

BY-LAW NUMBER 21

Whereas it has been deemed advisable to set up and administer a Sanitation Incentive Program to develop a private water and/or Sanitation System on the Six Nations Reserve, under Paragraph (H) and Paragraph (L) of Section 80 of the Indian Act, now therefore the Council of the Six Nations of the Grand River Band of Indians at a meeting held this third day of November, 1966, ENACTS AS FOLLOWS:

1. The Welfare Committee of this Council is hereby authorized to set up and administer a Sanitation Incentive Program for the development of private water and/or Sanitation System on the Six Nations Reserve outside of the Village of Ohsweken on the following basis:
  1. Material and/or equipment only shall be considered under this programme and in accordance with the following priority basis:
    - (a) Material and/or equipment for water and/or sanitation system not now available to the household.
    - (b) Material and/or equipment for water and/or sanitation system to improve facilities now available to the household.
  2. Any applicant desirous of taking advantage of this programme shall submit full particulars of the project on application forms supplied by the Welfare Committee.
  3. The Welfare Committee shall examine such application and, if the project meets the approved standards set by the Public Health Authorities and the Engineering Service of the Indian Affairs Branch, may recommend that not more than 50% of the cost of material and/or equipment shall be supplied to such applicant. If the project does not meet the approved standards, the Welfare Committee retains the right to discuss with and recommend to such applicant such changes to the project so that it meets the proper standards.
  4. It shall be the duty of the Welfare Committee to examine or have examined the progress of any approved project as it may deem necessary and shall stop construction or installation on any project which is not being done in the approved manner. Should the applicant not correct defect or ignore such stop order, all material and/or equipment provided under this programme shall be reclaimed and payment made forfeited up to the cost of material and/or equipment that cannot be reclaimed.
  5. All material and/or equipment shall be procured through the Six Nations Agency Office and in accordance with Government regulations.

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6. Payment for materials and/or equipment supplied to approved projects shall be on a cash basis, paid for prior to or on delivery of such material and/or equipment.
7. Application forms will be available at the Six Nations Council House and must be completed in full. Applications may be left at the Council House when completed. Applicant will be notified in writing of acceptance or rejection of application.
8. Any applicant who is a registered member of the Six Nations Band shall be eligible for the benefit under this programme, provided the material and/or equipment is supplied for a project on the premises owned by the applicant and in which the applicant resides or intends to immediately reside.

- (1) The water commissioner may enter the premises of any owner connected to the waterworks system for the purpose of inspecting the pipes, fittings, taps and plumbing fixtures.
  - (2) If the water commissioner is of the opinion that the pipes, fittings, taps and plumbing fixtures in or about the premises of any owner are defective or are in need of repair; or that additional fittings or plumbing fixtures are required to receive or control the water or prevent frost damage to the service connection he shall serve upon the owner a notice in writing to correct the condition.
  - (3) The notice referred to in subsection (2) shall state a reasonable time within which the owner is to correct the condition referred to in the notice.
  - (4) Where:
    - (a) the notice referred to in subsection (2) has been served on the owner, and
    - (b) in the opinion of the water commissioner the owner has not corrected the condition referred to in the notice the water commissioner may turn off the supply of water to the premises of the owner until such time as the connection has been corrected.
- 14.
- (1) In this section "year" means the period commencing the 15th day of May and ending the 14th of May immediately following.
  - (2) Water rates shall be paid to the Council on or before the commencement of each year.
  - (3) Where a service connection is laid and constructed pursuant to an application made pursuant to section 3 and 4 hereof and the premises of the owner is equipped to receive and control water from the water supply system the owner shall pay to the Council prior to the turning on of the water by the water commissioner a proportion of the water rate based on the number of days remaining to the 14th day of May immediately following.
15. The following water rates shall be paid to the Council each year:
- (a) by an owner, who is a member of the band, of lands used or occupied entirely for residential purposes.....\$30.00
  - (b) by an owner of lands, other than band members, used or occupied for the purposes of, or in connection with a residence or cottage site.....\$40.00

- 15 . (c) by an owner of lands used for the purpose of, or in connection with the operation of an office building, store, .....\$ 40.00
- (d) by an owner of lands used for the purpose of, or in connection with the operation of a restaurant, cafe or snack bar ..... 45.00
- (e) by an owner of lands used or occupied for the purpose of, or in connection with, any business or commercial enterprise not mentioned above, a rate to be determined from time to time by a resolution of the Council .....
- (f) by an owner of lands used for or occupied for the purpose of or in connection with a school..... \$ 150.00

- 16. (1) If an owner neglects or refuses to pay water rates when due the water commissioner may turn off the water to his premises.
- (2) If the owner pays to the Council:
  - (a) the water rates in arrears, and
  - (b) a service charge of five dollars for the turning on of the water the water commissioner shall turn on the water supply.

17. Every owner of lands used or occupied for the purpose of or in connection with a cottage site shall notify the water commissioner the date upon which his cottage shall be closed for the winter season and upon being so notified the water commissioner shall turn off the water.

18. No owner shall waste or permit water conveyed to his premises from the waterworks system to be wasted.

19. (1) No owner shall use or permit water conveyed to his premises from the waterworks system to be used for purposes other than domestic purposes without the consent in writing of the water commissioner.

(2) In this section the term "domestic purposes" does not include irrigation purposes or lawn or garden watering.

20. The Council or the water commissioner shall not be liable to any owner or any other person for any damage to the property, lands, or buildings of any such owner or person as the result of, or by reason of, or occasioned or attributable to the turning off of the water to the premise of the owner or the failure or breakdown of the water works system.

- 21. The water commissioner may, for the purpose of constructing, repairing, maintaining or extending the waterworks system or making any additions thereto, shut off the water supply to the premises of any owner for such period of time as he considers necessary to complete the work.
- 22. All service fees, charges and rates collected pursuant to this by-law shall, when, required, be expended by the Council for the construction and maintenance of the waterworks system.

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