

**GEORGETOWN WATER SUPPLY
BY-LAWS**

BY-LAWS

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By-laws
15/5/1938
19/4/1940
19/7/1941
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made by the Town Council under section 184 and approved by the Governor in Council on the 15th May, 1938, and amended on the 19th April, 1940, 19th July, 1941, and 29th November, 1949, deemed to have been made under section 321 of this Act

Citation.

1. These By-laws may be cited as the Georgetown Water Supply By-laws.

Application of by-laws.

2. These By-laws apply throughout the City as defined by the Municipal and District Councils Act, or any Act amending the same.

Interpretation.

3. In these By-laws—

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“Council” means the City Council as defined by the Municipal and District Councils Act;

“City Engineer” includes the City Engineer and any person for the time being lawfully performing the duties of the City Engineer;

“expert includes any person technically qualified as an engineer and experienced in matters appertaining to the supply and control of water and the city Engineer and the Chief Engineer, Georgetown Sewerage and Water Commissioners;

“installation” includes all pipes, fittings, valves, cisterns, flushing tanks, taps, cocks and other devices through which water flows or is intended to flow which are connected together and connected to a service except the service connection;

“occupier” includes any person in actual occupation of land or buildings without regard to the title under which he

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occupies and in the case of premises subdivided and let to various tenants the person receiving the rent payable by the tenant whether on his own account or as entitled thereto or interested therein and shall include the proprietor during the time such proprietor may be the occupier;

“proprietor” includes any person in possession of or in the receipt either of the whole or of any part of the rents or profits if any land or building whether on his own account or as trustee, agent, or personal representative as husband or guardian of any other person or on behalf of any committee or corporation or who would so receive the same if such premises or part thereof were let or the person in the occupation of such land or building other than as a tenant from year to year or for any less term, or as a tenant at will;

“service connection” includes the service pipe laid from the water main to the installation, the water mains ferrule, the service stop-cock and the pipe together with any fittings other than a meter attached thereto, from the water mains ferrule to the point of attachment of the first valve, cistern, flushing tank, tap, cock or other water consuming device or the first branch pipe leading to any such valve, cistern, flushing tank, tap, cock or other water consuming device;

“service” means the aggregate of the service connection and the installation;

“trade purposes” means purposes other than domestic and sanitary purposes;

“water supplied for domestic and sanitary purposes” means water supplied for the purposes enumerated in Schedule A and any additions or alterations which may from time

Schedule A.

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to time be made by the Council.

Authority to lay service connections and the charge therefor.

4. Subject to the provisions of this Act, service connections may be laid by the Council from the water mains in the streets to the boundaries of the lots of the City and the charges in connection therewith shall be paid by the proprietors and shall be as follows—

(a) for service connections of the three-quarters of an inch for domestic and sanitary purposes—

(i) when the lot is situated on the same side of the street on which the main is laid \$3.00

(ii) when the lot is situated on the opposite side of the street on which the main is laid \$5.00

(b) for service connections of larger pipes for domestic and sanitary purposes and for all service connections for the supply of water for trade purposes the charge shall be the actual cost to the Council for providing such connection.

Limitations.

5. No installation shall be connected to more than one service connection and no service includes more than one service connection.

Accounts for water consumed. [By-laws 19/4/1940]

6. Accounts for water consumed shall be rendered monthly to the occupier of the premises in which the trade purposes service is installed by the Town Clerk and if the amount of any account is not paid within fourteen days after such account has been rendered the Town Clerk shall cause the supply of water to be shut off:

Provided that any supply of water which has been shut off as aforesaid may be re-opened on payment of the sum of

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one dollar in addition to the sum due under such account.

WATER CHARGES

No charge for supply of water for domestic and sanitary purposes.

7. No charge under these by-laws shall be made for the supply of water for domestic and sanitary purposes.

Charge for supply of water for trade purposes. [By-laws 1/1949]

8. Water supplied for trade purposes shall be measured by meter and shall be charged and paid for at the rate of twenty cents per 1,000 gallons or at such other rate as may from time to time be fixed by the Council:

Schedule B.

