerage By-Law is applicable to all consumers of the water and/or sanitary sewerage system supplied by the Town.

**3.0 DEFINITIONS**

3.1 In this By-Law:

- a. “consumer” means any person using the water and/or the sanitary sewerage system supplied by the Town;
- b. “owner” means any person, firm or corporation controlling the property in whose name a property is assessed under the Provincial Assessment Act and includes the executors, administrators and assigns of such a person;
- c. “meter” means an apparatus installed to measure the consumption of water.
- d. “premises” means any house, tenement, building lot, or part of a lot, or both, in, through, or past which a watermain runs.
- e. “sanitary lateral” means the owner’s lateral pipe from the Town sewer mains to his property and the associated piping and accessories therein;
- f. “sanitary sewerage system” means the collection and treatment system for sanitary sewage;
- g. “town” means the Town of Oromocto;
- h. “water lateral” means the owner’s lateral pipe from the Town water mains to his property and the associated piping and accessories therein;
- i. “water system” includes all the buildings, machinery, filtration plant, cribs, wells, basins, distributing pipes, hydrants, and water works and apparatus now or hereafter in use and appertaining to the water pumping and filtration plant in the Town; and
- j. “water” and “water supply” means the water supplied by the water works to consumers.

**4.0 GENERAL**

4.1 No person shall:

- a. except for firefighting purpose, use, interface, change, tamper, connect to or obstruct any mains, pipes, hydrants, valves, meters, drains or other approaches utilized for the supply and distribution of water or sewer unless authorized by the Town Engineer;
- b. make any connection to any pipe or apparatus between the main and the premises without authorization by the Town Engineer;
- c. where a property is serviced by two or more entrances, make a connection between them;
- d. where Council, by resolution, has declared a water shortage, water their lawn or wash their car;

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- e. remove unmetered water from a water system for purposes of maintenance of a sprinkler system or other firefighting system without prior consent of the Town Engineer and notice to the Oromocto Fire Department;
- f. install any air-conditioning or refrigerating unit which utilizes the municipal water supply without the authorization of the Town Engineer;
- g. install on their property, an automatic sprinkler system or a fire hydrant which utilizes the municipal water supply without providing a separate service entrance for such as approved by the Town Engineer.

**5.0 CONSTRUCTION STANDARDS**

- 5.1 The Town may, by resolution of Council, establish general construction standards for the use and maintenance of water and/or sewerage system(s).
- 5.2 A water lateral and/or sanitary lateral system will not be interconnected to the Town mains unless such systems are in accordance with the general construction standards and have been approved by the Town Engineer.
- 5.3 A sanitary or water lateral will not be interconnected to Town mains unless they meet with all applicable provincial standards required under the *New Brunswick Plumbing Installation and Inspection Act*.

**6.0 SERVICE DISCONTINUANCE**

- 6.1 Town water and/or sanitary sewerage services may be discontinued by the Town at any time for:
  - a. non-payment of water rates and/or sanitary sewerage rates; or
  - b. non-payment of water connection charge and/or sanitary sewerage connection charge; or
  - c. the convenience of and at the request of the owner or the occupier of the premises; or
  - d. refusal to allow entry of the Town Engineer or any person delegated by him at any reasonable hour to enter any premises in the execution of his duties in respect of the maintenance and repair of the Town's water system and/or the sanitary sewerage system and for the purpose of examining and reading water meters; or
  - e. when at the discretion of the Town an emergency exists.
- 6.2 When the Town is unable to obtain a meter reading for billing purposes after exercising due diligence in the usual practice of meter reading, a bill for that service shall be estimated in accordance with the best data available, subject, however, to the provision that in no circumstances will the estimated reading be used for more than two consecutive billing periods. If an estimated bill is rendered for two consecutive billing periods, the utility shall notify the consumer by registered mail, that arrangements must be made for the utility to obtain a reading and failing such arrangement, the utility may suspend service until such arrangements are made. When such meter reading has been obtained, the previous estimated bill or bills shall be adjusted accordingly.

**7.0 DAMAGES**

No person shall be entitled to damages or to a refund of any payment for a stoppage or interruption of water supply or sanitary sewerage services occasioned by accident, frost or for the purpose of making additions or repair to the water works or sewerage system or to any service pipe or for any purpose which in the opinion of the Town Engineer is necessary or desirable.

**BY-LAW #537**  
**A BY-LAW RELATING TO WATER AND SANITARY SEWERAGE SERVICES**  
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**8.0 FEES AND PAYMENT FOR SERVICES**

- 8.1 Council shall adopt, and may amend by resolution, a fee schedule to be appended to the by-law as Schedule "A".
- 8.2 Water and Sanitary Sewerage charges shall become due and payable in accordance with Schedule "A" of this By-Law.

