

Authority:

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No

To the Amend the City of Toronto Municipal Code, Chapter 849.

WHEREAS Council has the authority to pass this by-law pursuant to subsections 8(1) and (2) and subsection 259(1) of the *City of Toronto Act, 2006*, S.O. 2006, Chapter 11, Schedule A (the “City of Toronto Act, 2006”); and

WHEREAS the City considers it in its best interests that City of Toronto Municipal Code, Chapter 849, Water and Sewage Services, be amended to reflect the harmonization of water supply by-laws of the former municipalities through the enactment of Chapter 851;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 849, Water and Sewage Services, of the City of Toronto Municipal Code is amended by adding the following to Article II:

§ 849-21.1. Definitions.

As used in this Article and Appendix A, Schedule 2, Water – Revenue Services, to the City of Toronto Municipal Code, Chapter 441– Fees and Charges, the following shall have the meanings indicated:

DWELLING UNIT — A unit that consists of a self contained room or set of rooms located in a building or structure, is used or intended for use only as a residential premises, contains kitchen and bathroom facilities that are intended for the use only of the unit, is used as a single housekeeping unit in which no occupier has exclusive possession of any part of the unit, and has a means of egress to the outside of the building or structure in which it is located, which means of egress may be through another residential unit or common area.

FLAT — Each floor or part of a floor of a place of business, or a place of business separately occupied on one (1) floor of a building.

PREMISES — Any dwelling unit, building, lot or part of a lot, or both, in, through or past which the water pipes run.

RATE — The price, rate or rent, as fixed from time to time by the City, which any owner or occupant of premises shall pay as water rate or rent.

ROOM — An area, or part of an area, in which a person may normally stand upright, of four and sixty-four hundredths (4.64) square metres or more in a building, fully enclosed with a means of access and egress, which may include, without limitation, any bedroom, living room, dining room, kitchen, recreation room, summer kitchen, kitchenette,

breakfast room, conservatory, sun room, enclosed veranda and enclosed back porch but does not include a bathroom.

ROOMING HOUSE — Any place of residence other than a dwelling unit, except private hospitals, rest homes, schools, fraternity houses, clubs, hotels and similar places.

2. Chapter 849, Water and Sewage Services, of the City of Toronto Municipal Code is amended by deleting § 849-15, § 849-16, § 849-17, § 849-18, § 849-19, § 849-20 and § 849-24.

3. Chapter 849, Water and Sewage Services, of the City of Toronto Municipal Code is amended by deleting § 849-21 and replacing it with the following:

“§ 849-21. Charges for water and sewer services.

Consumers in the City of Toronto shall pay the fees and charges with regard to the distribution and supply of water and the provision of water and sewer services and the rates and charges in relation thereto as set out in Chapter 441, Fees and Charges, Appendix A, Schedules 2 and 3.”

4. § 849-26 of Chapter 849, Water and Sewage Services, of the City of Toronto Municipal Code is amended by deleting:

“PRIVATE WATER SYSTEM — The assembly of pipes, fittings, valves and appurtenances that convey water from the water meter, or any other point where it enters a building or structure on a property where there is no meter, to water supply outlets, fixtures, plumbing appliances, devices and appurtenances and all other points downstream of the meter or entry point, and includes all such outlets, fixtures, plumbing appliances devices and appurtenances.”

“REMOTE READ OUT UNIT — Any device, not including the register on a meter, used by the CFO to transmit and record the amount of water passing through a meter in respect of a property.”

and replacing those definitions with the following:

“PRIVATE WATER SERVICE PIPE -- The pipe, fittings and appurtenances which convey water from the water service connection to a water meter, or to the point where the pipe and fittings connected to the water service connection enters a building or structure if there is no water meter.”

“PRIVATE WATER SYSTEM — An assembly of pipes, fittings, valves and appurtenances that convey water from the private water service pipe to water supply outlets, fixtures, plumbing appliances, devices, and appurtenances and all other points downstream of the water meter or downstream of the point where the private water service pipe enters a building or structure if there is no water meter.”

“REMOTE READOUT UNIT -- Any device which is used to record or transmit, or both, the water consumption reading of a water meter and may be installed at a separate location from the water meter but does not include the water meter register.”

5. § 849-28 of Chapter 849, Water and Sewage Services, of the City of Toronto Municipal Code is amended by deleting:

“C. In the event the CFO inaccurately determines water consumption in respect of a property as a result of the acts or omissions of an owner or agent or any other person for reasons including, but not limited to, meters that have been unsealed or have an unsealed bypass valve, meters that have not been installed, meters that have been removed, meters that have been bypassed temporarily or permanently, or meters that have been tampered with in any way, the CFO shall be entitled to adjust the account and include all fees that ought to have been payable in respect of the property.”

and replacing it with the following:

“C. In the event the CFO inaccurately determines water consumption in respect of a property as a result of the acts or omissions of an owner or agent or any other person for reasons including, but not limited to, meters that have been unsealed or have an unsealed bypass valve, meters that have not been installed, meters that have been removed, meters that have been bypassed temporarily or permanently, or meters that have been tampered with in any way, the CFO shall be entitled to adjust the account and include all fees that ought to have been payable in respect of the property as determined in accordance with § 849-31E.”

6. This by-law shall come into force on January 1, 2008.

ENACTED AND PASSED this ~ day of , A.D. 200 .

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)