Provided, however, that the minimum charge per month shall be as enumerated in Schedule B or such other minimum charge as may from time to time be fixed by the Council.

Meter rent.

9. (a) The council shall provide and maintain a suitable meter on every service connection used for trade purposes and the proprietor shall pay in advance to the Council as rent for such meter the sum set forth in Schedule C or such other rent as may from time to time be fixed by the Council.

Schedule C.

Payment of rent. [By-laws 19/4/1940] Schedule C.

(b) All rents of a meter for any trade purposes service shall be a yearly rental on the basis set out in Schedule C hereto and all such rental shall be payable whether the meter has been in use or not for the year and shall continue to be payable until the rental is terminated by a notice in writing to the Council. Such notice shall be addressed to the City Engineer and delivered to him not less than one month before the meter is to be removed.

Supply and installation of meters.

10. Meters shall be supplied by the Council and installed by the Water Works staff on the written instructions of the City Engineer and the cost of such installation

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(excluding the cost of the meter) shall be paid by the proprietor.

Ownership of meters.

11. All meters shall remain the absolute property of the Council whether fitted within the boundaries of the lots or otherwise.

Powers of entry.
[By-laws 19/4/1940]

12. It shall be lawful for the servants of the Council or the servants of the Georgetown Sewerage and Water Commissioners who are duly authorized in that behalf to enter either generally or in any particular case during the day into any lot or building and to enter at all reasonable hours, including all hours during which business in any premises is in progress or is usually carried on, any premises for the purpose of effecting repairs to, or testing or reading the meter or for carrying out any of the purposes of these by-laws or for any other purpose which the City Engineer or the Chief Engineer of the Georgetown Sewerage and Water Commissioners may consider necessary for the efficient control of the meters.

Calculations of monthly consumption of water.

13. (a) The monthly consumption of water shall be calculated on the basis of the difference between two readings of the meter. The first reading may be that obtained on any day not more than seven days before or after the calendar date of the commencement of the month or in the case of a newly fixed meter the first reading of the meter. The other reading may be that taken on any day not more than seven days earlier or later than the calendar termination of the month:

Provided that if the meter is removed or the supply of water is discontinued during the month then the last reading shall be taken and the difference between the two readings shall be deemed to be the month's consumption.

(b) If two or more meters have been in use during the month then the month's consumption shall be the

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aggregate quantities indicated by the several meters:

Provided that the reading used in the last reading of any month shall be used as the first reading of the ensuing month.

Removal of meters.

14. The Council may remove any meter for the purpose of testing the accuracy thereof, or for examination or repairs, or to replace it by another or for any purpose or reason whatever.

Method of computation where meter is out of order, etc.

15. If a meter is found to be out of order or has been removed, the consumption for the time that the meter was out of order or for the time that the service was without a meter shall be calculated according to the daily average rate of consumption that obtained during the period between any two successive readings immediately preceding the removal of the meter and while the meter was in good order.

Reading of meter in case of broken seals.

16. Where any of the seals of any meter are found to be broken the supply of water may be shut off and the meter reading declared to be inaccurate. In every such case the City Engineer shall estimate what he considers to be a reasonable consumption of water for the service during the period from the last reading of the meter to the time of shutting off of the supply and the amount so estimated shall be paid on demand and before the supply is re-opened in addition to the sum of one dollar as a re-connection fee.

Testing of meters on the demand of a proprietor. [By-laws 19/49/1940]

17. (a) Where a proprietor or occupier desires to dispute the accuracy of the meter which measures the water supplied from a trade purposes service he shall give notice in writing to the Council of his desire so to do and shall at the same time deposit with the Town Clerk the sum of three dollars.

(b) The Town Clerk on receipt of such notice and

the sum to be deposited as aforesaid shall cause the meter to be tested by any member of the staff of the Water Works.

(c) The Town Clerk shall notify the proprietor of the time and place of such test and the proprietor or any person duly authorized in writing by him may be present when the meter is tested.

(d) The result of the test shall be binding both on the Council and the proprietor and the quantity of water indicated by the meter from the first reading of the month as defined in these by-laws shall if the meter proves to be incorrect be corrected according to the results of the test.

