

The Corporation of the Township of Hornepayne  
68 Front Street, PO Box 370  
Hornepayne, Ontario  
P0M 1Z0



### COUNCIL RESOLUTION

MOVED BY: *C. Fort*  
signature

NO. 2018-452

SECONDED BY: *W. Liebig*  
signature

DATE: NOV 07 2018

Be it resolved that By-Law No. 1693 being a By-Law to amend the Water & Sewer Repair Line Policy be hereby read a first and second time and be considered read a third time and finally passed.

Carried  Defeated  Deferred

*[Signature]*  
signature of presiding officer

#### RECORDED VOTE:

YES NO

Councillor Cheryl Fort  
Councillor Willy Liebig  
Councillor Drago Stefanic  
Councillor Paul Stewart  
Mayor Morley Forster

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#### Disclosure of pecuniary interest and the general nature thereof.

(Name) \_\_\_\_\_ (Name) \_\_\_\_\_

Disclosed the pecuniary interest and the general nature thereof and abstained from the discussion, vote and influence.

\_\_\_\_\_  
(Clerk)

The Corporation of the Township of Hornepayne

By-Law No. 1693

Being a By-Law to amend the  
Water & Sewer Line Repair Policy  
for the Township of Hornepayne.

WHEREAS Council deems it necessary to amend the Water & Sewer Line Repair Policy to further clarify the language in the document in order to effectively govern maintenance issues and clearly delineate responsibility for repairs;

THEREFORE be it enacted that the attached Schedule "A" will be the policy by which Water & Sewer Line Repairs shall be managed; and,

The Mayor and Clerk are hereby authorized to sign and affix the corporate seal for, and on behalf of, the Corporation to any and all documents necessary to give force and effect to this By-Law.

This By-Law shall come into force and take effect upon passage.

Read a first and second time this 7<sup>th</sup> day of November, 2018.

Read a third time and finally passed this 7<sup>th</sup> day of November, 2018.



\_\_\_\_\_  
Presiding Officer



\_\_\_\_\_  
Clerk

**Schedule "A" to By-Law 1693  
Water & Sewer Line Repair Policy**

**1. Purpose:**

- a. The Township of Hornepayne, hereinafter referred to as "the Township" wishes to establish a Water and Sewer Line Repair Policy to provide guidelines for defining both processes and responsibility for dealing with repairs and maintenance of water and sewer lines.
- b. For the purposes of this policy "Water & Sewer Lines" shall include all parts and pieces of equipment related to the lines.

**2. Definitions:**

- a. **"Curb Stop"**: In a water-service pipe, a control valve for the water supply to a building which joins the municipal supply to the private service; used to shut off the water supply in case of emergency.
- b. **"Infrastructure"**: The basic physical and organizational structures and facilities needed for the operation of a society or enterprise.
- c. **"Isolation Valve"**: A valve in a fluid handling system that stops the flow of fluid to a given location, usually for maintenance or safety purposes. They can also be used to provide flow logic (selecting one flow path versus another), and to connect external equipment to a system.
- d. **"Locates"**: Is the process of identifying and labeling infrastructure that is underground, including but not limited to storm drains, water mains, wastewater pipes, electrical lines, phone lines, fibre optic lines and cable lines.
- e. **"Main Line"**: A principal supply pipe in an arrangement of pipes for distributing water.
- f. **"Operator"**: The qualified employee of the company hired by the Township to run the Water and Sewer Works.
- g. **"Service Line"**: The pipe delivering water to each residence. The section running from the main water line up to and including the curb stop to the property line, which is owned and maintained by the Township. The section running from the far side of the curb stop into the residence is the responsibility of the homeowner.

- h. **"Sanitary Sewer Line (or Sewer Line or Sewer)":** A sanitary sewer in an underground carriage system specifically for transporting sewage from houses and commercial buildings through pipes to treatment facilities for disposal. Sanitary sewers are part of an overall system called a sewage system or sewerage.
- i. **"Township vs. Municipal":** These terms are interchangeable.

3. Process for Suspected Water Leak

- a. When a water leak is suspected, the Ontario Clean Water Agency (OCWA) staff will first investigate using leak detector equipment, visual inspection and monitoring of flows or any other method at their disposal in an attempt to locate the source.
- b. Once it has been confirmed that a leak exists and the general area of the potential leak has been narrowed down, OCWA will attempt to shut off the related curb stop as a means of determining a more specific leak source. Plans for repairs will then be made accordingly.
- c. If the curb stop is found to be non-operational during this process, OCWA staff will, providing weather conditions are amenable, make every effort to repair the curb stop internally (without an outside contractor). If it is determined that a repair cannot be completed without the assistance of a contractor, in order to keep costs at a minimum, the repair will be scheduled for a time that will coincide with other work, except in the case of an emergency or if the Township feels it in the best interests of the Municipality to expedite a repair in which case a contractor will be called in.

