



**WATER
RIVERVIEW PARK AND ZOO**

CONDITIONS OF SERVICE

August 2019 – Rev 02

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Rev Level	Date	Section	Change	Approval by
01	June 2019	All	Update PUGSC name	
01	June 2019	All	Update MECP Name	
		1.2	Updated definition of PUGSC to include <i>approved agents</i>	
		1.4	Insert <i>attempted</i> before autodialer	
		2.4	Remove so that the water runs useless out of the water works distribution system	
		2.5,2.6	Insert <i>access</i>	
		2.6	Substitute normal mail with <i>regular mail</i> , remove <i>hand deliver</i> Insert <i>and may be posted as required by law</i> Insert – <i>100% surcharge</i> Insert – <i>or it's approved Agent</i>	
		3.3	Update disputes section	
		3.4	Insert <i>and all associated penalties</i>	
		3.7	Remove outdoor lawn restriction section	
		4.0	Update notification of removal to <i>Water Utility Department</i> Remove <i>reference to electric smart meter</i> Update Final Meter Section Update Faulty Meter billing	
		5.4	Update Snowbird to Service Disconnection	
		7.1	Add basic charge and requirement of Security Deposit	
02	August 2019	4.8	New section on fines for tampering with water meter	

1 Introduction

1.1 Provision of Service

The Peterborough Utilities Commission (Commission) is a municipal services board for the City of Peterborough, which has ownership and full command and control of the municipal drinking water system, including the treatment plant, storage and pumping facilities, trunk and distribution water mains and individual water services up to the private property line. Water meters within the buildings, used as consumption measurement devices for billing purposes, are also owned by the Commission. Peterborough Utilities Services (PUGSC) is the Operating Authority and agent for the Commission and as such operates under contract with the authority of the Commission with respect to the Peterborough Drinking Water System.

These conditions are to be interpreted as written but not to be interpreted in contravention to the *Municipal Act*, *Safe Drinking Water Act* or any other legislation. Words referring to the singular include the plural and vice versa.

1.2 Agency Roles in Drinking Water

City of Peterborough (City)

As the municipality, the City of Peterborough has assigned control and command of the municipal drinking water system to the Commission. This relationship has been in place since 1914. The five members of the Commission are the mayor and four selected councillors.

Peterborough Utilities Commission (Commission)

The Peterborough Utilities Commission is a Municipal Services Board of the City of Peterborough under the *Municipal Act, 2001*. Prior to that, the Commission functioned as a Public Utilities Commission under the *Public Utilities Act, 1980*. Currently, the Commission or its approved agent governs the municipal drinking water system and establishes policies, water rates and charges.

PUG Services CORP. (PUGSC)

Under contract with the Commission, PUG Services Corp. is the licenced Operating Authority of Peterborough's municipal drinking water system. PUGSC manages the day-to-day operations and oversees operations and capital improvement program on behalf of the Commission. For every day operations, PUGSC staff are the primary point of contact for the customer.

Medical Officer of Health (Peterborough County-City Health Unit (PCCHU))

The Medical Officer of Health (MOH) is responsible to promote, protect and improve public health and plays a key role in municipal drinking water supply. Through the PCCHU, the MOH receives all adverse water quality reports and takes appropriate steps to protect public health. They work closely with the Operating Authority, PUGSC, to ensure that steps are taken to resolve the situation. The MOH will issue and rescind boil or drinking water advisories and orders as necessary to protect public health. They may also request the Operating Authority take appropriate actions beyond the corrective actions specified under the *Safe Drinking Water Act*.

Ministry of Environment, Conservation & Parks (MECP)

The MECP is the regulator for municipal drinking water in Ontario. They receive notification of all adverse drinking water results (through the Spills Action Centre (SAC)) and the corrective actions taken to resolve the issues. They issue licences and permits for the municipal drinking water systems and operators and carry out annual inspections of the drinking water systems to ensure compliance with the regulations.

Otonabee Region Conservation Authority (ORCA)

ORCA is a community-based environmental agency that protects, restores and manages the natural resources within the Otonabee Region watershed. Part of ORCA's mandate is to safeguard the area's rivers, lakes and streams and to develop and maintain programs that will protect life and property from natural hazards such as flooding and erosion. ORCA's role in the delivery of municipal drinking water is primarily in source protection.

