

SIR/70-411  
MAY 14, 1979

COUCHICHING INDIAN BAND

BYLAW NO. 11

This Bylaw is made pursuant to the Indian Act, Section 81, paragraph (f), regarding local works.

The purpose of this Bylaw is to facilitate provision of sewer and water services on Couchiching Indian Reserve No. 16A, Ontario.

The Band Council of the Couchiching Indian Band at a meeting held this 14 day of March, 1979, hereby enacts the following as a Bylaw:

1. In this Bylaw:
  - (a) "Applicant" means an Occupant who is applying for sewage and/or water service to the building occupied by him/her or for shut-off of service upon demolition of same.
  - (b) "Band Council" means the Council of the Couchiching Indian Band.
  - (c) "Occupant" means an adult person occupying a building on premises which he/she is entitled to occupy on Couchiching Indian Reserve No. 16A, Ontario.
  - (d) "Reserve" means Couchiching Indian Reserve No.16A, Ontario.
2. All Occupants of buildings served by the sewer and water system must execute an agreement in the form appended hereto as Schedule "A" before water and/or sewer service will be extended (or continued, in respect of water service which has already been extended) to the building or buildings occupied by those Occupants.
3. All Occupants of buildings served by the sewer and water system must pay all charges for service, as prescribed from time to time by Band Council Resolution, within thirty (30) days of the date of mailing of written notice of such charges. The Council may order termination of service to any building for which such charges are not so paid.
4. Where any sewer or watermain has been or may hereafter be constructed on this Reserve, the Band Council shall, upon execution of an agreement in the form appended hereto as Schedule "A", by the Occupant(s) of abutting premises, arrange for the construction of a private drain connection and/or water service connection from the main to the building line and, subject to section 5 hereinbelow, the cost thereof shall be paid to the Couchiching Indian Band by the Occupant(s) of the abutting premises, according to the rates hereinafter set forth in Schedule "B" to this Bylaw, within sixty (60) days of the completion of construction. No

water service connection shall be constructed without the consent in writing of the Town of Fort Frances. No private drain connection shall be constructed for premises used as other than residential premises without the consent in writing of the Town of Fort Frances. No private drain connection shall be covered with earth until it has been inspected by an inspector appointed by the Town of Fort Frances and the charges and procedures for such inspections shall be the same as are provided for in the Town of Fort Frances for similar property and work.

5. That between the 1st day of November and the 30th day of April, in each and every year, the total out-of-pocket costs of installation of private drain connections and water service connections shall be borne by the Applicant, providing that such cost shall be not less than the rates as set out in Schedule "B", and providing further that the aforementioned dates may be advanced or retarded at the discretion of the Band Council as weather conditions permit.
6. That no diagonal private drain or diagonal water service connection shall be permitted from any premises to any sanitary sewer main or watermain where such main does not lie beneath the street abutting such premises.
7. In the event of demolition of any buildings serviced by private drain or water connections, application shall be made to the Town of Fort Frances Public Works Department, subject to approval by the Band Council, for shut-off of water services and capping of private drain connections and the costs thereof shall be borne by the Applicant and paid to the Couchiching Indian Band within sixty (60) days of completion of such work.
8. Where private drain or water service connections are required to be reconnected to any property, such services shall be inspected by the Town of Fort Frances, on behalf of the Band Council, to determine the condition of such private drain or water service connection and, where it is determined that replacement is necessary, such private drain or water service connection shall be replaced at the rates as set out in Schedule "B".
9. The Applicant shall be liable for the cost of locating private drain or water service connections upon application for reconnection.
10. If the Occupant does not apply for shut-off of water services and capping of private drain connections within ten (10) days of such demolition then the Town of Fort Frances Public Works Department may enter onto the premises and disconnect the water service and cap the private drain connection, and the cost thereof shall be borne jointly

and severally by the Occupant or previous Occupant and paid to the Couchiching Indian Band within sixty (60) days of completion of such work.

