

The Corporation of the City of Kenora

By-Law Number 117 - 2023

A By-law to Amend Bylaw Number 70-2018, a bylaw to regulate the Municipal Water Supply and the Provision of Sanitary Sewage Services in the City of Kenora

Whereas bylaw number 70-2018, a bylaw to regulate the Municipal Water Supply and the Provision of Sanitary Sewage Services in the City of Kenora was adopted by Council on May 22, 2018; and

Whereas it is deemed necessary to amend such bylaw from time to time to address the changing needs of the municipality; and

Whereas, pursuant to Part II of the *Municipal Act*, the Municipal Council may pass by-laws to impose fees or charges for services or activities;

Whereas Council supported changes to bylaw 70-2018 at the September 20, 2023 Regular meeting of Council to reflect necessary changes to identify the responsibility for repairs to the water distribution system; and

Whereas leaks that occur as a result of a failure of the City's piping (upstream of the curb stop valve), a failure or crack in the curb stop valve body, at the curb stop valve operator stem connection, or at the connection of the City's piping to the curb stop valve are the responsibility of the City to repair; and

Whereas leaks that occur as a result of a failure of the property owner's piping (downstream of the curb stop valve) or at the connection of the property owner's piping to the curb stop valve, are the responsibility of the property owner to repair;

Now Therefore the Council of The Corporation of the City of Kenora, enacts as follows:

1. That Council hereby authorized the following amendment to bylaw 70-2018:

Section 29. Leaks in the System

Remove:

(1) The location of leaks shall be determined by working the Curb Stop Valve. If the leak stops, the leak shall be determined to be on the City side. If the leak persists, the leak shall be determined to be on the Private Property side and the responsibility of the Property Owner.

Add:

(1) The location of leaks shall be determined by working the Curb Stop Valve. If the leak continues when the valve is closed, the leak shall be determined to be on the City's side and the responsibility of the City. If the leak stops when the valve is closed, the leak shall be determined to be on the Property Owner's side and the responsibility of the Property Owner. For clarity, leaks at the connection between the valve and the downstream (Property Owner's) piping shall be the Property Owner's responsibility.

Leaks originating from the valve body itself (i.e. cracks, pinholes, leaking operator stem, etc) and the upstream piping connection shall be the City's responsibility.

2. This by-law shall take effect and come into force on the final passage hereof.

By-law read a First and Second Time this 20th day of September, 2023

By-law read a Third and Final Time this 20th day of September, 2023

The Corporation of the City of Kenora:-

Andrew Poirier, Mayor

Heather Pihulak, City Clerk

