

PRESCOTT TOWN COUNCIL AGENDA

6:00 pm
Council Chambers
360 Dibble St. W.
Prescott, Ontario

Our Mission:

To provide responsible leadership that celebrates our achievements and invests in our future.

Land Acknowledgement:

We acknowledge that we are meeting on aboriginal land that has been inhabited by Indigenous peoples.

In particular, we acknowledge the traditional territory of the Huron-Wendat, Anishinaabeg, Haudenosaunee, Anishinabek, and the Oneida and Haudenosaunee Peoples.

Pages

- 1. Call to Order
- 2. Approval of Agenda

RECOMMENDATION

That the agenda for the Council meeting of November 21, 2022, be approved as presented.

- 3. Declarations of Interest
- 4. Presentations
 - 4.1. SDGHS Leadership Presentation

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6. Minutes of the previous Council meetings

6.1. November 7, 2022

1

RECOMMENDATION

That the Council minutes dated November 7, 2022, be accepted as presented.

6.2. Inaugural Meeting Minutes - November 15, 2022

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RECOMMENDATION

That the Inaugural Meeting minutes dated November 15, 2022, be accepted as presented.

7. Communications & Petitions

8. Consent Reports

All matters listed under Consent Reports are to be considered routine and will be enacted by one motion. Should a member wish an alternative action from the proposed recommendation, the member shall request that the item be moved to the applicable section of the agenda.

RECOMMENDATION

That all items listed under the Consent Reports section of the agenda be accepted as presented.

- 8.1. Information Package (under separate cover)
- 8.2. Staff Report 107-2022 Water and Sewer Operation By-Law

13

RECOMMENDATION

That Staff be directed to bring back the by-law attached to Staff Report 107-2022 to the Council meeting of December 5, 2022 for final approval.

8.3. Staff Report 108-2022 - Financial Report - October 2022

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RECOMMENDATION

For information.

9. Committee Reports

10. Mayor

11.	Outside	e Boards, Committees and Commissions	
12.	Staff		
	12.1.	Staff Report 109-2022 - By-Law Enforcement	54
		RECOMMENDATION For information.	
	12.2.	Staff Report 110-2022 - 2023 Operational and Project Budget Process	58
		RECOMMENDATION That Council approve the 2023 Operational and Project Budget Process as outlined in report 110-2022.	
	12.3.	Staff Report 111-2022 - 2023 Replacement of F Dock and Gas Dock RFP	61
		RECOMMENDATION That Council direct Staff to issue a Request for Proposals for the replacement of the Marina F Dock and Fuel Dock in 2023.	
	12.4.	Staff Report 112-2022 - Casual/Contract Building Officials By-law Appointment	66
		RECOMMENDATION For information.	
13.	Resolu	tions	
14.	By-laws	S	
	14.1.	Chief Building Official Alternatives	70
		RECOMMENDATION That By-Law 49-2022, being a by-law to amend By-Law No. 26-2019, being a by-law to appoint Building Inspectors for the Corporation of the Town of Prescott (Contract/Casual) be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.	
	14.2.	Council Appointments 2023	72
		RECOMMENDATION That By-Law 50-2022, being a by-law to appoint Members of Council to boards and commissions, to appoint Members of Council to the Committees of Council, and the appointments of Deputy Mayor for the	

year 2023, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

- 15. New Business
- 16. Notices of Motion
- 17. Mayor's Proclamation

17.1. Founder's Day - December 4

WHEREAS two hundred and eighty-seven years ago, on December 4, 1735, Col. Edward Jessup, the founder of the Town of Prescott, Ontario, was born. Jessup was born in Stamford, Connecticut but his family migrated to upper New York. When the War of Independence broke out in 1775 between the Thirteen Colonies and Great Britain, Jessup and his family sided with the British. The fortunes of war drove Edward Jessup and his family to what became Upper Canada, where he settled in Augusta Township in 1784; and

WHEREAS as a Loyalist, Jessup was granted 1,200 acres of land in what is now Prescott. He established his farm on the land and later, in 1810, laid out the streets of Prescott. He named the town after General Robert Prescott, Governor of Canada from 1796 to 1799. In 1812, at the outbreak of war between Great Britain and the United States, the eastern portion of Jessup's farm was requisitioned by the British to build Fort Wellington. The town, however, prospered and grew quickly to become an important link between Montreal and Kingston on the St. Lawrence River; and

WHEREAS Edward Jessup lived long enough to see both Prescott and Fort Wellington begin to develop. He died in 1816 and his daughter-in-law, Susannah Jessup, a young widow, carried on the family business of selling town lots to support her large family. One of her sons, Hamilton Dibble Jessup, a physician and public figure, carried on after his mother's death, greatly expanding the town to the west on land his mother had inherited from her father, Simeon Covell, another Loyalist. Present day Prescott consists of the Jessup and Covell lands; and

WHEREAS Founder's Day was established on November 23, 2015, to remind us all of our early history and shared heritage; and

WHEREAS a special exhibit will be on display at the Forwarders' Museum to celebrate Founder's Day on December 4th in honour and remembrance of Prescott's founder, Col. Edward Jessup.

THEREFORE, I, Gauri Shankar, Mayor of the Town of Prescott, do hereby proclaim December 4, 2022, as Founder's Day in the Town of Prescott.

Dated this 21st day of November, 2022.

18. Period for Media Questions

19. Closed Session

RECOMMENDATION

That Council move into Closed Session at _____ p.m. to discuss matters pertaining to:

- 19.1 Approval of Closed Session Minutes (October 17, 2022)
- 19.2 Board Appointments
 - Under Section 239(2)(b) of Municipal Act personal matters about a identifiable individual, including municipal employee or local board employees; and

That the CAO/Treasurer, Director of Administration/Clerk, and Deputy Clerk remain in the room.

20. Rise and Report

21. Confirming By-Law – 51-2022

RECOMMENDATION

That By-Law 51-2022, being a by-law to confirm the proceedings of the Council meeting held on November 21, 2022, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

22. Adjournment

RECOMMENDATION

That the meeting be adjourned to Monday, December 5, 2022. (Time: p.m.)

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PRESCOTT TOWN COUNCIL MINUTES

Monday, November 7, 2022 6:00 p.m. Council Chambers 360 Dibble St. W. Prescott, Ontario

Present Mayor Brett Todd, Councillor Leanne Burton, Councillor Teresa

Jansman, Councillor Lee McConnell, Councillor Mike Ostrander,

Councillor Gauri Shankar, Councillor Ray Young

Staff Matthew Armstrong, CAO/Treasurer, Lindsey Veltkamp, Director

of Administration/Clerk, Dana Valentyne, Economic

Development Officer, Kaitlin Mallory, Deputy Clerk, Renny Rayner, Fire Chief, Samantha Joudoin-Miller, Manager of

Community Services

1. Call to Order

Mayor Todd began the meeting by acknowledging that we are meeting on aboriginal land that has been inhabited by Indigenous peoples.

In particular, we acknowledge the traditional territory of the Huron-Wendat, Anishinaabeg, Haudenosaunee, Anishinabek, and the Oneida and Haudenosaunee Peoples.

Mayor Todd called the meeting to order at 6:00 p.m.

2. Approval of Agenda

Motion 240-2022

Moved By Young Seconded By Jansman

That the agenda for the Council meeting of November 7, 2022, be approved as amended.

Carried

The agenda was amended by moving Item 11 - Outside Boards, Committees and Commissions to follow Item 20 - Rise and Report, and Item 12 - Mayor to follow Item 11 - Outside Boards, Committees and Commissions.

3. Declarations of Interest

Mayor Todd declared a conflict of interest on item 13.1 - Bill 3, Strong Mayors, Building Homes Act, 2022.

4. Presentations

There were no presentations.

5. Delegations

There were no delegations.

6. Minutes of the previous Council meetings

6.1 October 12, 2022 -Tri-Council Minutes

Motion 241-2022

Moved By Ostrander Seconded By Jansman

That the Tri-Council minutes dated October 12, 2022, be accepted as presented.

Carried

6.2 October 17, 2022

Motion 242-2022

Moved By McConnell Seconded By Shankar

That the Council minutes dated October 17, 2022, be accepted as presented.

Carried

7. Communications & Petitions

There were no items under Communication & Petitions.

8. Consent Reports

Motion 243-2022

Moved By Shankar Seconded By Burton

That all items listed under the Consent Reports section of the agenda be accepted as presented.

Carried

8.1 Information Package (under separate cover)

1. Approved Police Services Board Meeting Minutes – June 29, 2022

- Approved Planning Advisory Committee Meeting Minutes July 11, 2022
- Ministry of Municipal Affairs Letter re: More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023 – October 25, 2022
- 4. Ontario Energy Board Notice to Enbridge Gas Customers re: Increasing Rates to Recover Costs
- 5. Dorion Township resolution of support re: OMAFRA Ontario Wildlife Damage Compensation Program Administration Fee

8.2 Staff Report 105-2022 - Emergency Management Program Annual Report

Recommended Motion:

For information.

9. Committee Reports

There were no committee reports.

10. Staff

10.1 Staff Report 106-2022 - Tri-Council Meeting Initiatives October 12, 2022

Motion 244-2022

Moved By Burton Seconded By Shankar

That Council support the Planet Youth resolution as outlined in Staff Report 106-2022; and

That Council endorse the non-financial physician recruitment initiatives outlined in Staff Report 106-2022 and consider the financial initiatives as part of the 2023 Budget process.

Lindsey Veltkamp, Director of Administration/Clerk, spoke to the report.

Mayor Todd thanked Staff for the information provided at the tri-council and the benefit of the continuation of the tri-council in the future.

10.2 2018-2022 Council Term in Review

Matthew Armstrong, CAO/Treasurer spoke to the PowerPoint presentation. A copy of the presentation is held on file.

He reviewed the major projects that have been completed over the last four years, the successful collaborations with neighbouring municipalities, the ongoing economic development initiatives, and enhancements to infrastructure in town.

Mr. Armstrong thanked Council for their leadership over the last four years.

Discussion was held regarding the teamwork around the table as well as Town Staff, the decisions to proceed with the installation of a new water tower, and the decision to purchase a new fire truck.

Mayor Todd vacated his seat at 6:16 p.m.

Deputy Mayor Young assumed the chair at 6:17 p.m.