11. Without the written consent of the Band Council, no person or corporation shall make any connection to any land drainage works, private branch drains or connection to any sewers, sewer systems or sewage works for the carrying away of domestic sewage, industrial waste or both, whether connected to a treatment works or not, on the Reserve, hereinafter referred to as "sewers", for the purpose of directing the flow of water from the roofs of buildings or from land into any such sewers. Nothing in this section shall be construed as prohibiting the normal flow of water from roofs and land into such sewers by way of entrances to the sewers if provided by the Band Council.
12. Without the written consent of the Band Council, no person or corporation shall allow the discharge of any gaseous, liquid or solid matter into any sewers from any premises operated as a garage, service station or restaurant unless such gaseous, liquid or solid matter is discharged into such sewers through a grease trap approved by the Town of Fort Frances and the Department of Public Health for the Province of Ontario for such purpose and the installation of all such grease traps shall be subject to the inspection of responsible officials of the Department of Public Health, of the Band Council, and of the Town of Fort Frances, at all reasonable times.
13. No person may connect weeping drains for any storm water drains to a sanitary sewer from the roofs of any building or other source.
14. In the event of any contravention of the provisions of this Bylaw, the Band Council may instruct any person or corporation guilty of such contravention to discontinue same. Notice to discontinue the contravention shall be given in writing and may be given by prepaid registered post addressed to such person or corporation at its proper place of address or by delivering the same to such person or the proper officer of such corporation, recording time, place and recipient of such delivery.
15. In the event of any contravention of this Bylaw not being removed within ten (10) days of the giving of the notice hereinbefore provided, such contravention may be removed or rectified by the Band Council at the expense of such person or corporation.
16. Any occupant or person who violates any provision of this Bylaw shall be liable on summary conviction to a fine not exceeding one hundred dollars

(\$100.00) or imprisonment for a term not exceeding thirty (30) days, or both.

- 17. Bylaws #8 and #10, enacted on the 29th day of May, 1978, being Bylaws to regulate the provision of Water and Sewer services, are hereby repealed.

WITNESS:

CHIEF:

"Catherine Bruyere"

"Rudy L. Morrisseau"

COUNCILLORS:

"Catherine Bruyere"

"Shirley I. Bruyere"

"Catherine Bruyere"

"Alvina McPherson"

"Catherine Bruyere"

"Leonard Jourdain"

"Catherine Bruyere"

"Russell Jourdain"

"Catherine Bruyere"

"Norman Bruyere"

"Catherine Bruyere"

"Glenn Jourdain"

I, Rudy L. Morrisseau, Chief of the Couchiching Indian Band, do hereby certify that a true copy of the foregoing Bylaw # 11 was forwarded by mail to the Minister of Indian Affairs and Northern Development pursuant to subsection (1) of section 82 of the Indian Act, this 14 day of March, 1979.

"Rudy L. Morrisseau"

CHIEF



COUCHICHING INDIAN BAND

SCHEDULE "B"

BYLAW NO. 11

Rates for the installation of Sewer and Water Connections

	<u>RATE</u>	<u>25% DEPOSIT</u>
3/4" Copper Water Line only	\$485.00	\$121.25
1" Copper Water Line only	510.00	127.50
1½" Copper Water Line only	605.00	151.25
2" Copper Water Line only	665.00	166.25
4" Sewer Line only	465.00	116.25
6" Sewer Line only	490.00	122.50
3/4" Copper Water Line and 4" Sewer	745.00	186.25
1" Copper Water Line and 4" Sewer	755.00	188.75
1½" Copper Water Line and 4" Sewer	890.00	222.50
2" Copper Water Line and 4" Sewer	965.00	241.25
3/4" Copper Water Line and 6" Sewer	775.00	193.75
1" Copper Water Line and 6" Sewer	795.00	198.75
1½" Copper Water Line and 6" Sewer	930.00	232.50
2" Copper Water Line and 6" Sewer	990.00	247.50

In the event pavement has to be broken and repaired to provide a connection, the Applicant shall pay extra over the above rates for extra expenses involved in road restoration.

PLEASE NOTE: Above rates apply only to installation on the standard 66 foot road allowance. For all other connections, the Applicant shall pay full cost or shall pay according to the decision of Band Council. A minimum deposit of 25% of the applicable rate is required on application, the balance payable within 60 days after installation.