(e) If the reading of the meter proves to be incorrect the sum of three dollars deposited by him shall be returned to him by the Town Clerk, in any other case the Town Clerk shall retain the said sum as a charge for testing the meter.

(f) A meter shall be deemed to register correctly within the meaning of this by-law if it registers not more than 105 per cent of the actual amount of water passing through the meter when operating at approximately the maximum rate of flow for which the meter is designed.

Proprietor deemed responsible for damage, etc., in certain cases.

18. The proprietor shall be responsible for any meter which has been installed by the Council within the boundaries of his lot and shall also be liable for the replacement thereof or any repairs or renewal or damage which has been occasioned by any willful or accidental act on his part or on the part of his servant:

Provided that any damage to a meter which, in the opinion of an expert, could not have been caused by normal wear and tear or the effect of the water flowing through the meter or by any normal or abnormal condition of the water supply system, shall be deemed to have been wilfully or

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accidentally caused.

Notice to be given before water is used.

19. (a) The proprietor shall advise the City Engineer of his intention to use or permit or cause to be used water for trade purposes and shall make application to the City Engineer for a trade purposes service connection before using or permitting water to be used for trade purposes.

(b) Applicants for trade purposes service connections shall give not less than fourteen days' notice of the intention to use water for trade purposes in the case of connections of up to and including 2 inches diameter and not less than 3 months' notice in the case of connections of 2 ½ inches and 3 inches diameter and not less than 6 months notice in the case of connections larger than 3 inches diameter.

Penalty for use of water without application.

20. Where water has been or is being used for trade purposes without an application having been first made in accordance with by-law 19 the occupier or proprietor shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars for every offence and a further fine of fifteen dollars for each day while the offence continues.

Penalty for improper use of water.

21. Any person using water for trade purposes from a domestic and sanitary water service or from any water service in respect of which no application has been made for a trade purposes connection shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars for every such offence.

Penalty for interfering with meters.

22. Any person who interferes or tampers with any meter or the seals thereof or with any pipe or connection or fitting attached to the meter or connected with the "inlet" side of the meter and the street water mains shall be guilty of an offence and shall, on conviction, be liable to a fine of

seventy-five dollars for every offence.

Penalty for consumption of water without registration.

23. Where any pipe, tap, apparatus or device of any description is connected to any trade purposes service connection between the street water mains and the "inlet" side of the meter or between any pipe connected to a non-metered service and any pipe connected to a "trade" purposes service or where there has been fitted any connection apparatus or device of any description which, in the opinion of an expert, would enable water to be consumed without being registered on the meter provided to register the consumption, the proprietor or occupier shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars for each offence and a further fine of fifteen dollars for each day while the offence continues.

No additions to taps, etc., without consent.

24 (a) No additional taps or other devices nor any connections or additions to the pipework connected to any trade purposes service shall be made without the previous consent in writing of the City Engineer, and the City Engineer's Department or the Georgetown Sewerage and Water Commissioners shall have the exclusive right of carrying out any such work.

(b) Where any tap has been connected or other device affixed to, or any additions or extensions to the pipework connection to a trade purposes service shall be made without the consent in writing of the City Engineer, the water works staff shall shut off the supply of water and remove all such taps, device, additions or extensions and the supply of water shall be re-opened only after payment by the proprietor of the cost and expenses of such removal and a fee of one dollar for reconnection.

Fire-fighting services.

25. (a) Any proprietor having a trade purposes service may declare the same to be required solely for fire-fighting purposes.

(b) Where a proprietor declares a trade purposes service to be required solely for fire-fighting purposes the water works staff shall inspect such service and at the proprietor's expense remove or disconnect all pipes, taps, outlets and other devices not required or adapted solely for fire-fighting purposes.

(c) After the removal from any declared fire-fighting service of all pipes, taps, outlets and other devices as aforesaid, the meter shall be removed and the proprietor shall not be required to pay meter rent or any charges other than those specified in paragraphs (d) and (f) of this by-law.