11. Resolutions

11.1 Bill 3, Strong Mayors, Building Homes Act, 2022

Motion 245-2022

Moved By Shankar Seconded By Ostrander

WHEREAS the Town of Prescott is in receipt of the resolution from the Town of Wasaga Beach on Bill 3 – Strong Mayors, Building Homes Act, along with the supporting resolutions from Town of Kingsville, Town of Plympton-Wyoming, Township of Lucan Biddulph, Municipality of Huron Shores, and Town of Gravenhurst;

THEREFORE BE IT RESOLVED THAT the Council of the Town of Prescott supports the resolution of the Town of Wasaga Beach that the "proposed changes will not demonstratively speed up the construction of housing and will erode the democratic process at the local level where members of Council have to work together to achieve priorities. What is needed to speed up construction of housing is greater authority for local municipalities to approve development without final clearances from outside agencies after they have been given reasonable time to provide such clearance."; and

THAT a copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, Honourable MPP Steve Clark, the Minister of Municipal Affairs and Housing, Association of Municipalities of Ontario (AMO), and all municipalities in Leeds and Grenville.

Carried

Deputy Mayor Young vacated the chair at 6:20 p.m.

Mayor Todd assumed the chair at 6:20 p.m.

12. By-laws

12.1 Integrity Commissioner Appointment

Motion 246-2022

Moved By Shankar Seconded By Burton

That By-Law 46-2022, being a by-law to appoint Tony Fleming as the Integrity Commissioner for the Corporation of the Town of Prescott, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.

Carried

13. New Business

There was no new business discussed.

14. Notices of Motion

There were no notices of motion expressed.

15. Mayor's Proclamation

There were no items under Mayor's Proclamation.

16. Period for Media Questions

There were no questions from the media.

17. Closed Session

There was no closed session.

18. Rise and Report

There was no rise and report.

19. Outside Boards, Committees and Commissions

Councillor Burton wished everyone good health in next endeavours and thanked everyone for all their hard work.

Councillor Jansman expressed her gratitude and thanked residents. She thanked Staff for their work, and her involvement over the years in Council. She spoke to building relationships with neighbouring municipalities, the projects completed, and initiatives yet to be completed.

Councillor McConnell recalled his first meeting, expressed his pride in the accomplishments, thanked Staff for their work and the commented on his enthusiasm for the path forward.

Councillor Ostrander spoke to his past experiences as a Councillor, the accomplishments achieved, involvement in the Emergency Management Committee, and the capability of the incoming Council. He thanked Staff, his fellow Councillors, and CAO, Matthew Armstrong for his hard work.

Councillor Shankar thanked Council for their assistance early in his term, referenced the revitalization of the Leo, and the new arena. He spoke to the hard work of Council, his sadness to lose members of the current Council, thanked Staff for their work, and wished everyone all the best in their futures.

Councillor Young spoke to his experience with the St. Lawrence Lodge Board of Management. He referenced his attendance at a recent CFDC meeting, MTJB's 35th anniversary celebration, and conversations with Black's Creek Innovations at the International Plow Match and the complements received regarding the Town Staff that have assisted with their development.

He offered advice to the new Council, the current course of Council, and understanding the background of previous Councils. He thanked Staff, spoke to upcoming new developments, the next four years, and CAO, Matthew Armstrong.

20. Mayor

Mayor Todd spoke to his past 16 years in municipal government, the ongoing support received from the public, and thanked friends and family that provided support over the years.

He thanked Staff both past and present, thanked Steve Clark, and spoke in honor of Gord Brown's memory. He made reference to the St. Lawrence Corridor, local mayors, the partnerships with neighbouring municipalities, and establishing branding of the Town.

He spoke to the rejuvenation of the Town, the increase of jobs, incoming tax revenue, pride and Indigenous recognition.

Mayor Todd provided his reasoning for leaving, congratulated the new Council, the expectation for challenging times, and the need for the incoming Council to lead.

He recognized his father and spoke to his wife, Lori's strength during her illness and thanked her for living with the municipal politics.

Matthew Armstrong, CAO/Treasurer, thanked Council again and provided tl	he
outgoing Members with a gift of appreciation.	

21.	Confirming By-Law – 47-2022	
	Motion 247-2022	
	Moved By Ostrander Seconded By Young	
	That By-Law 47-2022, being a by-law to confirm the proceedings of the Council meeting held on November 7, 2022, be read and passed, signed by the Mayor and Clerk, and sealed by the seal of the Corporation.	
	Carried	ţ
22.	Adjournment	
	Motion 248-2022	
	Moved By Jansman Seconded By Young	
	That the meeting be adjourned to Monday, November 21, 2022. (Time: 7:18 p.m.)	
	Carried	ł

Mayor

Clerk



PRESCOTT TOWN COUNCIL INAUGURAL MEETING MINUTES

Tuesday, November 15, 2022 6:00 p.m. Council Chambers 360 Dibble St. W. Prescott, Ontario

Present Mayor Gauri Shankar, Councillor Leanne Burton, Councillor

Mary Campbell, Councillor Justin Kirkby, Councillor Ruth Lockett, Councillor Lee McConnell, Councillor Tracey Young

Staff Matthew Armstrong, CAO/Treasurer, Lindsey Veltkamp, Director

of Administration/Clerk, Dana Valentyne, Economic

Development Officer, Shawn Merriman, Manager of Building and Bylaw Services, Kaitlin Mallory, Deputy Clerk, Renny Rayner,

Fire Chief

1. Call to Order

Lindsey Veltkamp, Clerk, welcomed guests and called the meeting to order at 6:00 p.m.

2. National Anthem

Members of Council, staff, special guests, and attendees stood for the playing of the National Anthem.

3. Oath of Office for all Member of Council

Senator Bob Runciman called upon each member of Council to swear their Oaths of Office. He administered the Oaths of Office to Mayor Gauri Shankar and to Councillors Leanne Burton, Mary Campbell, Justin Kirkby, Ruth Lockett, Lee McConnell, and Tracey Young.

Senator Runciman presented Mayor Shankar with the Chain of Office.

4. Mayor Assumes the Chair of Office

4.1 Mayor's Inaugural Remarks & Introduction of Special Guests

Mayor Shankar thanked guests, friends, and family in attendance. He thanked special guests, Deputy Mayor Steve Dillabough, past Councillor Mike Ostrander from the Town of Prescott, and past Mayor Jason Baker, from the City of Brockville and the Town of Prescott.

Mayor Shankar spoke to the upcoming term of Council, the past achievements of previous Councils, and the positive direction that will be continued by the current Council.

5. Councillor Remarks

Councillors were given an opportunity to speak to the upcoming term of Council. Thanks were extended by all for the support of the electorate during the election, for family and friends, and each expressed enthusiasm in working together over the next four years.

6. Adjournment

Moved By Burton Seconded By McConnell		
That the meeting be adjourned. (Time: 6:32	p.m.)	
		Carried
Mayor	Clerk	



		Date Req'd
Information Purposes		
Policy / Action Req'd	Х	Nov. 21' 22
Strategic Plan		

REPORT TO COUNCIL

Date: November 21, 2022 **Report No. 107-2022**

From: Matthew Armstrong, Chief Administrative Officer & Treasurer

RE: Water and Sewer Operations By-law

Recommendation:

That Staff be directed to bring back the by-law attached to Staff Report 107-2022 to the Council meeting of December 5, 2022 for final approval.

Background/Analysis:

By-law 03-2006 was created to enact rules and regulation for the operation of the water supply system, water treatment system, water works distribution system, and the wastewater treatment system. This by-law included the rates for water and wastewater services. The rates have been amended several times since 2006 most recently in 2022 however the remainder of the by-law remains unchanged.

In an attempt to clarify several aspects of the current by-law and to alleviate issues that have arisen over the past 16 years, there has been a substantial overhaul of the by-law, which is attached to this report.

The changes include the following:

- Updated and more robust definitions section
- Defined sections to help with readability and interpretation
 - Water Service Connection
 - Water Service Charges
 - Sewer Service Charges
 - Other Fees and Charges
 - Billing, Payment, and Security Deposits
 - Exemptions
 - Conditions on Water Supply
 - Water Efficiencies
 - Fire Protection
 - Fire Hydrants and Curb Service Valves
 - Water Meters



		Date Req'd
Information Purposes		
Policy / Action Req'd	Х	Nov. 21' 22
Strategic Plan		

- o Enforcement
- o Offences and Penalties
- o New Schedules A through F

Staff Report 91-2022 originally came to Council on September 20, 2022. Council was asked to provide feedback prior to October 19, 2022. No additional comments were provided.

Alternatives

Council could decide to not consider changes to the Water and Sewer Operations By law at this time.
Financial Implications:
None
Environmental Implications:
None
Attachments:
- Draft – Water and Wastewater Operation By-law
Submitted by:
Matthew Armstrong



The Corporation of the Town of Prescott Water & Sewer Operations By-law xx-2022

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THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. xx-2022

A BY-LAW TO ENACT RULES AND REGULATIONS FOR THE OPERATION OF A WATER SUPPLY SYSTEM, WATER WORKS DISTRIBUTION SYSTEM, WASTEWATER COLLECTION SYSTEM AND A WASTEWATER TREATMENT SYSTEM IN THE TOWN OF PRESCOTT AND THE ESTABLISHMENT OF RATES FOR WATER AND WASTEWATER SERVICES RELATED TO THE OPERATION OF THE SYSTEM

Being a by-law to enact rules and regulations for the operation of a water supply system, water works distribution system, wastewater collection system and a wastewater treatment system in the Town of Prescott and the establishment of rates for water and wastewater services related to the operation of the systems.

WHEREAS Sections 10(1) and 391 of the *Municipal Act, 2001,* c. 25 and amendments thereto, authorizes the Town to pass by-laws imposing fees or charges on any class of persons for services or activities provided or done by or on behalf of and for capital costs payable by the Town water and sewage services; and

WHEREAS The Corporation of the Town of Prescott has constructed, operates, and maintains a water supply system, a water works distribution system, a wastewater collection system, and a wastewater treatment system; and

WHEREAS Council of the Corporation of the Town of Prescott deems it expedient to make certain rules and regulations for the operation of said systems and to establish water and wastewater rates and charges; and

AND WHEREAS this by-law is to further provide for the regulation of the ownership, installation, connection, operation, repair, maintenance and replacement and access to the water works system and water metering equipment and appurtenances thereto, and for the recovery of the costs thereof for the proper operation of the Town's Water Works and Sewage Works

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Town of Prescott hereby enacts as follows:

1. **DEFINITIONS.**

1.1. "Additional Residential Unit" means a self-contained dwelling created through the conversion of part of or the addition on to a Residential Dwelling.

