

**Authority:** Item 7.4, Motion  
(FCS15002)  
CM: January 21, 2015

**Bill No. 029**

## **CITY OF HAMILTON**

### **BY-LAW NO. 15-029**

#### **To Amend the Sewer and Drain By-law No. 06-026, and Implement the 2015 Fees and Charges**

**WHEREAS** on February 15, 2006, the Council of the City of Hamilton passed and enacted By-law No. 06-026, which by-law came into force and effect on March 1, 2006 and may be known and referred to as "The Sewer and Drain By-law";

**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 21<sup>st</sup> day of January, 2015, the Council of the City of Hamilton did approve of Item 8.1 of General Issues Committee Report 15-003 and did authorize the 2015 fees and charges set out herein;

**AND WHEREAS** notice of the 2015 fees and charges 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;

**AND WHEREAS** on April 23, 2014, the Council of the City of Hamilton did approve of Item 8.4 of General Issues Committee Report 14-009 which authorized the amendment of The Sewer and Drain By-law No. 06-026 to exclude third party providers of a sewer lateral warranty protection plan from being eligible for the reimbursement of costs from the City under the City's Sewer Lateral Management Program;

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

1. Clause 10(6)(b) of By-Law No. 06-026 is deleted and replaced with the following new Clause 10(6)(b):

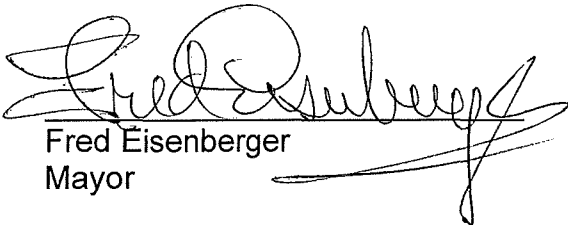
To Amend the Sewer and Drain By-law No. 06-026,  
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- (b) To be eligible for the one-time reimbursement referred to in clause 10(6)(a) above:
- (i) the permanent repair or replacement of the entire Sewer Lateral – Private Portion must utilize materials and installation methods approved by the General Manager of Public Works and be completed in accordance with all applicable City standards and any other applicable legislation; and
  - (ii) an Owner or Occupant of the lands on which the Sewer Lateral – Private Portion is located shall be required to access any third party provided sewer lateral warranty protection plan it is entitled to first and shall only be eligible for the one-time reimbursement where its costs exceed the limits of the third party provided sewer lateral warranty protection plan.
2. Schedule “A” to By-law No. 06-026 is deleted and replaced with the new Schedule “A” attached to this by-law.
3. The fees and charges imposed by this by-law continue in force until amended, repealed or replaced (by by-law or by a resolution of the Council of the City of Hamilton confirmed by by-law) and for greater certainty this includes continuing in force after December 31, 2015 until amended, repealed or replaced.

This by-law comes into force on January 22, 2015.

**PASSED** this 21<sup>st</sup> day of January, 2015.

  
Fred Eisenberger  
Mayor

  
Rose Caterini  
City Clerk

**SCHEDULE "A"**

**SCHEDULE OF FEES AND CHARGES**

Effective January 22, 2015

1. Basic Fee for any sewer permit \$62.42
  
2. In addition to the basic fee described in section 1 of this Schedule "A", the following sewer permit fees are payable for a visual inspection of a Sewer Lateral - Private Portion or a Storm Sewer Lateral - Private Portion that has been determined by the General Manager of Public Works to be necessary to confirm that the Sewer Lateral- Private Portion or the Storm Sewer Lateral- Private Portion, or both, has been installed or repaired to the City of Hamilton specifications and in accordance with a sewer permit:
  - (a) Regular Hours inspection \$86.39
  - (b) After Hours inspection \$126.99
  
3. In addition to the basic fee described in section 1 of this Schedule "A", the following sewer permit fee is payable for a CCTV inspection of a Main Sewer where determined by the General Manager of Public Works to be necessary to confirm that a Sewer Lateral - Private Portion or a Storm Sewer Lateral - Private Portion, or both, has been installed or repaired to the City of Hamilton specifications and in accordance with a sewer permit:

Main Sewer inspection Cost plus 33% overhead
  
4. Service Charge for Missed Appointments and Inspections Not Ready. \$127.19
  
5.
  - (a) Complete Sewer Lateral Investigation – Regular Hours \$483.00
  - (b) Complete Sewer Lateral Investigation – After Hours \$574.20
  - (c) Partial Sewer Lateral Cleaning – Regular Hours \$286.00
  - (d) Partial Sewer Lateral Cleaning – After Hours \$329.00
  - (e) Abandoned Sewer Lateral Investigation- Regular Hours \$308.00

(f) Abandoned Sewer Lateral Investigation – After Hours \$384.00

**Notes to Schedule “A”:**

1. All fees and charges in this schedule are subject to all applicable taxes.
2. “Regular Hours” means 7:00 a.m. – 4:30 p.m. inclusive, Monday to Friday.
3. “After Hours” means outside Regular Hours Monday to Friday, a Saturday, Sunday, public holiday or other day on which banks in Ontario are authorized or required by law to be closed.
4. “Partial Sewer Lateral Cleaning” means services to relieve blockage(s) in the Sewer Lateral in order to temporarily reinstate sewer service.
5. “Complete Sewer Lateral Investigation” means services to complete a thorough cleaning and closed circuit television inspection of the Sewer Lateral.
6. “Abandoned Sewer Lateral Investigation” means services related to an unsuccessful attempt to access the Sewer Lateral for cleaning.