

Authority: Item 2, General Issues Committee
Report 11-035 (FCS11099/PW11085)
CM: December 14, 2011

Bill No. 134

CITY OF HAMILTON

BY-LAW NO. 12-134

**To Amend the Waterworks By-law No. R84-026
and Impose Fees or Charges for Private Unmetered Fire Lines**

WHEREAS on March 20, 1984, the Council of The Regional Municipality of Hamilton-Wentworth passed and enacted Regional By-law No. R84-026, being a by-law respecting the management and maintenance of the waterworks system of The Regional Municipality of Hamilton-Wentworth and the establishment of water rates and charges;

AND WHEREAS pursuant to the *City of Hamilton Act, 1999*, S.O. 1999, c. 14, Schedule "C", The Regional Municipality of Hamilton-Wentworth was dissolved on January 1, 2001 and the City of Hamilton stands in the place of The Regional Municipality of Hamilton-Wentworth for all purposes;

AND WHEREAS pursuant to the *City of Hamilton Act, 1999*, S.O. 1999, c. 14, Schedule "C", every by-law of an old municipality, such as the former Regional Municipality of Hamilton-Wentworth, that is in force on December 31, 2000 shall be deemed to be a by-law of the City of Hamilton until it expires or is repealed or amended to provide otherwise;

AND WHEREAS pursuant to section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, sections 9 and 10 of the said Act authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by or on behalf of the municipality and for the use of the municipality's property, including property under its control;

AND WHEREAS on the 14th day of December, 2011, the Council of the City of Hamilton did approve of Item 2 of General Issues Committee Report 11-035 and did authorize user fees to come into effect on July 1, 2012 for private unmetered fire lines;

AND WHEREAS notice of the fees or charges for private unmetered fire lines set out herein has been given in accordance with the provisions of the City of Hamilton's Public Notice Policy By-law No. 07-351.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The following definition is added to Section 1 of By-law R84-026, after the definition of "prime user":

"private fire protection system" means any private booster pumps, sprinkler systems, fire hydrants or other private system with the designated purpose of fire protection and suppression for a premises and that relies on water from the City of Hamilton Waterworks system for supply.

2. Section 11 of By-law No. R84-026 is repealed and replaced with the following new section 11:

PRIVATE FIRE PROTECTION SYSTEMS

Standard Threads

11. (1) No person shall install or maintain on any private fire protection system which is connected to, or to be connected to, the City of Hamilton Waterworks system, any hydrant or valve which is different from the standard in use in the City of Hamilton with respect to nozzle or stem threads, nozzle connection or operating units.

Pressure Pump and Alarm Check Valves Required

- (2) No person shall install or maintain an automatic sprinkler system in direct connection with a service pipe from a City of Hamilton main, unless there is interposed one alarm check-valve in each riser, effectual to prevent the escape of water back into the City of Hamilton main, and also to activate an alarm when water flows through the valve from the main.

Check Valve on Every Fire Protection System

- (3) No person shall install or maintain any private fire protection system unless the same is equipped with a suitable check valve effectual to prevent the escape of water back into the City of Hamilton main or unless otherwise approved by the General Manager of Public Works.

Unmetered Private Fire Lines

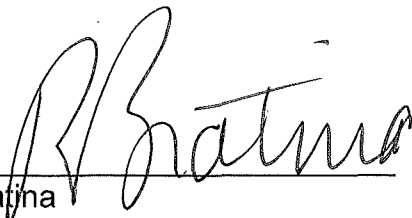
- (4) The monthly fees or charges set out in Schedule "H" to this By-law (private unmetered fire line fees) shall be imposed on the Owners or Occupants of all lands having a permanent unmetered connection to the City of Hamilton Waterworks system for the purpose of supplying water to a private fire protection system. All unpaid fees and charges are a debt due to the City of Hamilton and the City of Hamilton may take such action as it considers necessary and as permitted by law to collect the debt. Further, as the fees or charges described in this subsection are for the supply of a public utility, as defined in the *Municipal Act, 2001*, where all or part of such fees or charges remain unpaid, such fees and charges may be added to the tax roll for the property to which the public utility was supplied.
3. By-law R84-026 is amended by adding a new Schedule "H", attached as Appendix A to this by-law.
4. Section 19 of By-law R84-026 is repealed and replaced with the following new section 19:

SCHEDULES

19. Schedules "A" to "H" are attached to, and form part of, this By-law
5. This by-law comes into force on July 1, 2012.

PASSED this 13th day of June, 2012.

R. Bratina
Mayor



R. Caterini
City Clerk



APPENDIX A

SCHEDULE "H"

**PRIVATE UNMETERED FIRE LINE FEES
EFFECTIVE JULY 1, 2012**

Size of Connection		Monthly Fees or Charges
mm	inches	
25	1	\$ 3.00
38	1.5	\$ 6.90
50	2	\$ 12.00
75	3	\$ 27.00
100	4	\$ 48.00
150	6	\$108.00
200	8	\$192.00
250	10	\$192.00
300	12	\$192.00