- 1.2. "Approved" means the approval of the Council of the Corporation of the Town of Prescott.
- 1.3. "Billing Date" means the date on which a bill for a Water Service Charge and/or a Sewer Service Charge is rendered.
- 1.4. "Building" or "Buildings" means any building or structure, or equipment supplied with, serviced by, or connected or required to be connected to the Town's Water Works or Sewage Works in the Serviced Areas.
- 1.5. "Commercial User" means the applicant for water supply, the Owner or Occupant of any Premises or Property in which water is supplied and used directly or indirectly for or in connection with any business, trade or commercial undertaking.
- 1.6. "Commercial Unit" means any space or commercial unit within a Building or Property that is supplied with water and is occupied, leased, rented or otherwise available for use by any business, trade or commercial undertaking.
- 1.7. "Community Facilities" means all municipally owned arenas, libraries and community centres.
- 1.8. "Corporation" or "Town" means the Corporation of the Town of Prescott.
- 1.9. "Council" shall mean the municipal Council of the Corporation of the Town of Prescott.
- 1.10. "Curb Service Valve" means a valve located on the Water Service Connection, which enables the Town to turn on or off the water supply through a service line to a water User's Property or Premises.
- 1.11. "Customer" means the owner, tenant, or occupant of premises to which water is supplied in the Town.
- 1.12. "Department" shall mean Department of Operations
- 1.13. "Due Date" means the date that is 20 days after the Billing Date.
- 1.14. "Duplex" means a building that is divided into two (2) dwelling units, each of which has an independent entrance.
- 1.15. "Dwelling Unit" means any part of a Building or Property with one or more habitable rooms designed or intended to be used as a domestic establishment in which one or more persons may sleep and in which sanitary facilities and a separate kitchen is included in the dwelling unit for the occupant's exclusive use.

- 1.16. "Fire Supply Charge" means the charge for sprinkler connections to the Water Works in order to ensure that in the event of a fire there will be adequate water flow as set out in Schedule "C".
- 1.17. "Master Control Valve" means the water valve located within the Water Customer's Building, at the point where the water supply pipe enters the building, which when closed does not allow the flow of water into the Building.
- 1.18. "Multi-Unit Residential Building" means a single building or series of buildings containing two or more single family units, including apartment buildings, which are serviced by, connected to, and receive water from the Water Works, excluding a Retirement or Care Facility.
- 1.19. "Non-Residential and Commercial Buildings" means all commercial, institutional, or industrial facilities and Buildings, all commercial condominium units in a condominium corporation created pursuant to the Condominium Act and other Properties receiving water from the Water Works or using the Sewage Works, other than a Single-Family Residential Dwelling, a Residential Apartment and Multi-Level Residential Condominium Buildings, Schools, Community Facilities or a Retirement or Care Facility.
- 1.20. "Occupant" means any lessee, tenant, Owner, agent of a lessee, tenant, or any person or persons other than the Owner who occupies or is in possession of the Property, and any reference in this By-law to an occupant in the singular shall be deemed to include the plural, where applicable.
- 1.21. "Owner" means the registered owner or owners of a property or Premises and any reference in this By-law to an owner in the singular shall be deemed to include the plural, where applicable.
- 1.22. "Person" means an individual, association, partnership, corporation, municipality, Provincial or Federal agency, or any agent or employee thereof.
- 1.23. "Private Main" means a water main located on private property
- 1.24. "Property" or "Properties" or "Premises" means the property(ies) or premises being supplied or to be supplied with water and includes the portion of a multiple occupancy premises separately supplied.
- 1.25. "Remote Meter Reading System": means a device installed at a separate location from the water meter and used to record the consumption reading of the meter

- 1.26. "Residential Apartment Building" or "Multi-Level Residential Condominium Building" means two or more residential dwelling units in a single building or series of buildings containing more than two (2) single family units, and/or residential condominium units in a multi-level low or high-rise condominium corporation created pursuant to the Condominium Act which is serviced by and received water from the Town's Water Works.
- 1.27. "Retirement or Care Facilities" means a building or buildings containing Dwelling Units and/or Rooms such as residential retirement or nursing homes for the aged, providing assisted care and living services, but excluding hospitals.
- 1.28. "Road Allowance" means land dedicated to The Corporation of the Town of Prescott or to the Province of Ontario for a public highway
- 1.29. "Room" means any part of a Building or Property with one or more habitable rooms designed or intended to be used as a domestic establishment in which one or more persons may sleep and in which sanitary facilities for their exclusive use may or may not be provided and does not contain a kitchen.
- 1.30. "Schools" means all elementary, secondary, and educational facilities operating and meeting the legal requirements of a private or a public school under the *Education Act*, R.S.O., 1990 E.2.
- 1.31. "Serviced Areas" means an area where a waterworks and sewage system has been provided by or for the municipality, including but not limited to Properties within and outside the Town of Prescott.
- 1.32. "Sewage Works" means all sewage works in the Town, including pumping stations, sanitary sewers, force mains, plant machinery, conduits, intakes, outlets, installations and other works designed for the drainage, treatment, distribution and storage of sewage and includes land appropriate for such purposes by the Town.
- 1.33. "Sewage Service Charges" means Sewer Service Rates and such other charges for services provided by the Town that relate to the Sewage Works, as may be charged pursuant to Schedule "D" or as otherwise provided in this By-law.
- 1.34. "Sewage Service Rates" means those rates or charges imposed and levied by Council for the provision of sewage services to those connected to the Sewage Works as set out in Schedule "B".
- 1.35. "Sewer Services" means wastewater pipes which connect premises to the Town's wastewater collection system

- 1.36. "Residential Dwelling" shall mean a single-family dwelling, a semi-detached dwelling, duplex, a townhouse, row dwelling and includes home offices, semi-detached or townhouse condominium units in a condominium corporation created pursuant to the *Condominium Act* which is serviced by and receives water from the Town's Water Works.
- 1.37. "Street Line" means a boundary of a property adjoining the road allowance
- 1.38. "Tax Collection Officer" means the Tax Collection Officer of the Corporation of the Town of Prescott.
- 1.39. "Treasurer" means the Treasurer of the Corporation of the Town of Prescott.
- 1.40. "Temporary Water Supply Connection" means a water supply pipe which is installed for a specific short-term purpose
- 1.41. "Town" means the Corporation of the Town of Prescott
- 1.42. "Triplex" means a building on a single foundation divided into three (3) separate dwelling units, each of which has an independent entrance either directly from the outside or through a common vestibule.
- 1.43. "User" shall include the applicant for water supply, the Owner or Occupant of, or the person to whom invoices are sent for the water supplied to a premise
- 1.44. "Wastewater Collection System: means the sanitary sewer mains and service laterals from the sewer mains to the street line
- 1.45. "Water" means potable water that is fit for human consumption
- 1.46. "Municipal Consent PermitWater Feedermain" means the highpressure water feedermain system constructed and owned by the Corporation of the Town of Prescott and includes, without limitation, that portion of the water feedermain system owned by the Town and located within the geographical boundaries of the Town.
- 1.47. "Water Service" means the pipes and fixtures used for the purposes of supplying any Premises in the Town with water from the Water Works established by the Corporation and situated between the watermain and the limit of the street or highway on which the Premises so abut up to and including the Curb Service Valve.
- 1.48. "Water Service Charges" means Water Service Rates and other such charges for services provided by the Town and related to the Water

- Works, as may be charged pursuant to Schedule "D" or as otherwise provided in this By-law.
- 1.49. "Water Service Connection" means a water pipe, which connects a water customer's Property or Building to the Water Works, including the service pipe from the interior face of the outer wall of a Building or from the water meter if one is installed inside the Building, including any valves, the Curb Service Valve, stopcocks and Water Meters to:
 - i. the adjoining street or highway where a service line has been installed from the watermain on the street or highway; or
 - ii. the watermain where a service line has not been so installed
- 1.50. "Water Service Rates" means those fixed base rates and consumption rates specified in Schedule "A" to this By-law applicable to Owners or Occupants of Properties within the Serviced Areas.
- 1.51. "Water Service Pipe" means the water pipes which conduct water from water service connections to water meters
- 1.52. "Water Meter" or "Water Meters" means any electro-mechanical device of appropriate size and make, approved by the Town, installed in a water pipe to constantly measure and record the volume of water passing through the pipe location where the water meter is installed together with all appurtenances thereto, including, but not limited to, any electronic communication register, touch pad, and any new requirement or technology replacing the same.
- 1.53. "Water Works" means buildings, structures, plants, machinery, equipment and appurtenances, devices, conduits, pipes, watermains, intakes, outlets, underground construction, installations and other works designed for the production, treatment, distribution and storage of water and includes land appropriated for such purposes and uses; and includes, but is not limited to, the Water Feedermain, and a loop waterman system in the Town.
- 1.54. "Water Works Distribution System" means the water mains and appurtenances, the works, and the equipment under the jurisdiction of the Town for the supply and distribution of water or any part of such system.
- 1.55. "Wastewater Collection System" means the sanitary sewer mains and service laterals from the sewer mains to the street line
- 1.56. "Works" for the purpose of this By-law shall mean "Water Works" and/or "Sewage Works".

2. **AUTHORITY**

- 2.1. The administration of the water supply system, the water works distribution system, the wastewater collection system and the wastewater treatment system shall be under the jurisdiction of the Town but may be delegated to such other entities as Council may from time to time direct.
- 2.2. The administration of the water works, and wastewater, accounting, servicing and meter reading shall be under the jurisdiction of the Town but may be delegated to such other entities as Council may from time to time.
- 2.3. Council shall be responsible for establishing by-laws for the operation of the water and wastewater systems and the setting of fees and charges.