(d) There shall be charged for each hydrant fire-plug or other fire-fighting device (not exceeding two in number) attached to any declared "fire-fighting" service the sum of two dollars *per annum* for any one three-inch service.

(e) All hydrants, fire-plugs or fire-fighting outlets connected to a declared fire-fighting service shall have seals affixed by the water works staff and the said seals shall be inspected and examined monthly or quarterly as the City Engineer may direct and a record of such inspection and examination shall be kept by the City Engineer in a book to be provided for that purpose.

(f) Every proprietor shall pay to the Council the sum of twenty-four dollars for each time any hydrant, fire-plug or fire-fighting device connected to a declared "fire-fighting" service shall be used, and the fact that the seals on any such hydrant, fire-plug or fire-fighting device were found to be broken at the time of inspection and examination by the water works staff shall be *prima facie* evidence in any proceedings in court that such hydrant, fire-plug or fire-fighting device has been so used:

Provided that this payment shall be waived where the

proprietor advises the City Engineer in writing of the use of any such hydrant, fire-plugs or fire-fighting device for fire-fighting purposes within 48 hours of such use, and the city Engineer on inspection of the premises is satisfied that the hydrant, fire-plug or fire-fighting device in question was used for *bona fide* fire-fighting purposes only.

(g) No additional hydrant, fire-plug, pipe, tap, or other device of any description whether required for fire-fighting purposes or not shall be connected, or any extension or addition made to the pipework connected to any declared fire-fighting service without the previous consent in writing of the City Engineer, and the City Engineer's Department or the Georgetown Sewerage and Water Commissioners shall have the exclusive right of carrying out any such work.

(h) Where any hydrant, fire-plug, pipe, tap or other device of any description whether required for fire-fighting purposes or not is connected to a declared fire-fighting service without the previous consent in writing of the City Engineer the proprietor shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars for each offence and a further fine of fifteen dollars for each day while the offence continues.

(i) Any person using water from a declared fire-fighting service for any purpose other than fire-fighting shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars for every offence.

Penalty for
supplying or
selling water.
[By-laws
19/7/1941]

26. Any person who—

(a) sells, supplies, delivers or otherwise permits the removal of water from any water service to any person not resident or carrying on business on the premises served by the said water service; or

(b) removes or assists in removing water supplied

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by any water service from any such premises, shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars.

Penalty for wastage of water by proprietor

27. Any proprietor who causes, permits, allows or suffers any waste of water, not due to a defective service of which the proprietor shall have given notice in writing to the City Engineer, shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars for every such offence, and a further fine of fifteen dollars for each day while the offence continues.

Penalty for wastage of water by person other than proprietor.

28. Any person other than a proprietor who wastes or causes water to be wasted shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars for every such offence, and a further fine of fifteen dollars for each day while the offence continues.

Power to cut off supply of water in cases of wastage.

29. Whether there is any waste of water from any service the supply may, without prejudice to any other remedy which the Council may have against any person liable for such waste, be shut off and re-opened only after the cause of wastage has been remedied and on payment of one dollar re-connection fee:

Provided that such shutting off of the supply shall be carried out in such manner that there is, in the opinion of the City Engineer, a sufficient supply of water maintained to serve any water closet connected to the sewerage system.

Forms of water wastage.

30. For the purpose of these by-laws, in addition to any other means not herein specified by which water can be wasted, a waste of water shall be deemed to have occurred in any of the following cases—

(a) When water is flowing from a tap, cock or hose-pipe into a sink, basin, vessel or utensil which at a time is

over-flowing.

(b) When water is flowing from a tap, cock or hose-pipe into a sink, basin, vessel or utensil which at the time being emptied if its contents.

(c) When water is flowing from a tap, cock or hose-pipe into a sink, basin, vessel or utensil which has a defective outlet plug or which is not water-tight.

(d) When water is flowing from a tap or cock without being received into some vessel or utensil and without being used for some domestic purpose.

Penalty for allowing defective service.

