

CORPORATION OF THE TOWN OF HAWKESBURY

BY-LAW N° 39-2026

Being a by-law to regulate the municipal drinking water supply in the Town of
Hawkesbury

WHEREAS section 391 of the *Municipal Act, 2001*, as amended, authorizes a municipality to pass by-laws imposing fees or charges for services or activities provided or done by the municipality;

AND WHEREAS section 80 (1) of the *Municipal Act, 2001*, as amended, provides that a municipality may, at reasonable times, enter on land to which it supplies a public utility, to inspect, install, repair, replace or alter a public utility meter;

AND WHEREAS section 80 (3) of the *Municipal Act, 2001*, as amended, provides that if a customer discontinues the use of a public utility on land or a municipality lawfully decides to cease supplying the public utility to land, the municipality may enter on the land, to shut off the supply of public utility, or to remove any property of the municipality, or to determine whether the public utility has been or is being unlawfully used;

AND WHEREAS Part 7 (Plumbing) of the *Ontario Building Code*, as amended, requires every municipality to regulate the connection of individual water services to a municipal drinking water works;

AND WHEREAS the Town of Hawkesbury requires Owners connected to the municipal drinking water distribution system to use and install water meters, as resolved by the Municipal Council for all residential, industrial, commercial and institutional establishments connected to the municipal drinking water distribution system within the Town of Hawkesbury;

NOW THEREFORE the Council of the Corporation of the Town of Hawkesbury enacts as follows:

DEFINITIONS

"AMI Network" means the Advanced Metering Infrastructure network that collects and stores water meter consumption information.

"Building" means any building as defined by the *Ontario Building Code Act*, that is connected to the Town's drinking water distribution system.

“Building Code” means Ontario Regulation 332/12 (Building Code), made under the *Building Code Act, 1992*, S.O. 1992, c. 23, as amended from time to time.

“Consumer” means the Owner or occupant of property, which is serviced by, connected to, and supplied with water from the Town’s drinking water distribution system.

“Contractor” means a person, partnership, or corporation retained by the Town to install and/or maintain water meters and related appurtenances.

“Drinking water” means water that is fit for human consumption.

“Inspector” means the Chief Building Official or Building Inspector of the Town.

“Meter” has the same meaning as water meter.

“Meter pit” means any exterior chamber or pit approved by the Town for the purpose of containing a water meter and related appurtenances.

“Occupant” includes any lessee, tenant, owner, agent of a lessee, or any person in possession of a premises.

“Owner” has the same meaning as in the Ontario *Building Code Act*;

“Premises” means the property being supplied or to be supplied with water;

“Private water service” means the pipes and fixtures that supply a building with water from the Town’s drinking water distribution system, located between the street line abutting the premises and the building.

“Radio Transmitter” means a device installed separately from, and connected to, the water meter that transmits consumption readings and other data to the AMI Network.

“Shut-off valve” means the valve on the Town’s water service connection owned and used by the Town to shut off or turn on the water supply from the Town’s drinking water distribution system to any premises;

“Town” and/or “Municipal” means the Corporation of the Town of Hawkesbury;

“Water Meter” means a device owned by the Town for the purpose of measuring the flow or quantity of water.

“Water service connection” means the pipes and fixtures that supply water from the Town’s drinking water distribution system, located between the Town’s watermain and the street line abutting the premises.

1. WATER METER REQUIREMENT

- 1.1 Where municipal water service is available, every property within fifty (50) metres of a watermain shall be connected to the Town's drinking water distribution system.
- 1.2 All water supplied to any premises shall pass through a water meter supplied and approved by the Town.
- 1.3 The Town shall be the sole supplier of all water meters and radio transmitters used to measure and record water consumption.
- 1.4 Where an Owner fails to connect a premises to the Town's drinking water distribution system as required by this By-law, the Town may issue a written Notice requiring the Owner to complete the connection within a specified time period.
- 1.5 If the Owner fails to comply with the Notice within the prescribed time, the Town may enter upon the land and carry out the required work at the Owner's expense.
- 1.6 All costs incurred by the Town under subsection 1.5 shall be recoverable by the Owner and may be added to the tax roll and collected in the same manner as municipal taxes.