3. WATER SERVICE CONNECTION

- 3.1. Every Owner of a Building or Property within the Town of Prescott shall connect the building to the municipal Water Works with the exception of property located north of Highway 401.
- 3.2. Notwithstanding section 3.1, no notice to connect shall be at variance with any written requirement, order or approval by a Medical Officer of Health or Public Health Inspector or pursuant to the *Environmental Protection Act*, R.S.O. 1990, Chapter E- 19.
- 3.3. All water connections to the Water Works must be approved by the Town and comply with all by-laws and applicable laws and regulations. No person shall cause or permit to be made any connection to the Water Works or Sewage Works without obtaining permits and the required Approvals from the Town.
- 3.4. No person shall connect any faucet, tap hydrant or appliance of any kind whatsoever to the Water Works or any water service or private water service without the consent of the Town.
- 3.5. There shall be no connection between the Water Works or private water services and any cisterns, wells, privies, privy vaults or cesspools.
- 3.6. The Owner shall be responsible for all costs associated with the installation of a new water service from the watermain to the water meter (public & private property). The same rules will apply in the event a water service requires an upgrade due to re-zoning/re-classification of property" "same policy applies to sanitary lateral installs/replacements

- 3.7. The Town shall determine the size of the pipes and fittings to be connected to a watermain, upon such terms and conditions as the Town may deem necessary. All new water services shall be at least two point one metre (2.1m) below the finished grade of the street in which such services are installed and are to be properly protected from freezing.
- 3.8. All private watermains and private water services shall comply with any specifications of the Town for public water services installed on or on behalf of the Town to the property line, unless otherwise approved by the Town. All private water services shall be comprised of materials that are compatible to the water service to which such water service is connected, and as determined to be acceptable to the Town, and the pipes and fittings used for private water services shall be constructed of a material which complies with the Ontario Building Code, 1992, S.O. C. 23, as may be amended from time to time. Sufficient space shall be allowed for the installation of Water Meters.
- 3.9. Private water services shall be installed by the Owners of the Property for which such private water services are required, subject to the provisions of the Ontario Building Code. 1992, S.O. 1992, C. 23, as may be amended from time to time. It shall be the duty of the installer employed by the Owner to protect and guarantee from damage by frost all work related to the installation of the private water services.
- 3.10. No cross-connections between any facet of the water system and any private water supply or drain or sewer shall be permitted.
- 3.11. The Owner shall have the ongoing obligation of maintaining any private water services and their fixtures and appurtenances.
- 3.12. Any connection required to be made by an Owner under this By-law shall be made:
- within (9) nine months after the municipality has sent a written notice to the Owner by registered mail to the Owner's last known address requiring the connection to be made, or during any capital project when watermains are being installed and notices are given by a representative of the Town of Prescott;
 - i. in accordance with the requirements of the notice and any bylaw, regulation or statutes governing such connection.
 - ii. in accordance with a permit obtained prior to any installation, or repair approved by the Town and performed by the Town or contractors approved by the Town.
 - 3.13. Any notice to connect pursuant to this By-law shall:

- i. require the Owner of a Property within a Serviced Area of the Town to make the connection within a prescribed time limit set out in the notice:
- ii. state that if the Owner fails to make the connection within the prescribed time limit, that the Town has the right to make the connection at the Owner's expense and for this purpose has the right to enter in and upon the Property of the Owner and to recover the expense by action or in like manner as municipal taxes:
- 3.14. If the Owner fails to make a connection; required by a notice given pursuant to section 3.12 within the nine (9) months period or as prescribed in the notice, the Town may make the connection at the Owner's expense and for this purpose may enter in and upon the Property of the Owner.
- 3.15. The cost of making such connection shall be a lien or charge as municipal taxes upon the Property in respect of which the connection was made and shall be added to the Collector's Tax Roll by the Treasurer of the municipality and shall be collected in the same manner as taxes in arrears and shall bear interest from the date the first demand for payment is made at the same rate as taxes in arrears.
- 3.16. Extensions of and connections to the Town's Water Works shall only be permitted when they have been approved by the Town.
- 3.17. All construction on Town property will be conducted by Town Employees and/or a contractor approved by the Town.

4. WATER SERVICE CHARGES

- 4.1. Every Owner and Occupant of each separately assessed Property to which the Town supplies water services from the Water Works shall be jointly and severally responsible for payment of a Water Service Charge for the Property consisting of a flat rate and a consumption rate payable monthly and determined in accordance with this By-law.
- 4.2. All property Owners within the Town of Prescott are subject to a mandatory monthly infrastructure rehabilitation and replacement fee. These fees will be designated as per the classification of property. For example. A single dwelling will be designated one (1) flat rate fee, a duplex will be designated two (2) flat rate fees, a triplex will be designated three (3) flat rate fees etc. For greater clarity, the mandatory monthly infrastructure charge is charged is multiplied by the number of units that is on record with the Municipal Property Assessment Corporation (MPAC) regardless of the number of meters

- there are and still applies even if the water has been shut off to the property but the connection exists.
- 4.3. Additional Residential Units within a Dwelling or on a property will be charged as a separate unit in accordance with Schedule "A" regardless of whether they are separately metered.
- 4.4. Where a Property includes more than one use or a mixture of uses in various units in the Building, the Water Rates shall be assessed separately against each unit based on such uses.
- 4.5. In the event that Commercial Users of Non-Residential Buildings are not metered separately, the Owners of Non-Residential Buildings shall pay the rates as set out in Schedule "A" to this By-law based on the number of Commercial Users in the Non-Residential Buildings.
- 4.6. The consumption rate component of the Water Charge for a Property shall be calculated by multiplying the metered amount of Water in cubic meters by the consumption rate in Schedule "A" to this By-law
- 4.7. The Council of the Town may change any or all Water Service Rates or Sewage Service Charges without notice to any person.

5. **SEWER SERVICE CHARGES**

- 5.1. Every Owner and Occupant of each separately assessed Property to which the Town supplies sanitary sewage services from the Sewage Works shall be jointly and severally responsible for payment of a Sewage Service Charge for the Property consisting of a flat rate and a consumption rate payable monthly and determined in accordance with this By-law.
- 5.2. All property Owners within the Town of Prescott are subject to a mandatory monthly infrastructure rehabilitation and replacement fee. These fees will be designated as per the classification of property. For example. A single dwelling will be designated one (1) flat rate fee, a duplex will be designated two (2) flat rate fees, a triplex will be designated three (3) flat rate fees etc. For greater clarity, the mandatory monthly infrastructure charge is charged is multiplied by the number of units that is on record with the Municipal Property Assessment Corporation (MPAC) regardless of the number of meters there are and still applies even if the water has been shut off to the property but the connection exists.
- 5.3. Additional Residential Units within a Dwelling or on a property will be charged as a separate unit in accordance with Schedule "B" regardless of whether they are separately metered.

- 5.4. Where a Property includes more than one use or a mixture of uses in various units in the Building, the Wastewater Rates shall be assessed separately against each unit based on such uses.
- 5.5. In the event that Commercial Users of Non-Residential Buildings are not metered separately, the Owners of Non-Residential Buildings shall pay the rates as set out in Schedule "B" to this By-law based on the number of Commercial Users in the Non-Residential Buildings.
- 5.6. The consumption rate component of the Sewage Service Charge for a Property shall be calculated by multiplying the metered amount of Water in cubic meters by the consumption rate in Schedule "B" to this By-law.
- 5.7. The Owner or Occupant of each separately assessed Property who receives sewage service but does not receive water supply services from the Town, shall pay a Sewage Service Charge as indicated in Schedule "B" to this By-law.
- 5.8. Charges for other sewage services are set out in Schedule "D".
- 5.9. The Council of the Town may change any or all Sewage Service Rates or Sewage Service Charges without notice to any person.

6. OTHER FEES AND CHARGES

- 6.1. Other and miscellaneous fees and charges associated with the provision of services related to the Water Works and Sewage Works are set out in Schedule "D" to this By-law. The Council of the Town may change any or all fees and charges set out in Schedule "D" or pursuant to this By-law, without notice to any person or corporation.
- 6.2. Any person may request, upon payment of a charge set out in Schedule "D" a Water Arrears Certificate from the Tax Collection Officer certifying any charges against the property that are fully paid and listing any charges unpaid and outstanding.
- 6.3. The Town may grant permission to an employee of the Town or a contractor retained by the Town for municipal purposes, upon obtaining a written request from an Owner, to flood any outside community skating, curling or hockey rink or to fill any community swimming pool, reservoir or tank when water is to be supplied from a hydrant at rates as determined by the Town, at their discretion.
- 6.4. Builders requiring the temporary use of water for construction purposes, shall submit a separate application for a permit for the use of water for each Building to be erected and shall furnish the Town, with all information required by him and shall pay to the Town such

- special water rates or fees for the temporary use of water as set out in Schedule "D" or as may from time to time be fixed by the Council.
- 6.5. Equipment installed solely for the automatic suppression of fires in Buildings may, with the approval of the Chief Building Official, be attached to watermains provided that a written request, on a form approved by the Town, has been submitted and approved. Such equipment is to be entirely disconnected from water pipes used for any other purpose, and Water supplied through such equipment is used solely for the purpose of fire extinction. All such equipment must be provided with a suitable valve outside the building and under the exclusive control of the Town. A valve shall be placed at each hose opening in the standpipe and all such valves shall be sealed by the Town. The Town may require a specific meter to be provided, installed and maintained by the Owner. In case of any violation of this By-law, the Town may shut the control valves and refer the matter to Council.
- 6.6. The Town not responsible for clearing obstructions from sanitary laterals. In the event of a sanitary lateral blockage the following steps shall be taken by the property owner. Owners are to have lateral cleared by a licensed plumber
 - i. Town staff will camera the lateral for visual deficiencies that may have contributed to the blockage
 - ii. If the deficiencies are located on Town property and are suspected of causing the blockage, the Owner will be refunded for the plumbing service call to clear the sanitary line and the Town will schedule a repair or replacement of the damaged portion of the lateral on Town property
 - iii. If there are no deficiencies identified on Town property during the camera session, the Owner will be responsible for all costs associated with the lateral clearing.

7. BILLING, PAYMENT, AND SECURITY DEPOSITS

- 7.1. All accounts for water and sewer charges shall be based on meter readings for the Property and billed to the Owner of the Property on a monthly basis, or at intervals determined by Council, at the Owner's address as shown on the last revised assessment roll and shall be deemed to have been received on the seventh (7th) day after the date on which the bill was mailed.
- 7.2. If, for any reason, meters are not read, an estimated consumption will be used.

- 7.3. All amounts owing on account of a Water Service Charge or Sewage Service Charge shall be paid to on the Due Date to Rideau St. Lawrence Utilities or at such other place or method as may be set out on the bill.
- 7.4. If the new owner or occupant does not have a history of good standing with Rideau St. Lawrence Utilities or a letter of the same from a previous utility company, then a deposit of \$150.00 dollars for water and sewer charges is required. This deposit is held for one (1) year to establish a good credit history and then the deposit is credited to the account with interest. If the Town has shuts off the supply of water to a Property, or if Rideau St. Lawrence Utilities has reasonable grounds to believe based on past payment history that an Owner or Occupant of a Property may be unable to pay or continue to pay a Water Service Charge or Sewage Service Charge when due, the Utility may, as a condition of the Town supplying or continuing to supply water to the Property, require the Owner or Occupant, as the case may be, to post security for payment of future Water Service Charges or Sewage Service Charges, or both. The amount of security that the Utility may request be posted in accordance with this section shall be the greater of:
 - i. \$150.00, or;
 - ii. the amount of the Water Service Charge and Sewage Service Charge for monthly billings for the Property as estimated based on previous levels of consumption on the Property as reflected by recent past account history for each year.
- 7.5. The Town requires a security (deposit) in the form of cash or any other type of negotiable security suitable to the Town for a new account and or change of ownership.

8. EXEMPTIONS

8.1. The Treasurer shall have the discretion to grant exemptions to the service charges set out in Schedule "D" for requests for which are related to fundraising or charitable activities.

