

BY-LAW 2011-79

**A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND
BY-LAW 2010-214 RESPECTING THE SUPPLY OF WATER,
THE MANAGEMENT AND MAINTENANCE OF THE
WATERWORKS SYSTEMS OF THE CITY**

WHEREAS Council for the City of Greater Sudbury deems it advisable to amend By-law 2010-214, being a By-law Respecting the Supply of Water, the Management and Maintenance of the Waterworks Systems of the City;

**NOW THEREFORE THE COUNCIL OF THE CITY OF GREATER SUDBURY
HEREBY ENACTS AS FOLLOWS:**

Repeal and Replace Section 5

1. By-law 2010-214, being a By-law of the City of Greater Sudbury Respecting the Supply of Water, the Management and Maintenance of the Waterworks Systems of the City is hereby amended by repealing Section 5 and enacting the following sections 5, 5.1, 5.2, 5.3 and 5.4 in its place and stead:

Public Fire Hydrants

“5. (1) In regard to the operation and use of public fire hydrants the following shall apply:

- (a) No person shall at any time let off or use any water from a public fire hydrant except:
 - (i) a municipal firefighter, where water is required for fire protection purposes; or
 - (ii) a person who has written authorization from the General Manager pursuant to Section 5.2 and in accordance with the terms and conditions of the written authorization; or
 - (iii) for operational testing authorized by the General Manager.

- (b) No person shall obstruct the free access to any public fire hydrant by placing on it or close to it building material, earth, snow, rubbish or other obstructive matter, nor shall any person conceal a fire hydrant with any type of building or shrubbery.
- (c) No person shall park an automobile, truck or vehicle of any description within a distance of three metres of any public fire hydrant measured along the curb line or along the shoulder of the roadway immediately adjacent to the public fire hydrant.

Private Fire Hydrants

- 5.1 (a) No person shall install a private fire hydrant unless the General Manager has first approved:
- (i) the type of the private fire hydrant to be installed; and
 - (ii) the manufacturer of the private fire hydrant to be installed.
- (b) The General Manager is authorized to approve or reject applications for installation of a private fire hydrant based upon sound engineering principles.
- (c) The owner of any premises served with a private fire protection service shall make provision for testing water lines from time to time to determine if leakage is taking place.
- (d) The owner of any premises served with a private fire hydrant shall ensure that each private fire hydrant on the fire ring is separately valved.
- (e) The owner of any premises served with a private fire hydrant shall pay an annual charge determined in accordance with Schedule "A" to the City's Water / Wastewater Rates By-law as a contribution

towards the cost to the City to inspect and maintain the private fire hydrant. For the purposes of this By-law, the term "private fire hydrant" shall be deemed to include any form of private stand pipe system.

- (f) No person, including the owner of the property on which the private fire hydrant is located shall operate a private fire hydrant except:
 - (i) in the case of fire, for fire protection purposes; or
 - (ii) in accordance with the terms and conditions of the written permission of the General Manager granted under Section 5.2; or
 - (iii) for operational testing conducted by or authorized by the General Manager.
- (g) No person shall interfere with inspection or maintenance of the private fire hydrant conducted by the City or its authorized personnel.

Use of Hydrant – Other than Firefighting

5.2 (1) In exceptional circumstances, as determined by the General Manager, the General Manager is given the authority to provide written authorization for the use of a public fire hydrant or a private fire hydrant for a purpose other than fire fighting and to establish and to set out in the written authorization, the terms and conditions of such use.

(2) Any person authorized by the General Manager to use a private fire hydrant or public fire hydrant shall pay a fee for the water based on the bulk

water rate determined in accordance with Schedule A to the City's Water / Wastewater Rates By-law.

- (3) Any hydrant permit issued under the City's Water / Wastewater Rates By-law prior to the passage of this By-law is hereby revoked.

Bulk Water Filling Stations

5.3 (1) No person shall dispense water or attempt to dispense water at a Bulk Water Filling Station except by use of a Prepaid Bulk Water Filling Station card issued by the City.

- (2) Every holder of a Prepaid Bulk Water Filling Station card shall comply with rules and guidelines for use posted at the site of the Bulk Water Filling Station.

- (3) Every holder of a Prepaid Bulk Water Filling Station card shall pay for water dispensed from the Bulk Water Filling Station at the rates established in Schedule A to the City's Water / Wastewater Rates By-law, through the reduction of the amount posted to the Prepaid Bulk Water Filling Station card.

Prepaid Bulk Water Filling Station Cards

5.4 (1) Any person may apply for a Prepaid Bulk Water Filling Station card or to replace a lost or stolen Prepaid Bulk Water Filling Station card by:

- (a) completing and signing an application in the form provided by the General Manager;
- (b) providing such information or documentation as may be required by the General Manager;
- (c) paying a non-refundable application fee determined in accordance with the Water / Wastewater Rates By-law, Schedule A; and
- (d) paying to the City amount requested to be posted to the Prepaid Bulk Water Filling Station card.

(2) In the case of the issuance of a replacement Bulk Water Filling Station card, the General Manager shall cancel the originally issued card and transfer to the replacement card, any balance then remaining to the credit of the card holder, as shown on the records of the City. The City shall not be responsible for any use made of the lost or stolen card prior to its cancellation.

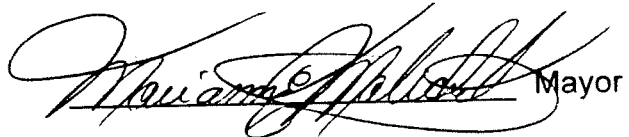
(3) The General Manager is delegated the authority to issue Prepaid Bulk Water Station cards and replacement cards in accordance with the guidelines herein.

(4) The holder of a Prepaid Bulk Water Station card shall be entitled to deposit additional funds to its credit in accordance with the protocol established by the General Manager from time to time.

Effective Date

2. This By-law comes into effect upon final passage.

READ AND ENACTED IN OPEN COUNCIL this 9th day of April, 2011

 Mayor

A. Hache Clerk