31. (a) Any proprietor or occupier who shall cause, permit, allow or suffer any stop cock, pipe or other part of any service within the boundaries of his lot to be out of repair, without giving written notice thereof to the City Engineer, shall be guilty of an offence and shall, on conviction, be liable to a fine of seventy-five dollars and a further fine of fifteen dollars for each day while the offence continues.

(b) The notice required in this by-law shall be given within twenty-four hours after the defect in repair shall have to come to the knowledge of the proprietor or occupier.

Works to be carried out by City Engineer's Department or water works staff.

32. (a) Save as provided in the next succeeding by-law, no additions, alterations or extensions shall be made to any service except by the City Engineer's Department or water works staff which shall have the exclusive right of carrying out any such work, and any person who shall make or cause to be made only addition, alteration or extension to the service on any lot or premises in contravention of this section shall be guilty of an offence and shall on conviction be liable to a fine of seventy-five dollars.

(b) Where any addition, alteration or extension has

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been made to any service otherwise than as is herein provided, such additions, alterations or extensions shall be removed by the City Engineer's Department or water works staff.

A sanitary constructor may be authorized to make alterations. [Reg. 23/6/1938 c. 30:01]

33. The holder of a licence as a sanitary constructor under the Georgetown Sewerage Regulations may when so empowered in writing by the City Engineer make additions, extensions or alterations to a service for the purpose of supplying water to any closet, bath or kitchen sink which is required to be connected to the sewerage system. The materials for this work shall be obtained from the City Engineer's Department on payment by the proprietor of the cost thereof.

Repairs to be carried out by the City Engineer's Department or the water works staff.

34. No repairs shall be carried out on any service except by the City Engineer's Department or the water works staff. Where any repairs are carried out by any person not a member of the City Engineer's Department or the water works staff, such repairs shall be re-made by the City Engineer's Department or the water works staff and the cost thereof shall be paid by the proprietor.

Charges for alterations.

35. Unless otherwise provided in these by-laws, the charges for additions, alterations, extensions and repairs to services carried out by the City Engineer's Department or by the water works staff shall be those in Schedule D.

Schedule D.

Council may order use of water proof taps, etc.

36. The Council may order the use, throughout the City of waste-proof taps or cocks or any other device designed to prevent wastage of water, as kitchen, yard, or garden taps or for any other purpose which the Council may consider necessary in the interests of conserving the water supply or for the purpose of effecting economies in the operation of the water works and may recover the costs of providing and installing any of the aforesaid articles from the proprietors.

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Penalty for interfering with City water mains, etc.

37. Any person who interferes or tampers with the water works plant, the city water mains, the street fire hydrants or standposts, any service connection or any fitting valve, stop-cock or other device or who operates or attempts to operate any hydrant, standpost, valve, stop-cock or any device attached to any part of the water supply system other than the installation provided for the use of such persons shall be guilty of an offence and shall, on conviction, be liable to a penalty not exceeding one hundred and fifty dollars.

Limitations in size of service connection.

38. Save with the permission in writing of the Council no proprietor shall be entitled to have any service connection larger than three inches diameter or an aggregate of service connections totaling in cross-sectional area more than the cross-sectional area of a three inch service connection, serving any one lot.

Restrictions on use of water in cases of emergency.

39. The Council may, in times of water shortage or when there is any abnormal condition of the water supply system, impose restrictions on the use of water for trade purposes, garden watering and car and carriage washing purposes, or restrict the supply of water to certain hours of the day or impose any other restriction on the use of water which they may deem necessary in order to conserve the available supply for the essential sanitary or fire-fighting requirements of the City:

Provided that such restrictions shall not operate to reduce the supply to any urinal or water closet which would be likely to affect or endanger the satisfactory operation of the sewerage system.

Powers of entry for purposes of inspection.

40. It shall be lawful for the servant of the Council or the servants of the Georgetown Sewerage and Water Commissioners who are duly authorized in writing in that behalf to enter at all reasonable hours including all hours during which business in any premises is in progress or is usually carried on any premises or lot or building or land for

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the purpose of inspecting, testing or repairing any pipe, tap, apparatus or device of any description connected to the City water supply system or for any other purpose which the City Engineer or the Chief Engineer of the Georgetown Sewerage and Water Commissioners shall consider necessary for the efficient control of the water supply system or for carrying out any of the objects of these by-laws.