9. CONDITIONS ON WATER SUPPLY

9.1. The Town shall use reasonable diligence in providing a regular supply and quality of water but does not guarantee that the water supplied will be free of colour or turbidity at all times or that there will be a constant service, or unvaried pressure or quality, or supply of water and is not liable for damages to the Owner or Occupant caused by any breakage of the Water Works or Water Services, Water Service Connections or for the shutting off of water to repair, maintain or to connect watermains

- or if the Town interrupts any water supply or service. The Town shall at no time be held liable for reason of inadequate supply of water or by reason of the Town restricting the supply of Water or for refusing the supply of water.
- 9.2. In case of repairs, maintenance, safety, health issues or emergencies, the Town may shut off Water Services or the Water Works without notice to any customer, and keep it shut off as long as may be necessary and the Town shall not be liable for any damage arising therefrom. Where planned work on the Water Works is contemplated by the Town, the Town will make reasonable effort to provide notice of the intention to shut off the water.
- 9.3. The Town shall have the right to shut off the supply of water to any Property if, in the opinion of the Town, the Water Service Connection located on the Property is not being properly maintained, develops a significant leak, or in any way compromises the integrity of the Town's Water Works, and the Town shall not be required to restore service until such condition has been rectified to the satisfaction of the Town.

10. WATER EFFICIENCIES

- 10.1. The Town may suspend any or all use of water through a hose or other attachment, for the use of street, lawn, garden sprinkling, or outdoor use whenever public exigency requiring restrictions on the use of water outside of any building are effective within the areas of the Town serviced by the Water Works.
- 10.2. No person shall contravene any water restrictions imposed by the Town or cause/permit external watering contrary to such water restrictions, upon notice being published in a newspaper having general circulation in the area, Social Media platforms, the Radio, and the Town's website.
- 10.3. The Town may impose restrictions or designation days and times allowed for lawn or garden or external watering, including, but not limited to, washing of vehicles, driveways, sidewalks, or the filling of swimming pools; or suspending any or all lawn, garden or external watering.
- 10.4. No person shall install any air conditioning equipment that requires the use of water without the approval of the Town.
- 10.5. No air conditioning equipment of over 5 tons per hour total rated capacity shall be installed unless equipped with an evaporative condenser, evaporative cooler and condenser, water cooling tower, spray pond or other water-cooling equipment so that all the water from the watermains is used for make-up purposes only. The equipment

- shall be adjusted so that the average rate of make-up water under full load will not exceed 0.1 gallons per minute per ton of capacity.
- 10.6. The Town may impose additional restrictions on the use of water during various periods, including use restrictions. The Town shall have the right to not only limit the hours of external water use on specified days but also to ban completely the external use of water at any time. Notice shall be given by published in a newspaper having general circulation in the area,; Social Media platforms, the Radio, and the Town's website.

11. FIRE PROTECTION

- 11.1. Fire protection will be charged to all sprinkler properties that use municipal water supply from the Water Works. The Fire Supply Charge will be set by Council as set out in Schedule "C" using a flat rate charge
- 11.2. The Fire Supply Charge shall be paid in monthly installments, or as otherwise directed by Council, and will be adjusted as necessary by Council from time to time.
- 11.3. The Flow Rate of a water supply measured at a minimum of 20 psi (138 Kpa) residual pressure is available for fire fighting as per NFPA Standards.

12. FIRE HYDRANTS AND CURB SERVICE VALVES

- 12.1. No person, except for an employee of the Town authorized under the Safe Drinking Water Act, 2002, c. 32 is permitted to operate a fire hydrant, street valve or Curb Service Valve. A written request for water from a municipal fire hydrant shall be approved by the Town. A fee for such service shall be payable in accordance with Schedule "D" attached to this By-law.
- 12.2. Any hydrant situated within the road allowance or Curb Service Valve is the property of the Town and shall be maintained by it. Town-owned hydrants located on private property shall also be maintained by the Town.
- 12.3. No person shall paint fire hydrants or in any manner, tamper with the colour scheme of fire hydrants as per the Ontario Fire Code.
- 12.4. No person shall obstruct the free access to any fire hydrant or Curb Service Valve or plant or place, or cause to permit to be planted or placed, vegetation or other objects within a 3-metre corridor between the hydrant and the curb or road allowance nor within a 1.5 metre radius beside or behind a hydrant except with the prior written authorization of the Town.

- 12.5. Except for water used for fire fighting and those operations authorized by the Town, any other use of a Town's fire hydrant or Curb Service Valve for water supply is prohibited.
- 12.6. Privately-owned hydrants shall be maintained and accessible at all times and in good operating order as per the Ontario Fire Code by and at the expense of the Owner. Unmetered water from privately-owned hydrants shall not be taken for other than fire fighting purposes.
- 12.7. Property Owner's must be able to provide proof of hydrant maintenance, testing and inspections (Ontario Fire Code 6.6.1.5 (3)) upon request of any Town Employee.
- 12.8. Property Owner's must provide proof of maintenance, testing, and inspections of internal and external fire protection equipment (Ontario Fire Code 6.6.1.5) to the Town on a yearly basis.

13. WATER METERS

- 13.1. All water supplied by the Town through a Water Service Connection shall pass through a Water Meter, unless otherwise permitted by the Town, and both new and existing Buildings shall have water meters installed in accordance with this By-law.
- 13.2. It is required by this By-law that all Owners of existing Buildings supplied with water by the Town shall have installed a Water Meter of a size, make, and configuration approved by the Town of Prescott.
- 13.3. The Water Meter shall be installed by persons authorized by the Town and the Town may enter into agreements with others to provide for the installation of Water Meters in any manner satisfactory to the Town.
- 13.4. Water Meters shall be installed in the following types of existing Properties:
 - Residential Dwellings shall have a minimum of one Water Meter installed.
 - ii. Multi-Unit Residential Building: All Multi-Family Residential units in rental properties shall have a single Water Meter installed within the building on the incoming Water Service Connection. The Owner of the Building will be responsible for the recovery of Water Service Charges from tenants within the rent structure as determined by the Owner.
 - iii. Multi Residential Condominium Units and Commercial Condominium Units: The Town shall inspect the configuration of the plumbing system, in each existing condominium building.

If the configuration of the existing plumbing system facilitates the easy installation of a separate Water Meter for each condominium unit, then Water Meters shall be so installed, along with a separate Water Meter used by all Owners for irrigation, car washing, building cleaning, or other water uses of common benefit to all unit Owners, to ensure that 100% of water entering the Building is metered. If the installation of separate Water Meters for each condominium unit requires modifications to the existing plumbing system then the condominium corporation shall be given the choice of two options:

- a. Option 1: The condominium corporation may make the necessary modifications to the existing plumbing system to facilitate individual unit metering entirely at its own cost, provided that where existing plumbing configurations, in the opinion of the Town, permit easy installation without extra costs, a separate Meter can be installed for each condominium unit; or
- b. Option 2: A single Water Meter will be installed at the point of entry of the incoming Water Service to the Building, and the condominium corporation will distribute the total water costs to individual unit Owners, on the basis of a cost sharing formula derived by the condominium corporation Board of Directors and its Owners.
- iv. Institutional Buildings: All Institutional Buildings shall have a single Water Meter of appropriate size installed, as determined by the Town.
- v. Commercial Buildings: All Commercial Buildings shall have a minimum of one Meter installed in the incoming service line. Where existing plumbing configurations, in the opinion of the Town, permit easy installation a separate Water Meter can be installed for each commercial unit, otherwise a single Water Meter will be installed for the entire Commercial Building and the Owner of the commercial Building will be responsible for the payment of water charges and the distribution of costs to the individual commercial units.
- vi. The Town will install Water Meters in all existing Buildings and Facilities and all Buildings for which a building permit is issued.

- vii. Failure to have a Water Meter installed in any existing Building shall be justification for the Town to enter in and upon the Building or Facility upon reasonable notice to the Owner or Occupant, to install the necessary Water Meter(s) and invoice the Owner for all costs incurred. Where failure to provide reasonable access to a Water Meter or to an appropriate Water Meter location is not provided by an Owner or Occupant within thirty (30) days of notification in writing from the Town that access is required, both the Owner and the Occupant shall be subject to the enforcement procedures pursuant to this By-law or fees associated as per schedule "D"
- 13.5. All new construction of Buildings and Properties pursuant to a building permit issued on or after January 1, 2009, to be connected to the Town's Water Works, shall have Water Meters of a size, make, and configuration as approved and designated by the Town. The Water Meters shall be installed during construction by a qualified licensed plumber in the Province of Ontario and they shall certify to the Town that the Water Meter has been installed in accordance with applicable Ontario building and plumbing codes prior to occupancy of any Building or Property. All required Water Meters shall be operational and readable at the time of occupancy. Water Meter installation shall follow the procedure in Schedule "E" of this By-law. No building permit for a new building will be issued until the applicant signs an agreement as defined in Schedule "F" of this By-law.
- 13.6. All new or proposed Residential Dwellings shall have at least one Water Meter.
- 13.7. All new or proposed Retirement and Care Facilities shall have one Water Meter on the incoming service with the water charges billed to the Owner of the Building.
- 13.8. All new or proposed Residential Multi-Unit Condominium Buildings and all commercial condominium units in a condominium corporation created pursuant to the Condominium Act, shall have specially configured internal plumbing systems satisfactory to the Town, to allow easy installation of a separate Water Meter for each residential or commercial condominium unit. An additional separate Meter shall be installed if necessary to meter water used for the common purposes of all condominium units (landscape irrigation, car washing, building cleaning and other common uses). The water charges for common use shall be distributed to Condominium Owners in accordance with a bylaw to be passed by the Board of Directors of the Condominium Corporation and/or its owners.