Trent Conservation Coalition (TCC)

The Trent Conservation Coalition (TCC) is a partnership of five Conservation Authorities (Crowe Valley, Ganaraska Region, Kawartha, Lower Trent, and Otonabee Region Conservation Authorities) in the watershed, working together to assist in the development of local source protection plans. The Trent Source Protection Plan, affecting Peterborough, was approved by the MECP on October 23, 2014 and into effect on January 1, 2015.

1.3 Legislation for Municipal Drinking Water

This section is not an exhaustive list of legislation but outlines the prevalent legislation for the supply of municipal drinking water.

Clean Water Act, 2006

The Act sets out a framework for source protection planning of municipal drinking water supplies on a watershed basis.

Municipal Act, 2001

The Act provides powers to municipalities, including power to delegate authority and duties (such as the case with a Municipal Service Board). It provides powers to a public utility service such as municipal water.

Safe Drinking Water Act, 2002

The Act and regulations under the Act (such as O. Reg. 170/03, 169/03, 128/04) is the primary legislation for operating a municipal drinking water system. It deals with important issues such as accredited operating authorities, permits and licences, water quality standards and testing, adverse results, corrective actions and licensing of operators. It also describes inspections, compliance and enforcement.

Development Charges Act, 1997

The Act permits a municipality to impose development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area. It establishes the requirement for a Background Study and the rules by which the development charge can be applied.

Ontario Water Resources Act, 1990

The *Permit to Take Water* from the Otonabee River for municipal supply is granted under this Act. The reporting of water taking is discussed under O. Reg. 387/04.

Environmental Assessment Act, 1990

The Act establishes the approval process required for many large capital projects. Included in the legislation are class environmental approvals and the public process required.

Public Utilities Act, 1980

While most of this Act has been repealed, the *Municipal Act* (s.195) refers to the powers and control under the *Public Utilities Act* and their continuance beyond December 31, 2002.

1.4 Communication

The Commission, normally through its agent, will use a variety of tools to communicate with customers depending upon the nature of the communication. The customer can choose to have a paper bill or received electronic notifications. Planned service interruptions will be communicated to the customer by hand delivered notice, and/or attempted autodialer telephone notification. Social media may also be used to notify customers of any service disruptions. Large scale emergency notification will utilize press releases, local radio and social media, with the use of door to door contact, as feasible.

1.5 Contact Information

PUG Services Corp. can be contacted by the following means:

Mailing Address: P.O. Box 4125, Station Main
Peterborough ON K9J 6Z5

Street Address: 1867 Ashburnham Drive
Peterborough ON K9L 1P8

Telephone: Business Hours Monday to Friday
(excluding statutory holidays)
8:30 am to 4:30 pm

Customer Service – (705) 748-6900
General Inquiry – (705) 748-9300
Fax (705) 748-0120

Email info@peterboroughutilities.ca

Emergency After Hours

Emergency Calls – (705) 748-9300

Peterborough Utilities Commission can be contacted at the same address as above if the correspondence is directed specifically to the Commission. If a customer wishes to appear at a Commission meeting as a delegation, they must contact the Executive Assistant directly at (705) 748-9301, ext. 1281.

2 Responsibilities & Authority - Peterborough Utilities Commission

2.1 Reliability and Restoration of Services

The Commission will take reasonable measures, consistent with industry standards, to ensure the adequacy and reliability of the services that it supplies. The Commission cannot ensure uninterrupted services. It is recognized that during some emergencies outside resources may be required to restore services to normal. Customers requiring completely secure services should make arrangements for alternative supply of services. To the best of its knowledge and ability, the Commission will restore services firstly to those who are critically dependent on the services, otherwise to the largest group of customers whose service has been affected by a particular problem. The customer is entitled to fair and reasonable service as prescribed in these conditions.

The Commission shall not be liable under any circumstances whatsoever for any loss of goods or loss of profits or business, business interruption losses, loss of contract or loss of goodwill for interruption of service or in connection with the escape of water (*Municipal Act*, s.449).