Penalty for obstructing person in performance of duty.

41. Any person who assaults, obstructs or in any way hinders or attempts to obstruct or hinder any person charged with the performance of any duty under these by-laws shall be guilty of an offence and shall, on conviction, be liable to a fine of one hundred and fifty dollars.

Legal proceedings.

42. The signature of the Town Clerk subscribed to any document containing a statement of the amount claimed as charges in respect of any lot under any of these by-laws shall, without proof of such signature or of any other matter or thing, be deemed in all courts *prima facie* evidence that the amount so claimed is due and payable, and any such amount remaining unpaid for fourteen days after an account has been duly rendered shall be recoverable by the Town Clerk by summary execution.

Person authorized to institute proceedings.

43. All legal proceedings on any matter arising out of these by-laws or any amendment thereof may be instituted and carried on in the name of the City Engineer or of any person authorized in that behalf in writing by him and no proceedings whatever shall abate or discontinue by reason of the death, resignation, or removal of the City Engineer or the person so authorized by him.

Offences and penalties.

44. (a) Every person who fails to do any act or thing enjoined by these by-laws, and every person who does any act or thing forbidden by these by-laws shall be guilty of an offence against these by-laws.

(b) Any person who is guilty of an offence against any of these by laws shall, where no other specific penalty has been provided by these by-laws for such offence, be liable to a fine of one hundred and fifty dollars and in case of a continuing breach a further fine of fifteen dollars for each day of such continuance after notice of the breach shall have been served by the Council.

SCHEDULE A

By-law 3

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1. The supply to dwelling-houses, tenement ranges and yards for the personal, kitchen and household use of the residents therein, including only the supply of water for urinals, water closets, bath-rooms, lavatory basins and sinks, kitchens, private lawns and gardens and for washing cars and carriages kept for private use.

2. The supply to spirit shops including only the supply of water for urinals, water closets, lavatory basins and sinks and bars.

3. The supply to hotels, boarding houses, tea rooms and restaurants for household requirements and the personal requirements of the guests and staff, including only the supply of water for urinals, water closets, bathrooms, lavatory basins and sinks, kitchens, bars and private gardens.

4. The supply to social clubs for household requirements and the personal requirements of the members and staff, including only the supply of water for urinals, water closets, bathrooms, lavatory basins and sinks, kitchens and bars, and gardens maintained by such clubs.

5. The supply to sports club pavilions for household requirements and personal requirements of the members and staff including only the supply of water for urinals, water closets, bathrooms, lavatory basins and sinks, kitchens and bars.

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6. The supply of water for urinals, water closets and lavatory basins installed in offices, stores, workshops, wharves and all business premises.

SCHEDULE B

By-law 8

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Minimum monthly charges for Trade water consumed.

Size of Meter					Minimum monthly charge.
¾ inch	...	...	...	...	\$ .40
1 inch	...	...	...	...	1.20
1 ¼ inch	...	...	...	...	2.66
1 ½ inch	...	...	...	...	2.66
2 inch	...	...	...	...	4.66
2 ½ inch	...	...	...	...	10.66
3 inch	...	...	...	...	10.66
Above 3 inches	As may in each case be fixed by the Council.

SCHEDULE C

By-law 9

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29/11/1949

Annual Meter Rent.

Size of Meter.					Rent per year or part of a year.
¾ inch	\$ 3.00
1 inch	...	...	...	...	7.50
1 ½ inch	...	...	...	...	12.00
2 inch	...	...	...	...	16.00
3 inch	...	...	...	...	36.00
Above 3 inches	As may in each case be fixed by the Council.

SCHEDULE D

By-law 35

CHARGES FOR ADDITIONS, ALTERATIONS,

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EXTENSIONS AND REPAIRS TO SERVICE

Repairs.	No charge.
Additions, Alterations and Extensions.	To be charge at the cost of the Council of carrying out the work.