- 13.9. All new or proposed Non-Residential and Commercial Buildings (other than commercial condominiums), shall have at least one Water Meter and shall have specially configured plumbing completed by the Owner at the Owner's cost and to the satisfaction of the Town, and where required by the Town, shall allow for individual Water Meters to be installed for each separate use or occupancy within the commercial, institutional or industrial or non-residential development.
- 13.10. All institutional, government Buildings and all Community Facilities shall have at least Water Meter.
- 13.11. All Water Meters shall be of a make, size, and configuration satisfactory to the Town to accurately measure and record the quantity of water used within the Building or Property.
- 13.12. Water Meters shall be installed in the incoming Water Service Connection line as close as possible to the master control valve within the Building or Property being supplied with Town water.
- 13.13. No Person shall by-pass the flow around a Water Meter, or tamper with a Water Meter or automated reading device, in any way that corrupts or distorts the Water Meter's accurate measurement and recording of the quantity of water being used in the Building or Property. No person, institution or corporation shall remove or re-locate a water meter within the premises without written permission from the Town.
- 13.14. All Owners and Occupants of Buildings or Properties shall provide reasonable access to the Works and Water Meter for manual reading, servicing or meter replacement.
- 13.15. Any Owner or Occupant provided with a notification of internal water leakage within the Building or Property served must take appropriate action within 30 days of notification to correct the conditions causing leakage.
- 13.16. If there is a discrepancy between internal and external meters, the internal meter readings will be used.
- 13.17. While the cost of Water Meters is the responsibility of the water customer, the Water Meters remain the property of the Town of Prescott and will be serviced and/or replaced when necessary, by the Town of Prescott. Replacement due to neglect or damage shall be at the Owner's expense.
- 13.18. The type, model and size of Water Meters and installations, including location of their installation, shall be to the satisfaction and approval of the Town. The Chief Building Official shall be provided with certification from a qualified licensed plumber that the Water Meter has been

- properly installed and is operational in accordance with all applicable building and plumbing codes and legislation for the Province of Ontario.
- 13.19. Fire Service connections, configured so that they cannot be used for any other purpose, shall not be required to flow through a Water Meter.
- 13.20. If a Water Meter is damaged, removed, or stolen, the Owner of the premises shall pay the full cost of replacing the Water Meter including installation. Every Owner shall take all reasonable steps to protect the Water Meter, appurtenances, valves and pipes from freezing, frost damage, excessive heat or any condition that could cause external or internal damage of any kind to the Water Meter or affect its accuracy and reliability.
- 13.21. Every Owner shall provide reasonable access to the Property and Building(s) served if necessary to test the functioning of a Water Meter and the accuracy of its readings.
- 13.22. Every Owner may, upon written request to the Town, have a Water Meter tested for accuracy and the cost of such test shall be at the cost of the Town if the Water Meter is found to be inaccurate in excess of 5% of actual flow and such test shall be at the water customers expense if the Water Meter is found to be accurate to less than 5% of actual flow.
- 13.23. If for any reason, any Water Meter shall be found to be not working properly, then the amount of the consumption rate for the Water Service Charge shall be based on the average charge for the previous six months.
- 13.24. Where the Water Meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the Water Meter itself and the reading on the read-out device, the Town will consider the reading at the Water Meter to be correct and will adjust and correct the water account accordingly.

14. ENFORCEMENT

- 14.1. All Water Service Rates and other water charges pursuant to this Bylaw shall be a lien and charge upon the land of the Owner through the municipal property tax account.
- 14.2. All Sewage Service Rates and other sewage charges pursuant to this By-law shall be deemed to be a lien and charge upon the land of the Owner through the municipal property tax account.

- 14.3. If an amount owing on account of a Water Service Charge or Sewage Service Charge is not paid on or before the Due Date, then a late charge at the rate of one point five percent (1.5%) of the amount owing shall be added to the amount owing and shall be payable to Rideau St. Lawrence Utilities and added and compounded to the amounts outstanding or overdue on each subsequent Billing Date.
- 14.4. A Water Service Charge or Sewage Service Charge payable by the Owner or Occupant of a Property, constitutes a joint and several debt of the Owner and Occupant to the Town.
- 14.5. If a Water Service Charge or Sewage Service Charge or any other charge invoiced to the Owner or Occupant as provided in this By-law as determined by the Town, is not paid within 60 days from the Due Date, the Treasurer may, in addition to any other remedies available to the Town or other methods of collecting such amounts, add the amount owing to the municipal property tax account to which the utility was supplied and the Town may proceed to collect in the same manner as municipal taxes in arrears.
- 14.6. Any amount owing on account of a Water Service Charge or a Sewage Service Charge may be added to the municipal property tax account of a Property and shall bear interest at the rate of 1.25% per month compounded monthly (15% per annum) from the first day of the month after the date on which the amount is added to the tax roll to the date of payment or at the same rate as municipal taxes in arrears shall bear interest.
- 14.7. If an Owner or Occupant fails to pay a Water Service Charge or Sewage Service Charge when due, or does not have an Approved operational Water Meter installed, or refuses access to the Property to install, repair, calibrate, read, replace or inspect the location of any Water Meter, Water Works or Sewage Works; the Town may, in addition or in combination to any other remedies available to it, do any of the following:
 - i. levy a monthly water and a sewage charge consumption rate in addition to the fixed monthly infrastructure rate to the Property until the by-law violation is remedied as follows:

Residential Dwelling - \$100.00 per month per unit

Retirement or Care Facilities - \$200.00 per month

Multi-Unit Residential Building; and Multi-Level Residential Condominium Building -\$300.00 per month per unit

Non-Residential and Commercial Buildings - \$500.00 per month per unit

Such other amount as the Treasurer considers necessary, in the Treasurer's sole discretion to cover all costs of the Town providing water and sewer service to such Property

- ii. Where the Owner or Occupant denies entry to a building for the purposes of installing, repairing, calibrating, reading, replacing or inspection a Water Meter, to install an external meter in the incoming service enclosed in an insulated chamber and invoice the Owner for the full cost thereof.
- 14.8. The Town shall not shut off or restrict the supply of water for non-payment or a breach of this By-law.
- 14.9. No person, other than persons authorized by the Town for that purpose, shall operate or close a water valve in the Water Works, or remove, tamper with or in any way interfere or damage any Curb Service Valve, Water Meter, Water Service Connection or the Water Works. In the event that there are any unauthorized connections to the watermain discovered, the Town shall be entitled to disconnect such connections.
- 14.10. Water shut-off valves (curb stops) are used for isolating water service during maintenance and emergency situations. The Town is not responsible for isolating water services for seasonal purposes (vacation). The Town is also not responsible for isolating water service to unheated properties. Residences are required to be heated.

15. OFFENCES AND PENALTIES

- 15.1. In addition to any other provision of this By-law or other remedies or recoveries available at law, any person who contravenes any provision of this By-law is guilty of an offense and on conviction is liable to a fine of the maximum allowable fine under Administrative Monetary Penalty System of the Town.
- 15.2. Every person, corporation or institution that damages or causes or permits to be damaged any Water Service Connection, Water Works or Sewage Works or who contravenes or causes or permits any contravention of any of the provisions of this By-law or who hinders, interrupts or causes or procures to be hindered or interrupted, the Town or any of its officers, contractors, agents, servants or workman in the performance of its obligations or rights under this By-law or the Municipal Act, 2001, S.O. c. 25, is guilty of an offence and on conviction is liable to a fine Administrative Monetary Penalty System

of the Town. Each day that a separate breach of this By-law occurs, shall constitute a separate offence under this By-law.

16. VALIDITY AND SEVERABILITY

16.1. In the event that any Part or Parts of this By-law, or sections thereof, that may be found by any court of law to be invalid or illegal or beyond the power of the Town to enact, such Part or Parts or sections thereof shall be deemed to be severable from this By-law and all other Parts or sections of this By-law shall be treated as separate and independent from the offending section or Part and shall remain in full force and effect.

17. BY-LAW REPEALED

17.1. By-Law 03-2006 and By-Law 07-2008 are hereby repealed.

18. **EFFECTIVE DATE**

18.1. This By-law shall be in force and take effect on the ^{XX} day of XXXXX, 2022.

READ AND PASSED, SIGNED AND SEALED THE XXth DAY OF XXX, 2022.

Mayor	Clerk

SCHEDULE "A" SCHEDULE OF WATER SERVICE RATES

Categories	Base Rate	Consumption rate
Desidential Desallings	Water	(Per Cubic Meter)
Residential Dwellings (includes single family homes, semi-	\$26.27 per month/per unit	\$0.552
detached, townhouses and duplexes)	month/per unit	
Section 1.30		
Accessory Apartment in Single	\$26.27 per	\$0.552
Family Residential Dwellings	month/per unit	
Section 1.1		
Residential Apartment Buildings and	\$26.27 per month/pe	\$0.552
Residential Multi-Level Condominium	unit	
Buildings (includes low rise and high		
rise residential condominium units)		
Section 1.22 Non-Residential and Commercial	COC O7 nor month/	CO 550
Buildings	\$26.27 per month/ per unit	\$0.552
(includes all commercial, industrial	per unit	
and institutional uses and		
commercial condominiums)		
Section 1.17		
Non-Residential and Commercial	\$26.27 per	\$0.552
Buildings	month/per unit	
(includes, commercial, industrial and		
institutional uses and commercial		
condominiums)		
Section 1.17 Retirement or Care Facilities (with	¢26.27 per	\$0.552
kitchen-Sections.1.23 and 1.13)	\$26.27 per month/per unit	φ0.552
Retirement or Care Facilities (without	\$26.27 per	\$0.552
kitchen- Sections 1.23 and 1.24	month/per building	ψ0.002
Community Facilities		\$0.552
(includes arenas, libraries, parks,	\$26.27 per	
community centres and museums	month/per unit	
owned by the Town) Sections 1.7		
and 8.1	***	40
Schools	\$26.27 per	\$0.552
(s. 1.25)	month/per unit	

*For buildings with multiple units the charges shall be as follows: - the base monthly rate is multiplied by the number of units

- for clarity the number of water meters is not used in the calculation as several units may be attached to one water meter. Each unit within a building is charged a based rate.

Existing Outdoor garden taps

The fee for garden taps that do not pass through the meter will be charged \$13.14 / month for every garden tap located on the property for the entire twelve months of the year. Outdoor garden taps that do not pass through a water meter are not permitted on new construction.



SCHEDULE "B" SCHEDULE OF SEWAGE SERVICE RATES

Catamarias	Door Doto	Consumention
Categories	Base Rate	Consumption rate
	Water	(Per Cubic Meter of
	0.17.00	water consumed)
Residential Dwellings	\$45.96. per	\$0.553
(includes single family homes, semi-	month/per unit	
detached, townhouses and duplexes)		
Section 1.30		
Accessory Apartment in Single	\$45.96 per	\$0.553
Family Residential Dwellings	month/per unit	
Section 1.1		
Residential Apartment Buildings and	\$45.96 per	\$0.553
Residential Multi-Level Condominium	month/per unit	
Buildings (includes low rise and high		
rise residential condominium units)		
Section 1.22		
Non-Residential and Commercial	\$45.96 per month/	\$0.553
Buildings with water meter	per unit	·
(includes all commercial, industrial		
and institutional uses and		
commercial condominiums)		
Section 1.17		
Non-Residential and Commercial	\$45.96 per	\$0.553
Buildings with water meter	month/per unit	·
(includes, commercial, industrial and	·	
institutional uses and commercial		
condominiums)		
Section 1.17		
Retirement or Care Facilities (with	\$45.96 per	\$0.553
kitchen-Sections.1.23 and 1.13)	month/per unit	,
Retirement or Care Facilities (without	\$43.75 per	\$0.553
kitchen- Sections 1.23 and 1.24	month/per building	,
Community Facilities	\$45.96 per	\$0.553
(includes arenas, libraries, parks,	month/per unit	+ 5 - 5 - 5 - 5
community centres and museums		
owned by the Town) Sections 1.7		
and 8.1		
Schools	\$45.96 per	\$0.553
(s. 1.25)	month/per unit	Ţ 2. 300
(5. 7.25)		

*For buildings with multiple units the charges shall be as follows:

- the base monthly rate is multiplied by the number of units
 for clarity the number of water meters is not used in the calculation as several units may be attached to one water meter. Each unit within a building is charged a based rate.