4. Process for Suspected Sewer Break

- a. **When a sewer break is suspected OCWA staff may be called to help determine the source of the leak via visual inspection and testing methods, if applicable.**
- b. **If the break is found to be on the main sanitary sewer line the Township will arrange for and pay for repairs.**
- c. **If the break is found to be anywhere other than on the main sanitary sewer line the Township and/or OCWA staff will be relieved of any responsibility for the issue.**

**5. Defining Responsibility for Water Line Repairs**

**a. Responsibility for water line repairs will rest as follows:**

- i. When the operator attempts to stop the flow of water by turning off the curb stop valve:
  1. The responsibility lies with the Township where the flow of water is not interrupted, exhibiting the Township's faulty infrastructure;
  2. The responsibility lies with the Homeowner where the flow of water is terminated; exhibiting the Township's infrastructure is intact.
- ii. If any question of ownership should arise, the definite answer with regard to ownership will be determined by excavation as follows:
  1. The responsibility is with the Township, where the damaged infrastructure, is found to be:
    - a. the Township's copper service line running from the main line to the curb stop valve;
    - b. the Township's curb stop; or
    - c. the brass fitting on either side of the curb stop valve;
    - d. this includes the cost of the exploratory excavation.
  2. The responsibility is with the Homeowner where the damaged infrastructure is found to be:
    - a. the Homeowner's copper service line running from the curb stop valve to the residence;
    - b. this includes the cost of the exploratory excavation.
- iii. Should excavation occur to repair or replace damaged infrastructure belonging to both parties, cost of excavation shall be borne equally by the Township and the Homeowner. Each party shall be responsible for the direct cost of parts required to perform the necessary repairs related to their property, as identified in subsection 5(a) of this policy.

1. Should the Township be invoiced from an outside source for costs associated with the Homeowner's damaged infrastructure, the Township shall recover the costs from the Homeowner through the Accounts Receivable billing process.
2. These costs include, but are not limited to:
  - a. 50% of excavation costs; and,
  - b. complete cost recovery of the parts required for the repair and/or replacement of property belonging to the Homeowner.

**6. Defining Responsibility for Sewer Breaks**

- a. **The Township shall be responsible for arranging for and completing repairs on all portions of the main sanitary sewer line.**
- b. **If the break is anywhere other than on the main sanitary sewer, the repair is the responsibility of the Homeowner and it will be up to the Homeowner to arrange for and pay for repairs.**

**7. Municipal Responsibility**

- a. The Township shall be responsible for all expenses related to arranging for and completing repairs to the following:
  - i. All main line water and sewer pipes;
  - ii. All main line isolation valves;
  - iii. All hydrants;
  - iv. All water service lines on Township property up to and including the curb stop valves and brass fitting connecting the curb stop to the private service line; and,

**8. Homeowner Responsibility**

- a. Homeowners shall be responsible for all expenses related to arranging for and completing repairs as follows:
  - i. Any problem with a water line on the homeowner's property will be the responsibility of the homeowner; this includes private service lines from the curb stop to the residence and all interior water and/or sewer leaks.

- ii. Any blockage/break of a sewer line from the homeowner's property to the sewer main will be the responsibility of the homeowner unless it is proven that the blockage resulted from a problem with the Township's sewer line in which case it will be the responsibility of the Township.
  - iii. In cases where a water leak that was believed to be at the curb stop valve but, after being excavated, is found to be clearly on the homeowner's side, all costs will belong to the homeowner.
- b. Should a homeowner have an interior leak where both the interior shut-off valve and the municipal curb stop are non-operational; and, in the event that the Township is unable to immediately repair the curb stop in order to stop the flow of water, or is unable to stop the flow of water by any other reasonable means at that time:
- i. It is the responsibility of the homeowner to take whatever corrective action he/she deems fit to rectify their immediate problem and protect their own property. It is the homeowner's responsibility to ensure their interior infrastructure is in good working order.
  - ii. The homeowner has the option of submitting a formal request, with details and copies of paid receipts, to Council for consideration of partial reimbursement. Each request will be considered on a case by case basis.

**9. Water Line Leaks on Private Property**

- a. Once it has been determined a water leak exists on private property, the homeowner will have a maximum of thirty (30) days to perform repairs or the water service to the property will be disconnected.
- b. The Township of Hornepayne reserves the right to disconnect water service at any time if a leak is causing undue hardship, is costing an inordinate amount of money in wasted water, is destroying municipal property (i.e. roadbed) or is affecting the private property of another resident.

**10. Exercising of Curb Stops**

The Township will not be bound to exercise curb stops between November 1<sup>st</sup> and April 30<sup>th</sup> due to complications that can arise from winter weather conditions.

**11. Homeowner Request for Water Connection/Disconnection**

When a Homeowner submits a request for a water connection or disconnection and it is discovered that their curb stop is non-functional and water service cannot be connected/disconnected, Homeowners will be notified, in writing, and a copy of the letter placed in the property file. The Township will arrange for repair or replacement of the affected curb stop as soon as practically possible in a manner that keeps costs to a minimum.

**12. Locates**

- a. Prior to commencing an excavation for any reason, even if on private property, it is incumbent upon whomever is planning to perform the excavation, whether it be the homeowner or a contractor, to request locates to identify whether there is any underground infrastructure that could be damaged, including but not limited to, i.e. telephone line, hydro lines, cable lines, fibre optics, water and sewer lines.
- b. Ontario1Call is the organization that manages locate requests.
- c. Locate requests can be registered with Ontario1Call at [www.on1call.com](http://www.on1call.com) or by calling 1-800-400-2255.
- d. There are penalties involved should damage occur to underground infrastructure and locates have not been requested, received and adhered to.
- e. Anyone neglecting to obtain Locates will be at risk of being reported to Ontario1Call.
- f. Contractors/homeowners will be held liable for damage done to Municipal infrastructure while performing an excavation, regardless of whether locates have been requested.

**13. Obstruction**

- a. No person shall repair, replace, connect to, disconnect from or otherwise interfere with, or cause to interfere with, infrastructure belonging to the Township without the consent of the Township, without the use of a Township sanctioned contractor and must act in accordance with the Water & Sewer Rate By-Law.
- b. No Person shall obstruct, hinder or impede any authorized contractor or representative of the Township in the exercise of any of their powers or duties pursuant to this Policy.