2.2 Drinking Water Quality

The Commission will maintain safe and reliable water supply to the customer as dictated by *Safe Drinking Water Act* and associated regulations. Reports required under the above Acts and Regulations are provided on the Peterborough Utilities Internet page for the Water Utility.

2.3 Water Service Interruptions

The supply of water to a customer may be interrupted due to planned maintenance or emergency conditions on the water distribution system. The Commission will endeavour to notify customers of planned outages. Under the *Municipal Act*, (s.81), the Commission has the authority to shut off the supply of water to the owners or occupants for non-payment.

2.4 Wastage of Water

No person shall let off or discharge, or permit the letting off or discharging, of water before the water meter. If water is found to be discharging (leak) between the curb stop and the meter, PUGSC will notify the customer of the repair requirements. If the repairs are not made in a timely manner a surcharge will be applied to the customer account. The surcharge levied will be at the discretion of the Commission.

2.5 Access to Infrastructure on Land

Under the *Municipal Act*, (s.79-80), the Commission has the authority to enter lands, driveways or other common passages, at reasonable times without consent, to install, construct and maintain pipes, wires, equipment, machinery and other works as necessary to make connections , and access or maintain the infrastructure.

2.6 Access to Infrastructure on Premises

If the Commission requires access to a premise, under Section 435(2) of the *Municipal Act*, the Commission shall notify in writing the Owner/Occupant of the intent to enter for the purpose to install, construct, inspect, accessor to maintain infrastructure. The Commission shall undertake a reasonable effort to communicate the need to access to the customer or occupant through the following steps;

Attempt #1: Written letter delivered by regular mail to the billing address, explaining the need to access the water meter and request the customer contact our office during business hours to arrange for a reasonable and convenient time for access.

Attempt #2: After ten business from the date of mailing in attempt #1, a telephone call (either by autodialer or in-person) explaining the need to access the water meter and request the customer contact our office during business hours to arrange for a reasonable and convenient time for access. If we do not have or cannot find a valid telephone number for the customer, we will substitute the telephone contact by a notice to the service address.

Attempt #3: (Final Notice) Written notice will be delivered and may be posted as required by law after five business days from attempt #2, to place of residence or business explaining the need to access the water meter and request the customer contact our office during business hours to arrange for a reasonable time for access. A deadline date, no earlier than three business days from date of attempt #3 shall be given to contact our office after which the water service may be discontinued without further notice.

If the occupier does not respond to our communication or refuses entry the Commission shall gain access by the following methods;

1. Place customer on a flat rate charge (with 100% surcharge) until access has been granted; or
2. Shut off the water service under authority of the *Municipal Act*, s.80(2); or
3. Obtain a court order to gain entry under authority of the *Municipal Act*, s.438, 439 or 386.3.

The choice of action or actions shall be at the discretion of the Commission (or it's approved Agent). In the event that the delay necessary to obtain consent or a court

order would result in an immediate danger to health or safety of any person, the Commission has the authority under the *Municipal Act*, s.437(f) to enter a dwelling.

2.7 Easements

To maintain the reliability, integrity and efficiency of the water distribution system, the Commission has the right to have supply facilities on private property and to have easements registered on the title to the property in its name. Easements are required where facilities serve property other than the property where the facilities are located and/or where the Commission deems it necessary.

2.8 Liability

The Commission or its agents shall not be liable in connection with the escape of water under Section 449(1) of the *Municipal Act*.

3 Responsibilities - Customer

3.1 Permission to Connection

Customers may request to be connected to the municipal water system; requests should be made by contacting the PUGSC Water Utility Department. The proposed cost to connect will be provided to the customer in writing and will be valid for 30 days. The estimate will include frontage, development, inspection, and restoration charges. These charges are described, starting in section 5.7.1 through 5.7.4. The customer is required to pay the estimated cost in full prior to any work being scheduled. By accepting the supply of water service, the customer agrees to follow these "Conditions of Service".