SCHEDULE "C" FIRE SUPPLY CHARGE

The sum of 0.08 per sprinkler head payable monthly by the Owner of every property assessed for municipal tax purposes in the Town.



SCHEDULE "D" MISCELLANEOUS CHARGES

Water Service Charges

MISCELLANEOUS CHARGES:

6.1	Change of ownership charge	\$15.30		
6.2	Late payment charge		Compound monthly interest charged at 1.5%	
6.3	N.S.F. cheques	\$30.0	0 + bank charges	
6.4	Collection charges	\$30.6	0 per trip	
6.5	Reconnection/Disconnection: Per trip during regular hours Per trip during non-regular hours	\$ 61.: \$122.		
6.6	Water arrears certificate per property:	\$30.6	0	
6.7	Meter check at customer's request: Up to 1" 1" and larger	\$306. Time	00 and materials	
6.8	Install remote water meter register	Time	and materials	
6.9 6.10	Repair damaged meter 3/4" and 5/8" 1" and larger Any temporary hydrant/other connection temporary connections for construction Includes: Flat fee Refundable deposit Water cost	\$112.: \$150.	and materials 20 plus	
6.11	Flat Rate Charge for non-metered account (a) Where the Town has determined a macannot be installed,		\$1,323.76 per year	
	(b) Where the customer refuses to allow town to install or read a water meter,	the	the charge specified in 14.7 (i) and (ii).	
6.12	Customer Deposits	\$150.	00	

6.13 Equipment Rentals Based on cost

recovery plus 25%. Deposit required for the cost to replace

the rented equipment.

6.14 Bulk Water rates \$100.00 per hour during normal

business hours

\$150.00 per hour after business

hours.

6.15 Water connection permit \$50.00

6.16 Water connection inspection \$50.00

Sewage Service Charges

Sewage Service Permit \$50.00

Sewage Service Inspection \$50.00

Other Sewage Services \$100.00 per hour

\$200.00 per hour (after business hours) plus cost of any materials

SCHEDULE "E" WATER METER PURCHASE AND INSTALLATION PROCEDURES

- A.1 Issuance of a building permit for new construction shall be conditional on the applicant signing an agreement to purchase and install a Water Meter from the Town or the Town's designated meter supplier. A temporary connection to the Town water supply may be made to provide water during construction, but the new Building may not be occupied until the Water Meter is installed and operational.
- A.2 The Water Meter shall be of a size compatible with the size of the incoming Water Service Connection and shall be purchased from the Town or the Town's approved distributor. Upon provision of a Water Meter to the Property, the Town or the Town's meter supplier shall immediate provide to the Treasurer or designated agent, duplicate copies of the following information by electronic mail or written documentation:
 - Water Meter serial number
 - Water Meter electronic Communication ID number
 - Water Meter installation Location (municipal address and/or property description)
 - Name and billing address of the Property Owner
- A.3 The required Water Meter shall not be installed until the plumbing contract has been completed and the internal water lines thoroughly flushed with clean municipal water to remove any debris from the plumbing system.
- A.4 All Water Meter connections to the plumbing system shall be tamper proofed and sealed by the installation of a lead seal to prevent disconnection or removal of the Water Meter. This work will be done by the plumbing inspector for the Town before an occupancy permit is issued.
- A.5 Any Water Meter that is rendered inoperable or inaccurate by blockage or debris in the plumbing system shall be replaced by the Property Owner at the Property Owner's expense.
- A.6 The Chief Building Official shall verify the installation of an approved operating Water Meter prior to permitting occupancy of the Premises and shall confirm the meter serial number, electronic ID number and the date of occupancy in writing to the Treasurer for the Town or designated agent.

SCHEDULE "F" AGREEMENT TO PURCHASE AND INSTALL A WATER METER

It is understood that the By-laws of the Town of Prescott requires the installation of Water Meters in all new construction. I/We have reviewed this by-law and understand its requirements.

I/We agree to purchase and install a Water Meter from the Town or from the meter distributor as designated by the Town of Prescott and will abide by any installation procedures as specified by the Town.

I/We further agree and understand that no occupancy permit for the premises will be issued and the premises will not be occupied until such time as the Chief Building Official confirms to the Town Treasurer that an operating Water Meter has been installed. The relevant meter information for reading and billing must be provided to the Treasurer by the meter distributor before occupancy.

It is further agreed that the premises will not be occupied until the initial reading of the Water Meter has been recorded by the Town Utility and reported to the Treasurer for the Town.

Signed by	
Owner or Authorized Agent of the Owner	Office of the Chief Building



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REPORT TO COUNCIL

Date: November 21, 2022 Report No. 108-2022

From: Matthew Armstrong, Chief Administrative Officer & Treasurer

RE: Financial Report - October 2022

Recommendation:

For information.

Analysis

The attached income statement for the first ten months ended October 31, 2022, highlights the financial picture year-to-date.

The final property taxes were billed in July and were due in August and October. The Ontario Municipal Partnership Fund payments are received in January, April, July and October. Those two items make up the vast majority of corporate revenue. This is expected to be close to budget by the end of December.

Protective Services revenue tends to occur up in the second half of the year, as various grant and user fee payments are received for Fire and Police Services. The majority of the transportation revenue is derived from the Ontario Community Infrastructure Funding which is received throughout the year. Environmental revenue is below budget due the timing of blue box grant payments and bag tag revenue changing over from the sale of garbage bags to the sale of bag tags. Social Services revenue is received as part of the St. Lawrence Lodge debentures that is supported by the Ministry of Health and Long-Term Care. This is received twice per year with one payment in January and one payment in July/August. Recreation and Culture programs generate the majority of their revenue in the summer months from June through September. The Planning & Development revenue is higher than budgeted due to additional revenue from the continuation of the Digital Main Street Program. There are no major variances expected for the end of the year in the revenue budgets at this time.



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From an expense perspective all areas are below budget apart from Health Services, Social Services, Recreation and Culture, and Planning and Development. The Health Services area is higher than budget due to the Cemetery expenses which are offset by revenue. The Social Services area is higher that budget due to the timing of debt payments for St. Lawrence Lodge. This will correct itself by the end of the year. The Recreation and Culture expenses will now substantially decrease with the marina and summer activities having concluded. Planning and Development is over budget due to successful continuation of the Digital Mainstreet Coordinator which is offset by additional revenue and the cost to perform peer reviews of development projects that are working their way through the planning and approval process. The additional cost for planning application reviews will result in a year end budget variance but is not expected to be a significant impact on the overall bottom line.

The Water and Wastewater revenue budgets are below budget due to the timing of payments from Rideau St. Lawrence Utilities which at the end of October stood at four months behind the calendar month.

Staff is closely monitoring fuel, natural gas, and hydro costs which are causing inflationary cost pressures. To date savings have been found in other areas to offset the energy cost increases. The availability of products and services continues is an on-going focus of staff. The liability insurance renewal for 2022/2023 is an increase of 16%. This only affects the last 4 months of the year and is \$1,300 more than budgeted. Work has commenced with the Insurance Broker to review options that could decrease premiums and will be reported back to Council for further discussion in January.

Alternatives:
None
Financial Implications:
Outlined above.
Attachments:
Financial Report – October 2022
Submitted by:
Matthew Armstrong



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Chief Administrative Officer & Treasurer



Income Statement 2022 Operating Budget

		Month Year-to-Date Total			Year-to-Date		Year-to-Date Total Not			Notes
	Budget	Actual	Variance B (W)	Budget	Actual	Variance B (W)	2022 Budget			
Revenue										
Corporate	673,918	472,802	(128,488)	6,739,175	7,997,413	1,565,625	8,087,010			
Protective	30,528	6,961	(23,387)	305,278	193,874	(111,403)	366,333			
Transportation	48,249	1,260	(46,989)	482,492	463,692	(18,799)	578,990			
Environmental	19,143	24,824	5,681	191,427	180,359	(11,067)	229,712			
Social	6,708	-	(6,708)	67,083	81,213	14,129	80,500			
Recreation and Cultural	53,916	33,353	(20,563)	539,158	573,164	34,006	646,990			
Planning & Development	4,375	654	(3,721)	43,750	65,258	21,508	52,500			
Total	836,836	539,854	(224,175)	8,368,363	9,554,973	1,493,998	10,042,035			
=										
Expenses Corporate	117,477	107,089	10,387	1,174,766	1,103,689	71,077	1,409,719			
Protective	188,929	190,457	(2,511)	1,889,293	1,828,060	61,234	2,267,152			
Transportation	223,077	139,139	83,938	2,230,771	2,122,871	107,900	2,676,925			
Environmental	31,465	5,931	25,533	314,646	263,567	51,079	377,575			
Health Services	28,459	27,382	1,076	284,588	298,129	(13,541)	341,506			
Social Services	63,968	28,624	35,344	639,678	655,898	(16,220)	767,613			
Recreation and Cultural	150,613	116,389	34,224	1,506,126	1,558,863	(52,737)	1,807,352			
Planning & Development	32,849	30,546	2,303	328,494	416,712	(88,218)	394,193			
Total	836,836	645,558	1 90,295	8,368,362	8,247,787	1 20,574	10,042,035			
	300,000	0.0,000	.00,200	3,000,002	-,= ,. -	. = 0,0. +	. 5,5 .=,555			
Net Operations	0	(105,703)	(105,703)	(0)	1,307,186	1,307,186	-			
Water & Wastewater Revenue	244,950	255,775	10,825	2,449,498	1,164,281	(1,285,217)	2,939,397			
Water & Wastewater Expense	244,950	151,804	93,146	2,449,498	2,311,209	138,289	2,939,397			
Net Water & Wastewater	_	103,971	103,971	-	(1,146,928)	· · · · · · · · · · · · · · · · · · ·	(0)			



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STAFF REPORT TO COUNCIL

Report No. 109-2022

Date: November 21, 2022

From: Matthew Armstrong, Chief Administrative Officer and Treasurer

Shawn Merriman, Chief Building Official & Manager of Building and By-law

RE: By-Law Enforcement

Recommendation:

For information.

