

# **THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI**

## **BY-LAW NO. 14-1187**

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**Being a by-law to adopt a policy governing the provision and use of Grinder Pumps served by the Temagami South Sewer System in the Municipality of Temagami.**

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**WHEREAS** under Section 8. (1) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, (the Act) the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** under Section 10 of the Act, a municipality may provide and may pass by-laws respecting any service or thing that the municipality considers necessary or desirable for the public;


**AND WHEREAS** the Council of the Corporation of the Municipality of Temagami passed By-law 14-1180 on the 3<sup>rd</sup> day of April 2014, to adopt an updated grinder pump policy and Council deems that further changes are necessary;

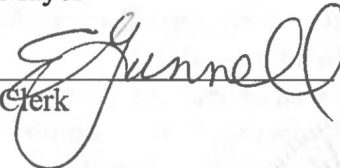
**NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:**

1. That the Municipality hereby adopts the Grinder Pump Policy attached hereto as Schedule "A" and forming part of this bylaw.
2. That By-law 14-1180 is hereby repealed.
3. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to this by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.
4. That this bylaw shall come into force and take effect upon final passing thereof.

TAKEN AS READ A FIRST time on this 15<sup>th</sup> day of May 2014.

READ A SECOND AND THIRD time and finally passed on this 15<sup>th</sup> day of May 2014.

  
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Mayor

  
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Clerk

**Schedule "A" to By-law 14-1187**

**GRINDER PUMP POLICY**

**1. Definitions:**

- a) "Municipality" shall mean the Corporation of the Municipality of Temagami;
- b) "Owner" shall mean the owner of the property, whether residential, commercial or other, where the grinder pump is installed.

**2. Scope:**

All properties that are served by the Temagami South sewer system shall use one or more grinder pump(s) that are the property of the Municipality of Temagami and shall be provided to the property owner subject to the terms of this policy.

**3. Municipality's Responsibility:**

- a) The Municipality shall be responsible for the installation of the Grinder Pump and the control panel.
- b) The Municipality shall be responsible for the repair and or replacement of parts for the Grinder Pump Mechanism itself, and the control panel, as shown in the diagram in Appendix A of this Policy.
- c) The Municipality shall maintain a reasonable supply of replacement parts and new or rebuilt pump cores.
- d) The Municipality shall, at its sole discretion, determine the appropriate repairs or replacement necessary to restore any grinder pump system to operational order.

**4. Owner's Responsibility:**

- a) The Owner shall be responsible for the installation and the operation of the piping to and from the grinder pump.
- b) The Owner shall be responsible for repairs to, or thawing of, the external piping from the building to the shut off valve, or to the property line where the shut off valve is not located on the property.
- c) The Owner shall be responsible for repairs to household electrical, plumbing or other systems, incidental to the operation of the grinder pump mechanism.
- d) The Owner is responsible for the proper use of the grinder pump system, including, but not limited to following the *Guidelines for Proper Use of Grinder Pumps* provided in Appendix B of this Policy.
- e) The Owner shall be responsible for the cost of repair or replacement of parts arising as a result of improper installation of piping as described in section (a) or improper operation of the grinder pump system.
- f) The Owner shall be responsible for the thawing of any portion of the grinder pump system where, in the opinion of the Municipality, the freezing is a result of any of the circumstances outlined in section 5b.
- g) The Owner shall advise the Municipality as soon as possible when the grinder pump alarm indicates that there is a problem that is the Municipality's responsibility.
- h) The Owner shall permit only municipal staff or municipally appointed contractors to work on or repair the grinder pump mechanism and the control panel.
- i) The Owner shall ensure that the Municipality is able to access to the pump.
- j) The Owner shall engage a plumber, at the Owner's expense, if the Owner does not have the time, ability or materials to fix any problem that is the responsibility of the Owner.