3.1.1 Separate Service

Building water service piping serving buildings that are not located within the same property may be interconnected if the owner of the properties and the Commission enter into a written agreement that is registered against the title to which it applies. The Commission must have the ability to shut off each service independently of the other service(s) utilizing valves under its control.

3.2 Disruption of Service

3.2.1 Planned Service Disruption

The Commission will attempt to notify customers either verbally or by written hand-delivered notification in the event of a planned service disruption. If no one is home when staff are attempting to notifying, a written notification will be left at the property outlining the time and estimated duration of the disruption.

If a contractor is carrying out this work on behalf of the Commission, the contractor will provide this information.

3.2.2 Unplanned Service Disruption (Emergency)

Customers must note that an Emergency Outage is an unexpected occurrence that may not allow for any notification of a service interruption.

3.3 Disputes

Customers should refer any complaints or disputes in writing to the Water Utility Office. Complaints that are not resolved by staff can be delivered to the Vice President,, Water Utility or the Vice President of Corporate Services, PUGSC.

3.4 Theft of water

Water shall not be taken from un-metered water sources except for the following purposes:

- fire protection;
- testing of the fire system by employees of an incorporated fire underwriters association.

If water is found to be taken from an un-metered water source the Commission will request the service be metered as per the requirements of section 4. The owner or occupant is liable for the estimated water consumed, and all associated penalties as calculated by the Commission Customer Service and Account Policy.

3.5 Payment of Fees/ Charges/Rates

The customer is required to pay monthly/bimonthly water charges and all other applicable charges on or before the due date. Failure to remit payment the customer will be subject to the PUGSC collection procedure outlined in section 7 of the Conditions of Service. The Commission has the right to terminate the water service for non-payment.

3.6 Access to Water Infrastructure

The customer must maintain access to fire hydrants adjacent to the customer premise at all times for fire protection services and maintenance. Hydrants shall be clear of shrubs, fences and any other obstruction that the customer or owner of the property has ownership of or control over. The customer shall not move snow to obscure the hydrant or make it less accessible. The Commission is not responsible for any damage to property that occurs while attempting to access fire hydrants.

The Customer shall ensure that access to water shut off valves (curb stops) are maintained. This curb stop provides isolation from the water distribution system and the customer premises, in the event of a water leak on the supply side of the private building valve.

Typically, the curb stops are not designed to be placed in driveways, if the customer is relocating the driveway or paving, care should be taken with the contractors to ensure that the curb stop is not damaged or paved over. The costs to repair or work to make the curb stop accessible will be the responsibility of the customer.

4 Water Metering

Installation of a water meter and automatic meter reading (AMR) device shall be a condition of water servicing. The customer is required to provide a secure, heated environment for the water meter and prevent it from freezing or being damaged. The meter and AMR device is provided by the Commission at no cost to the customer and remains the property of the Commission. The customer shall be liable for damage caused to the installed meter or AMR device and shall be responsible to return the meter and AMR device to the Water Utility Department if water service is no longer required by the customer.

4.1 Safety of Equipment – Water Meters

The customer shall not use or interfere with the facilities of the Commission except in accordance with a written agreement with the Commission. The Commission has the right to seal any point where a connection may be made on the supply side of the metering equipment. If the customer breaks this seal for any reason they shall notify PUGSC as soon as possible thereafter to have the seal reattached.

4.2 Impractical Installations

Where the Commission deems it impractical to install a water meter, the customer shall be advised of the situation and placed on flat rate billing.

4.3 Water Metering Option for Wireless

Water metering is considered best management practice for water purveyors and the Commission wishes to utilize technology which is cost effective for its customers.. It is recognized, however, that there may be some instances where a customer may choose not to have wireless technology within their home or business or even on their property. Wireless options should be available to the customer. The customer shall be required to pay for installation and ongoing meter reading costs.

If the customer can provide proof via a doctor's note that there is someone normally within the premise with a severe sensitivity to wireless devices, then the Commission shall pay for installation of the transmitter outside of the building.

If the customer refuses to accommodate the transmitting device on their property, then they will be required to pay the current monthly manual meter reading cost.