**9.0 RESPONSIBILITY**

The Town Engineer is designated as the officer responsible for the administration and enforcement of this by-law, except as it relates to the payment of fees which is the responsibility of the Town Treasurer.

**10.0 REPEAL**

- 10.1 A By-Law Establishing Water and Sanitary Sewage Services and Rates in the Town of Oromocto, being By-Law #318 and any amendments thereto are hereby repealed.
- 10.2 The Repeal of By-Law #318, "A By-Law Establishing Water and Sanitary Sewage Services and Rates in the Town of Oromocto" shall not affect any by-law infraction, penalty, forfeiture or liability, incurred before such repeal or any proceeding for enforcing the same completed or pending at the time of repeal; nor shall it repeal, defeat, disturb, invalidate or prejudicially affect any agreement completed, existing or pending at the time of repeal.

**READ FIRST TIME BY TITLE ONLY:**

**12 NOVEMBER 2020**

**READ SECOND TIME IN ITS ENTIRETY:**

**READ THIRD TIME BY TITLE ONLY FOR ENACTMENT:**

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Steven Hart  
Chief Administrative Officer/Clerk

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Robert E Powell  
Mayor

**BY-LAW #537**  
**A BY-LAW RESPECTING WATER AND SANITARY SEWERAGE SERVICES IN THE**  
**TOWN OF OROMOCTO**

**SCHEDULE "A"**  
**FEES AND PAYMENT FOR WATER AND SANITARY SEWERAGE SERVICES**

**Service Fee** - A quarterly service fee shall be applied to all water and sewer accounts within the Town of Oromocto, effective 1 January 2021. The introduction of the quarterly fee of \$30.00 will be phased in over five years to help offset the maintenance, repairs, and infrastructure replacement costs for the delivery of this service. The implementation schedule\* is as follows:

Year 1 2021 - \$ 6 per quarter  
Year 2 2022 - \$12 per quarter  
Year 3 2023 - \$18 per quarter  
Year 4 2024 - \$24 per quarter  
Year 5 2025 - \$30 per quarter.

*\* Annually these quarterly rate increases will be reviewed and approved by Council as part of the budgeting process.*

**Water and Sewerage Rates**

**Imperial**

- a) Water: quarterly water rates for imperial water meters - \$7.95 per 1000 gallons
- b) Sewerage: quarterly sewerage rates for imperial water meters - \$7.95 per 1000 gallons.

**Metric**

- a) Water – quarterly water rates for metric water meters - \$1.75 per cubic metre.
- b) Sewerage – quarterly sewerage rates for metric water meters - \$1.75 per cubic metre.

**Unmetered Properties**

- a) Water and Sewerage - \$93.17 quarterly for water and \$93.17 quarterly for sewerage.
- b) Sewerage Only - \$93.17 quarterly.

**Temporary Disconnection** - Properties where the owner requests a temporary disconnect from Town water and sewer system will be charged at \$50.00 for the disconnection and an additional \$100.00 for reconnection.

**Disconnection** - In instances where a customer of a premise terminates their account with the Town, the service fee shall be charged to the owner of the premises until such time as a new customer applies to the Town for the supply of water.

**Reconnection** - A charge of \$100.00 will be levied for the reconnection of service(s) discontinued at section 6, excepting sub paragraph (e).

**Meter Testing** - Any owner may request his meter be tested as follows:

- a. By depositing with the Treasurer a fee of \$50.00 in partial payment of the test.
- b. Where the test indicates the meter is over-registering by more than 4% the fee paid shall be refunded, the bill for service rendered to such person during that calendar year shall be adjusted accordingly and the cost of testing will be borne by the Town.

**Special Service Charge** – May be applied where it has been determined by the Town Engineer for the delivery of service that goes beyond the original intent of this by-law.

**Due Dates** - Water and/or sewerage charges shall be payable each three months, on the first of February, the first day of May, the first day of August, and the first day of November of each year.

**Arrears** - All quarterly water and sewerage invoices outstanding in part or whole as of the date of the next quarterly water and sewerage invoice produced for a property will result in termination of water supply to that property without notice to the tenant and/or property owner.

**Payment of Arrears** – Fees incurred through the provision of water and sewerage services to a property are assigned against and remain attached to that property and the responsibility of the owner until paid in full to the Town.

**Interest Charges** - All such charges remaining unpaid for sixty (60) days after they become due and payable shall bear interest at the rate of two percent per month or part of a month until paid.