## **5. Municipality Not Liable:**

- a) The Municipality shall not be liable for consequential damage resulting from any failure of the grinder pump system. Examples of consequential damage include, but are not limited to:
  - i) Damage to property resulting from back-up sewage resulting from failure of the system;
  - ii) Additional living expenses incurred as a result of the Owner/Tenant being unable to reside in said building.
- b) The Municipality shall not be liable for any damage resulting from the freezing of any portion of the grinder pump system where, in the opinion of the Municipality the freezing has resulted from:
  - i) An interruption of electrical power to the system for which interruption the subscriber may reasonably be considered responsible
  - ii) A failure on the part of the subscriber to adequately heat the area in which the grinder pump system is located

## **6. Fees and Charges:**

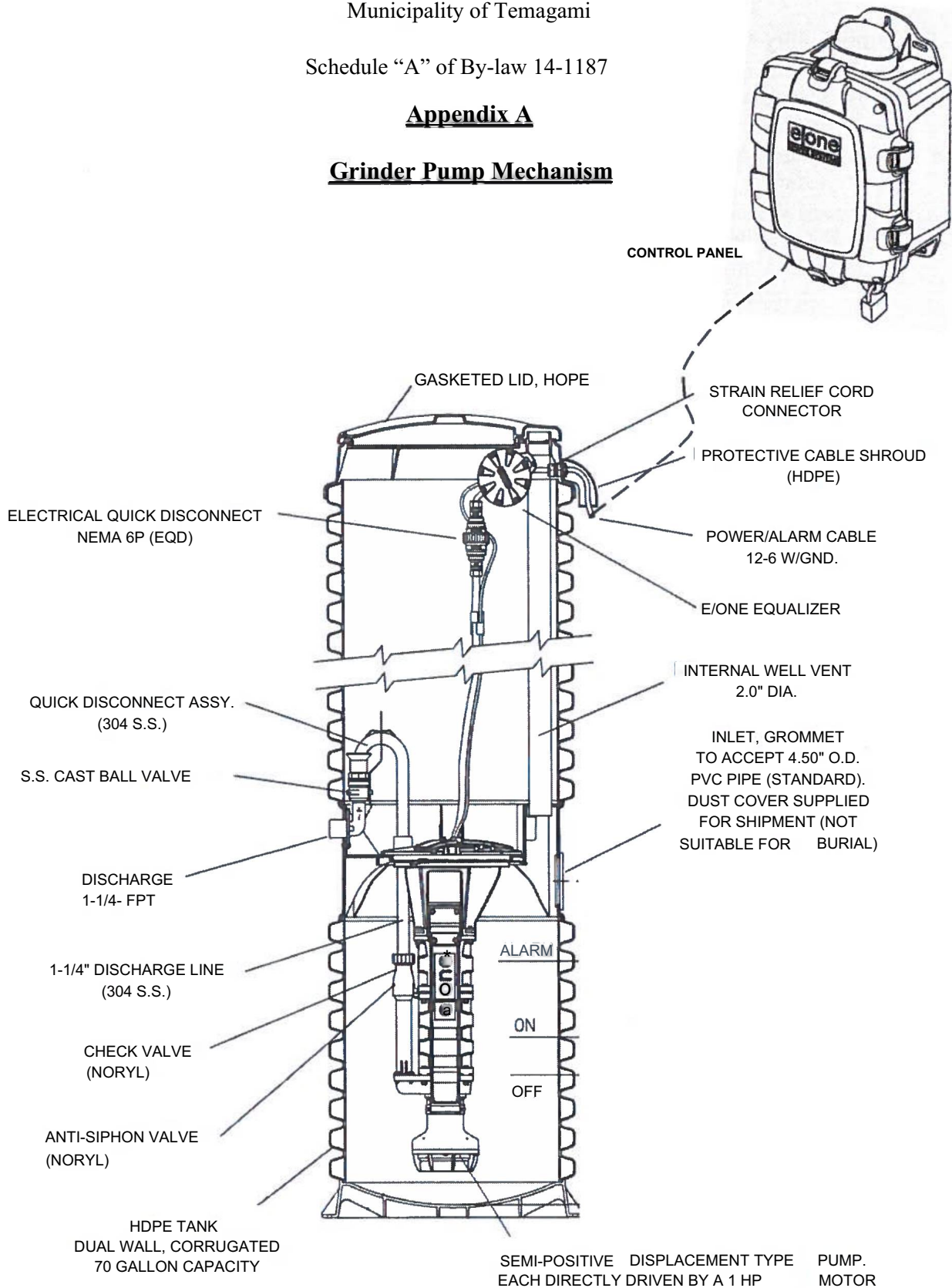
- a) The user fees for grinder pump service shall be determined using a base rate that is set annually as part of the Municipality's annual User Fee By-law.
- b) All residential properties shall be charged a flat fee annually, equal to the base rate, per grinder pump.
- c) All multi-residential, commercial and industrial properties shall be charged a fee annually that is a multiple of the base rate as set out in the annual user fee by-law. The multiple shall equal the total of the number of annual grinder pumps plus the number of seasonal grinder pumps.
- d) A seasonal rate of one half unit (0.5 of the base rate) shall be allocated to the applicable grinder pump(s) only when seasonal, commercial businesses are physically closed for a minimum of six (6) months per year, and one or more grinder pumps are physically removed from the property, or turned off by the Municipality and winterized throughout the closed season.
- e) Where there is a long-term vacancy of a commercial building, as recognized by MP AC, the grinder pump fee shall not be charged provided that the pump is physically removed.
- f) Annual user fees shall be billed on the property tax bill and shall be identified as grinder pump charges, where a property receives a tax bill. For properties subject to Payment in Lieu of Taxes, the Municipality shall issue semi-annual invoices for the fees.
- g) User fees shall recover at least all of the operating costs of the service as required by provincial law. The annual grinder pump fees may also include capital and debt costs, the amount of which may be determined by Council in the municipal budget process, subject to provincial guidelines.
- h) Designated accounts shall be maintained to record all grinder pump revenues and expenses (operational and, as decided by Council, capital).
- i) Additional charges to the Owner, as a result of repairs or replacement due to damage that is the responsibility of the Owner, may be invoiced or added to the property tax bill as appropriate.
- j) The Municipality reserves the right to remove any grinder pump for non-payment of User Fees.