4.4 Automatic meter reading (AMR)

All service locations (residential and non-residential) require water meters and AMR devices. The meter and AMR devices shall be supplied at no cost to the customer for installation at their cost. The installation shall be carried out to the specifications of the Commission and the Commission shall inspect the meter installation to ensure it meets the requirements.

4.5 Final Meter Reading

If a final reading is requested and there is no application for service the water and sewer services at the premise will be billed to the owner and all applicable charges will apply. The water/sewer charges apply regardless of occupancy.

4.6 Faulty Registration of Meters

The customer is responsible for all applicable charges as result of their water use. If it is determined that billing was in error due to metering inaccuracy, or other metering and billing related problem then the customer would be responsible for the under billing and PUGSC would reimburse for the over-billing for a period of up to two years, unless in instances of theft of water.

4.7 Access to Water Meter in Customer Premises

It will be necessary to occasionally enter a customers' premise to inspect, maintain and replace water meters and automatic meter reading (AMR) modules. The *Municipal Act* allows the Commission to gain access to the customer's premise provided we have given them reasonable notice. Under Section 435(2) of the *Municipal Act*, notice for a power of entry must be delivered (1) to the occupier of the land, (2) given within a reasonable time before the power of entry is exercised, and (3) given by personal service. Additional details are described in section 2.6 of the Conditions of Service.

4.8 Tampering with Water Meter

Tampering with a water meter or operating a valve that will either bypass a meter or otherwise allow unmetered water to be accessible without the explicit permission from Peterborough Utilities will result in a fine of up to \$2,000.

5 Rates, & Surcharges

The Water Utility rate schedule is approved by the Commission and is published on the Peterborough Utilities Website. All current fees, charges and surcharges are outlined on the Commission [Rate Schedule](#).

5.1 Seasonal Water Meters

Seasonal water meters that service parks, cemeteries and sports fields that are removed in the Fall and re-installed in the spring will incur a fee for both the installation and removal of the meter. During the months when the meter has been removed, no Basic or Consumption Charges will apply. Once the meter has been re-installed, Basic and Consumption Charges will resume. Seasonal water meter fees are outlined on the Commission [Rate Schedule](#).

5.2 Termination of Services

If the customer intends to demolish any building severed by water, they must contact Water Utility Office to make arrangements, 5 days in advance for a final meter reading or removal of the meter.

5.3 Water Meter Disputes and Replacement Fees

Rates associated with disputes or damaged to water meters by the customer are available on the Commission [Rate Schedule](#).

5.4 Customer Requested Service Disconnection

Customers who wish to have their service disconnected can contact the Water Utility Office to arrange for this service. A fee for the disconnection and reconnection will apply and are outlined on the Commission [Rate Schedule](#). During the months when the water service is off, the applicable Basic Charges will still apply. Once the service is reconnected, Consumption Charges will resume.

5.5 Sewer Surcharge

A sewer surcharge, proportional to water charges, is billed and collected on behalf of the City of Peterborough. The amount of the sewer surcharge is established by the City of Peterborough

5.6 Temporary Water Services

As part of infrastructure maintenance (construction) programs it may be necessary to install a temporary water main and a temporary water service to your premise. The temporary water service will generally connect to the outside tap on the customer's premise, if one exists. The valve on the incoming water service will need to be shut off and the customer will receive potable water through the outside tap during construction. The internal valves can be operated by the customer or a contractor's representative if required. The contractor will provide instructions for the above when they connect the temporary service. In order to assess the appropriate provision for this temporary water service, additional information may be required. Temporary billing based on historical volumes used will be employed for the duration of the temporary service since the water consumed will not be passing through the meter.

5.7 Water Capital Charges

The Commission will establish water capital charges that are appropriate to recover current cost of waterworks supply from customers for new installation, in a manner which is equitable and justifiable. Water capital charges are included on the [Rate Schedule](#).

