

THE CORPORATION OF THE CITY OF DRYDEN

BY-LAW NUMBER 2021-xx

BEING A BY-LAW TO REQUIRE OWNERS OF BUILDINGS TO CONNECT THE SAID BUILDINGS TO THE SEWGE AND WATER WORKS OF THE MUNICIPALITY.

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the "Act") provides that the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues; and

WHEREAS Section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act; and

WHEREAS Section 10 of the Act provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public and may pass by-laws respecting: social and environmental well-being of the municipality; health, safety and well-being of persons; services and things that the municipality considers necessary or desirable for the public; and protection of persons and property; and

WHEREAS Section 11 of the Act provides authority for a municipality to pass by-laws respecting sanitary and stormwater sewage systems; and

WHEREAS Section 391 of the Act provides that a municipality may pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it; and

WHEREAS Section 436 of the Act authorizes a municipality to pass by-laws providing that the municipality may enter onto land at any reasonable time for the purpose of carrying out an inspection to determine compliance with a by-law direction, order or licence; and

WHEREAS the Council of The Corporation of The City of Dryden deems it expedient and necessary to enact such a by-law.

NOW THEREFORE the Council of The Corporation of The City of Dryden enacts as follows:

1. THAT every owner of a building in the City of Dryden shall connect the said building to the sewage works and the water works of the municipality where such works are available to such building.

2. THAT if the owner of a building affected by this by-law fails to make the connection required by this by-law within nine (9) months after the City of Dryden has sent notice to him or her by registered mail to his or her last known address requiring the connection to be made, the City of Dryden has the right to make the connection at the expense of the owner, and for this purpose may enter in and upon the property of the owner, and to recover the expense by action or in like manner as municipal taxes.
3. THAT upon the application of the owner, the Council may grant an extension of not more than two (2) years from the end of the nine (9) month period provided for in section 2 within which the connection is to be made, provided that not more than two (2) extensions may be granted in respect of any building.
4. THAT effective January 1, 2022, there shall be levied a late payment charge of 2% per month of the outstanding amount billed for any or all of the water and sewer services, where the total amount billed has not been paid by the due date indicated on the bill. The application of the late payment charge shall be limited to the amount of the bill outstanding at the due date and shall include the arrears from previous billings. Partial payments shall be applied to any outstanding arrears before being applied to the current billing.
5. THAT the Municipal Code of The Corporation of The City of Dryden is hereby amended by deleting Chapter 201 – Sewer and Water.
6. THAT By-law 2071-91 is hereby rescinded.
7. THAT this by-law shall come into force and take effect on the final passage hereof.

ENACTED AND PASSED THIS 23rd DAY OF AUGUST 2021 as witnessed by the Corporate Seal of The Corporation of the City of Dryden and the hands of its proper Officers duly authorized in that behalf.

THE CORPORATION OF THE CITY OF DRYDEN

Mayor

Clerk

READ A FIRST AND SECOND TIME THIS 23rd DAY OF AUGUST 2021.

READ A THIRD TIME AND PASSED AS READ THIS 23rd DAY OF AUGUST 2021.