2. INSTALLATION AND OWNERSHIP

- 2.1 The Town may enter into agreements with any person or contractor for the installation or servicing of water meters or water services.
- 2.2 The Owner shall pay for all water connections as indicated in the By-law to impose fees for services or activities rendered by the Town of Hawkesbury in force, before the Town will supply the Owner with a water meter.
- 2.3 The Owner shall pay all applicable fees, including installation and related appurtenances, for the water meter and radio transmitter before the Town supplies it.
- 2.4 All water meters and related appurtenances shall be installed by certified plumbers and/or people authorized by the Town for that purpose.
- 2.5 One (1) water meter shall be installed for each private water service connection unless otherwise authorized by the Town.
- 2.6 The Owner shall ensure that the water meter is installed within seven (7) days of being supplied by the Town and shall notify the Town within forty-eight (48) hours following completion of installation.
- 2.7 A wire will run from the water meter to the exterior of the Property where the radio transmitter will be installed, according to the manufacturer's installation specifications.

- 2.8 The Corporation shall install the Radio Transmitter in accordance with the manufacturer's specifications and ensure that consumption data from the device is transmitted to and available within the AMI Network.
- 2.9 The meter shall be installed in a location approved by the Town, and where feasible:
 - (a) in buildings, and
 - (b) immediately downstream of the main shut-off valve, so as to ensure that all water supplied to the premises passes through the meter.
- 2.10 Where a meter cannot be installed in a building, it shall be installed in a meter pit designed, located, and constructed to the satisfaction of the Town, at the expense of the Owner.
- 2.11 No person shall relocate or alter the position of a water meter except with the authorization of the Town.
- 2.12 Any person authorized by the Town may enter upon any premises supplied with municipal water, at reasonable times and upon reasonable notice.
- 2.13 No person shall obstruct, hinder, or prevent access to an authorized person.
- 2.14 For the purpose of measuring the flow or quantity of water, all water meters and Radio Transmitters shall be owned and remain the property of the Corporation.

3. USE AND BILLING

- 3.1 All water consumption shall be measured by a meter and charged in accordance with the rates identified in the Water Rates By-law in force.
- 3.2 The Owner shall be responsible for all water passing through the water meter, whether used or wasted.
- 3.3 The Owner shall be responsible for all charges associated with the premises, regardless of occupancy.
- 3.4 Where a meter fails to register consumption, the Town shall estimate consumption based on:
 - (a) the average consumption for the previous three (3) months; or
 - (b) where such data is unavailable, a prorated amount based on the previous applicable flat rate.
- 3.5 A fee, as established by the By-law to impose fees for services or activities rendered by the Town of Hawkesbury in force, shall be charged for special meter readings requested outside of regular reading schedules.
- 3.6 The register of the water meter shall be prima facie evidence of the quantity of water supplied to the premises.

4. RESPONSIBILITIES

- 4.1 The Owner shall:
- (a) provide suitable space, for the installation of meters and equipment;
 - (b) ensure safe, unobstructed, and accessible access at all times;
 - (c) maintain adequate heat to prevent freezing of the water meter and water service, including during periods of vacancy.
- 4.2 Any damage caused by negligence shall be at the cost of the Owner.
- 4.3 Any leak in a water meter shall be reported immediately to the Town. The Town shall not be liable for damage resulting from such leaks.
- 4.4 All costs incurred by the Town for the repair, replacement, or maintenance of meters or related appurtenances, shall be charged to the Owner. If these charges remain unpaid, they shall be collected in the same manner as municipal taxes.

5. METER TESTING AND ACCURACY

- 5.1 An Owner may request that a meter be tested upon submitting a written request and paying the applicable fee.
- 5.2 If the meter is found to register correctly or within three percent (3%) in favour of the Town:
- (a) the paid fee shall be retained by the Town; and
 - (b) any additional costs associated with removal, testing, and reinstallation shall be paid by the Owner.
- 5.3 If the meter is found to register in excess of three percent (3%) in favour of the Town:
- (a) the Owner shall be refunded the testing fee; and
 - (b) an adjustment shall be made equal to the excess percentage of water charges paid during the three (3) months preceding the test.
- 5.4 No adjustment shall be made under this section if the Owner or occupant has failed to comply with the provisions of this by-law.
- 5.5 Where a meter is equipped with a remote reading device and a discrepancy exists, the reading recorded on the meter itself shall prevail.