5.7.1 Water Main Frontage Charges

The Commission applies water main frontage charges to unserved or pre-served properties that abut existing water mains at a rate established by the Commission. The frontage charge is intended to be a reasonable charge for the water main abutting the property, for new customers who wish to hook up to the existing water system. Water main frontage charges are included on the [Rate Schedule](#)

Frontage charges are normally applied to the portion of the lot abutting the opened city road right-of-way (ROW) with certain exemptions for lot configurations abutting more than one ROW. In the case of a non-abutting lot or a lot with a very small frontage (less than normally allowed for a new building lot), the frontage charge shall be calculated such that it would be equivalent to a similar abutting lot. The goal is to apply frontage charges to all property owners in a fair and equitable manner. Exemptions have been developed for properties that abut more than one side on existing ROW's. The rationale is the customer typically requires only one service to their property and thus the need for connection to one water main. The following exemptions are allowed:

Residential Property The shortest frontage (meeting Planning Standards) shall be considered the primary frontage and the entire primary frontage is chargeable. The owner shall receive an exemption for the secondary frontage (sometimes referred to as the flankage) of 45.7 metres (150 feet) or the secondary frontage, whichever is less.

Non-Residential Property The longest frontage (meeting Planning Standards) shall be considered the primary frontage and the entire primary frontage is chargeable. The owner shall receive an exemption for the secondary frontage (sometimes referred to as the flankage) of 61.0 metres (200 feet) or the secondary frontage, whichever is less.

5.7.2 Non-Abutting Frontage Charges

Property that does not abut or has frontage that is below the minimum required by City Planning for its designated use shall be charged based on the minimum allowable frontage measurement at the appropriate rate. Note: The frontage charge or exemption is independent of the frontage from which the property is serviced.

5.7.3 Development Charges

New developments in Peterborough must pay development charges to connect to the existing water system. The development charges are determined through a “Background Study” which is required to be completed every five years under the *Development Charges Act*. Development charges are included on the [Rate Schedule](#).

5.7.4 Service Charges

The service charge covers the cost to install the service pipe from the water main to the property line. For the majority of residential and small commercial services (20 mm size), there is a fixed cost to install the service pipe. Restoration costs are site specific and extra to the fixed rate. For non-residential services over 20 mm size, the charge is the actual cost to install the service. Service charges are included on the [Rate Schedule](#).

6 Private Water Systems

6.1 Cross Connection Policy

It is the policy of the Commission to ensure that hazardous or detrimental conditions to the potable water supply are eliminated wherever possible. In order to do so, The Commission has implemented the Cross Connection Control Practice (CCCP). The CCCP applies to all industrial, commercial, institutional, multi-residential buildings and some home-based businesses. Full details on the Commission's CCCP can be viewed on the Peterborough Utilities [website](#).

7 Billing

Through the PUGSC, the Commission will bill its customers on a regular basis. Bills for the delivery and use of water will be based on a basic charge plus metered rate or for flat rate services on a calculated consumption rate as determined by the PUGSC.

7.1 Payments and Late Payment Charges

Regular bills are rendered for water services provided to the customer. The bills are payable on the due date and subject to overdue interest charges if payment is not received by PUGSC by the due date. Security deposits may be required based on credit and/or payment history.

Outstanding bills are subject to a collection process and to disconnection of the service. Service will be restored upon payment for all outstanding amounts owing. The Commission will not be liable for any damage as a result of service disconnection due to non-payment. A reconnection charge will apply if the service has been disconnected for non-payment. A Security Deposit may be required prior to re-connection.

Customers will be charged a service fee for handling non-sufficient fund cheques, hand delivered notices and visits to collect payment.

7.2 Other Charges

The Commission will recover costs from the responsible party or customer for providing services related to the security, maintenance and/or repairs of damages to the distribution system that are initiated from events not related to the operation of the distribution system. Examples of events that would be included in this category are vehicle accidents, services to allow for maintenance to signs, buildings or removal of trees threatening the distribution system and fires or water damage caused by privately owned facilities or originating in a privately owned building. Additionally, customers will be charged the cost of responding to water interruptions that are found to be caused by the customer's privately owned facilities. Payment of deposits for this work will be

required from the customer or requestor prior to any work being performed except in the case of emergency situations.

8 Customer Information

A customer's historical water usage and payment information will be made available to the customer upon written request from the customer. Cost for this service is included on the [Rate Schedule](#). The customer's historical usage and payment information may be available online at the customer Self-Service Web Portal at www.peterboroughutilities.ca.