The Corporation of the  
Municipality of Temagami

Schedule "A" of By-law 14-1187

**Appendix A**

**Grinder Pump Mechanism**



**Appendix B**

**Guidelines for Proper Use of Grinder Pumps**

The owner of the property, whether residential, commercial or other, where the grinder pump is installed is responsible for the proper use of the grinder pump system, including, but not limited to following:

**1. Be Careful What Goes Down the Drain**

Proper use of Grinder Pumps includes not flushing or pouring inappropriate items down the drain that are likely to cause damage to the grinder pump mechanism. DO NOT flush or pour down the drain things such as:

- ☐ cleaning wipes
- ☐ cotton balls and swabs
- ☐ latex products
- ☐ feminine hygiene products
- ☐ disposable diapers
- ☐ paper towels, napkins and facial tissue
- ☐ cat litter
- ☐ fats, oils or greases
- ☐ paint, stains, wood preservatives, solvents, sealants and thinners
- ☐ poisons and hazardous waste
- ☐ flammable or explosive liquids, solids or gases (including anti-freeze, brake fluid and other automotive chemicals)

**2. Cold Weather Concerns**

Where a building is being left unoccupied for an extended period during cold weather, the owner should arrange for someone to inspect their building, flush toilets and run tap water daily. This may prevent the sewer line from freezing and causing damage to the grinder pump mechanism. Alternately, the owner may contact the Municipality's Public Works Department regarding having the grinder pump physically removed from the property for the winter months that the building will be unoccupied.

**3. Maintenance**

Proper and prompt maintenance is important when there is a problem. The property owner should contact the Public Works Department at 705-569-3272 as soon as possible when the grinder pump alarm indicates that there is a problem that is the Municipality's responsibility. If it is on a weekend or holiday, please call the “on-call” number 1-866-377-7568. Once Public Works has been contacted, the Owner may silence the alarm by pushing the button on the bottom of the control panel. The Owner shall permit only municipal staff or municipally appointed contractors to work on or repair the grinder pump mechanism and the control panel.