6. REGULATIONS AND PENALTIES FOR OFFENCES

- 6.1 Any person who contravenes any provision of this By-law is, upon conviction, guilty of an offence and is liable to any penalty as provided in the Provincial Offences Act, R.S.O. 1990.
- 6.2 Each day on which a person contravenes any provision of this By-law shall be deemed to constitute a separate offence under this By-law.
- 6.3 Every person is guilty of an offence who,
- (i) willfully hinders or interrupts, or causes or procures to be hindered or interrupted, the Town or any of its officers, contractors, agents, servants or workman, in the exercise of any of the power conferred by the *Municipal Act, 2001*;
 - (ii) being a tenant, occupant, lessee, Owner, the agent of a lessee, or any person in possession of any house, building or other premises supplied with water from the drinking water distribution system, improperly wastes the water or, without the consent of the Town, lends, sells or disposes of the water, gives it away, permits it to be taken or carried away, uses or applies it to the use or benefit of another, or to any use and benefit other than his own;
 - (iii) without lawful authority willfully opens or closes any valve or hydrant, or obstructs the free access to any hydrant, shut off valve, valves, chamber or pipes by placing on it any building material, rubbish or other obstruction;
 - (iv) throws or deposits any unsafe substance into the water or drinking water distribution system, or in any other way fouls the water or commits any willful damage or injury to the works, pipes or water, or encourages the same to be done;
 - (v) tampers with, alters, bypasses, removes, or interferes with any water meter or related equipment or appurtenance; or
 - (vi) lays or causes to be laid any pipe or main to connect with any pipe or main of the Town's drinking water distribution system, or in any way obtains or uses the water without the consent of the Town.
- 6.4 Every person who contravenes any of the provisions of this by-law is guilty of an offence and upon conviction thereof is liable to a minimum fine of not less than Five Hundred Dollars (\$500.00) and not more than Twenty-Five Thousand Dollars (\$25,000.00). For subsequent convictions for the same offence, the minimum fine shall be One Thousand Dollars (\$1,000.00) and the maximum fine Fifty Thousand Dollars (\$50,000.00).

- 6.5 A director or officer of a corporation who knowingly concurs in the contravention of this by-law by the corporation is guilty of an offence and upon conviction is liable to a minimum fine of not less than Five Hundred Dollars (\$500.00) and not more than Fifty Thousand Dollars (\$50,000.00). For subsequent convictions for the same offence, the minimum fine shall be One Thousand Dollars (\$1,000.00) and the maximum fine One Hundred Thousand Dollars (\$100,000.00).
- 6.6 When a person has been convicted of an offence under this by-law, any court of competent jurisdiction thereafter, may in addition to any other penalty impose on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repetition of the offence.
- 6.7 The Town may shut off or restrict water supply where a violation of this by-law occurs. Water service shall not be restored until compliance is achieved and all applicable fees are paid. The Town will not be liable for any damage to property or injury to person by reason of shut-off of water supply.
- 6.8 The requirements of this by-law are severable. If any requirements of this by-law are held invalid, the application of such requirements to other circumstances and the remainder of the by-law shall be valid and shall remain in force.

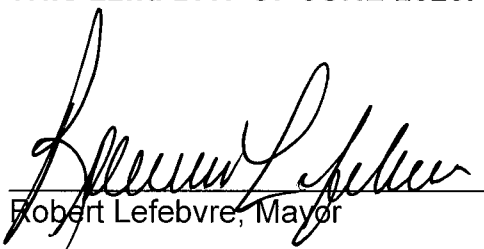
7. REPEAL OF EXISTING BY-LAW

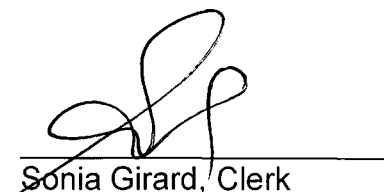
- 7.1 By-laws 57-1994 N° 51-2010, N° 52-2010, N° 60-2008 and N° 61-2008, and all amendments thereto, are hereby repealed.

8. EFFECTIVE DATE

- 8.1 This By-law shall come into force and effect on the day it is passed.

**READ A FIRST, SECOND AND ADOPTED UPON THIRD READING
THIS 22nd DAY OF JUNE 2026.**


Robert Lefebvre, Mayor


Sonia Girard, Clerk