Background:

The purpose of this report is to review some of the more common by-laws in the Town of Prescott and how they are enforced. By-law enforcement can take two forms. Passive enforcement is based on a complaint being received, at which time the Town investigates and takes the appropriate action. Active enforcement is based on searching for potential violations and taking action regardless of whether a complaint was received or not.

The Building By-law and the Ontario Building Code are examples of where the active method of enforcement is employed. If the Town observes that building activities are occurring, and a permit has not been applied for, then action is taken immediately to ensure construction activities comply with the Building Code which is there to support health and safety.

Anytime a situation arises where the health and safety of residents or the public is at risk, the Town actively enforces the appropriate by-laws.

Analysis:

Year-to-date the By-Law Department has received 496 complaints / concerns / referrals. All cases are followed up on and the vast majority are resolved through conversations to address the issue(s) that were identified. If compliance is not achieved by using a gentle persuasive approach then formal steps are taken with notices provided with what



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needs to occur to comply with the applicable by-law and a deadline by which it much be completed. If compliance is still not achieved through the notice and follow-up, then fines are levied and the Town will step in to remediate the issue and achieve compliance. Any costs that are incurred to address the issue are levied against the property owner and is add to the property tax account.

The following is a review of the higher use by-laws and how they are currently enforced. These by-laws can be found on the Town website under Town Hall, By-laws and Policies or https://prescott.ca/town-hall/by-laws-policies/

Animal Control: 05-2021 Last Revised: 2021

Enforcement Method: Passive with seasonal blitzes

Description: A by-law to provide for the licensing and registering of

animals and prohibiting their running at large, for regulating kennels, and to regulate the keeping of animals in the Town

of Prescott

Building: 05-2013

Last Revised: 2013 (to be reviewed 2023)

Enforcement Method: Active

Description: A by-law respecting construction, demolition, change of use

permits, fees, inspections, and a code of conduct for building

officials

Business Licensing: 02-1955

Last Revised: 1995 (to be revised Q1 2023)

Enforcement Method: Active

Description: A by-law to regulate and license certain businesses and

occupations within the Town of Prescott

Noise By-law: 45-1981

Last Revised: 1991 (to be revised Q2 2023)

Enforcement Method: Passive

Description: Anti-noise by-law

Open Air Burning: 11-2008

Last Revised: 2008 (to be reviewed 2023)

Enforcement Method: Passive

Description: A by-law to prescribe the precautions and conditions under

which fires may be set in open air



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Parking: 47-2017
Last Revised: 2019
Enforcement Method: Active

Description: A By-law for the regulation of traffic and parking within the

Corporation of the Town of Prescott

Property Standards: 47-2021 Last Revised: 2021 Enforcement Method: Passive

Description: A by-law for prescribing Property Standards within the Town

of Prescott

Sign: 16-2019 Last Revised: 2019

Enforcement Method: Passive and Active
Description: Sign and Display By-law

Smoking & Vaporizing: 37-2019 Last Revised: 2019 Enforcement Method: Passive

Description: A By-law to regulate smoking and vaporizing in public places

and enclosed workplaces in the Town of Prescott

Taxi:04-2014Last Revised:2019Enforcement Method:Active

Description: A by-law for licensing, regulating and governing vehicles

used for hire including owners and drivers of taxicabs, limousines and accessible taxicab service in the Town of

Prescott.

Vacant Buildings:46-2021Last Revised:2021Enforcement Method:Active

Description: A by-law to establish a system of registering and monitoring

vacant buildings.



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Alternatives

As this report is for information only, no alternatives are being presented at this time.

Financial Implications

The Town shares a By-Law Enforcement Officer with the Township of Augusta. This allows the Town to dedicate 21 hours per week to by-law enforcement along with an additional 4 hours from the Manager of Building and By-law. From time to time, the Town uses a casual By-law Enforcement Officer for summer crowds along the waterfront and winter enforcement parking control.

If Council wishes to consider changing the enforcement of specific by-laws from passive to active, there may be additional resources required to achieve the desired level of service. Council will also need to consider that when moving to active enforcement, the number of complaints with regards to enforcement may also increase.

Environmental Implications None Attachments: None Submitted by: Matthew Armstrong Chief Administrative Officer and Treasurer Submitted by: Shawn Merriman Chief Building Officer & Manager of Building and By-Law



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STAFF REPORT TO COUNCIL

Report No. 110-2022

Date: November 21, 2022

From: Matthew Armstrong, Chief Administrative Officer and Treasurer

RE: 2023 Operational and Project Budget Process

Recommendation:

That Council approve the 2023 Operational and Project Budget Process as outlined in report 110-2022.

Background/Analysis:

The following dates are being put forward to develop the 2023 Budget Operational and Project Budgets. The process outlined in this report envisions Council reviewing segments of the budget over several meetings, as opposed to the entire budget over fewer but longer meetings. The budget presentation will have an added feature this year of providing a brief overview of each department and the corresponding responsibilities. This will allow for a better understanding how the organization allocates resources to respond to the needs of the municipality and its constituents.

Building on the prior years' Budget process, Council will have an opportunity to review the alignment of the 2023 Budget with the 2020-2023 Strategic Plan, Service Delivery Review, and the Joint Land Needs Study and Economic Development Strategic Plan. By aligning the financial resources with the goals of the organization, a supportive relationship can be built to achieve those goals.

2023 Operational Budget Development Timelines

 December 5, 2022 – Council reviews the information that is known to date, pertaining to revenue and expenses for the 2023 budget and discusses a preliminary target range for a property tax rate change for 2023



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- 2. December 12, 2022 Council reviews the Health Services and the Social Services Budgets at the regular meeting of Council
- 3. January 3, 2023 Council reviews the Administration and Protective Services Budgets at the regular meeting of Council
- 4. January 16, 2023 Council reviews the Transportation, Parks, and Recreation Budgets at the regular meeting of Council
- 5. February 6, 2023 Council reviews the Environmental, Water and Sewer, and Planning and Development Budgets at the regular meeting of Council
- 6. February 21, 2023 Council reviews the Revenue, Fees, and Property Taxes Budgets at the regular meeting of Council
- 7. March 6, 2023 Council to review the overall 2023 Operational Budget and how it aligns with the Strategic Plan and the Service Delivery Review Report at the regularly scheduled Council meeting

The 2023 Project Budget development has been broken down into a number of segments to allow for an idea's development phase, prioritization phase, and lastly a review of the alignment with the Strategic Plan, Service Delivery Review, and Economic Development Strategic Plan. Review and pre-approval of larger infrastructure type projects will occur in January to allow for an early year release of tenders to ensure possible contractors are aware of the projects as early in the year which helps to secure pricing and resource availability.

2023 Project Budget Development Timelines

- 1. November 21, 2022 January 5, 2023 Staff and Council develop and submit project ideas for 2023
- 2. December 12, 2022 Review of key infrastructure projects at the regularly scheduled meeting of Council
- 3. January 3, 2023 Approval of key infrastructure projects at the regularly scheduled meeting of Council to allow for tender release



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- 4. January 16, 2023 Council reviews the initial project list at the regularly scheduled Council meeting. This meeting is expected to illicit comments and questions around the ideas that have been generated thus far
- 5. February 21, 2023 Council to prioritize projects at the regularly scheduled Council meeting
- March 7, 2023 Council to review the overall 2023 Project Budget and how it aligns with the Strategic Plan and the Service Delivery Review Report at the regularly scheduled Council meeting

Alternatives

Financial Implications

Council could explore other options for the development of the 2023 Operational and Project Budgets.

F
None
Environmental Implications
Environmental Implications
None
Attachments:
None
Submitted by:
Matthew Armstrong
Chief Administrative Officer and Treasurer



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STAFF REPORT TO COUNCIL

Report No. 111-2022

Date: November 21, 2022

From: Nathan Richard, Director of Operations

RE: Marina F Dock and Fuel Dock Replacements

Recommendation:

That Council direct Staff to issue a Request for Proposals for the replacement of the Marina F Dock and Fuel Dock in 2023.

Background:

The Marina was constructed in the mid 1980's and until last year, only minor maintenance had been performed on the docks. The docks have been in service for over 35 years. The typical life span of steel tube floating docks with 3/16" wall thickness and with wood coverings is approximately 25 to 30 years.

The Marina has a total of 8 main docks that range in length from 55 feet to 190 feet with a total of 70 boat slip fingers resulting in 120-130 slips. There is also a 36-foot gas dock.

In 2020, H Dock was removed from service due to it taking on water the previous winter and could not be refloated.

In October 2021, technicians from Kehoe Marine Construction undertook an inspection report on all of the docks. The report noted that the steel tubing in all of the docks were pitted to varying degrees which will eventually lead to water leaks. This was confirmed by the fact that leaks were occurring in each of the docks on a more frequent basis. Some main sections of the docks and fingers have had closed cell foam installed in them to provide a few more years of floating life span. The docks are monitored semi-annually, in the fall and spring, by Town staff for any change in condition and repairs as required.

The report also noted that several of the dock chains required tightening and adjusting, along with some of the bolts, washer, and shims should be replaced and some concrete anchors were needing adjustment to minimize dock movement and maximize dock



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stability with the water level fluctuations. This work was completed in the spring of 2022.

Analysis:

Based on the dock evaluation and observations in 2021, it was recommended that H Dock (which had been decommissioned in 2020) and G Dock be replaced first. A program was established to replace all of the docks in the coming years as budget allows as they are all past their typical lifespan and are indeed at the end of their useful lives.

F Dock and the Fuel Dock were identified as the next 2 major docks to be replaced in 2023. F Dock is one of the larger docks at 165 feet in length with 14 fingers for a total of 26 boat slips and includes water and electrical services. The Fuel Dock is 36 feet in length and allows for refueling of boats and pump out services to occur.

The design parameters used for the replacement of G and H dock were unpainted, steel tubes with extra wall thickness to provide greater longevity and clad with pressure-treated wood on the tops and sides. It was determined last year as part of the Request for Proposal evaluation process that composite decking materials are an option; however, the cost is a greater and composite decking presents safety issues with slipping, quality issues with colors as they fade over time, and future maintenance issues. Wood pressure treated decking can be replaced as it wears at a relatively lower cost. The same design parameters as outlined above are being recommended for the replacement of F Dock and the Fuel Dock. Vendors will be allowed to submit alternative construction and material options as part of the Request for Proposal.

The Request for Proposal would be issued this December with the delivery of the docks prior to Victoria Day, which is the opening of the marina.

The intention is to continue to replace one large dock or two smaller docks annually, if feasible, so that all of the docks will have been replaced by 2027.

- F Dock (165 feet) and Gas Dock (36 feet) 2023
- E Dock (190 feet) 2024
- D Dock (175 feet) 2025
- C Dock (126 feet) 2026
- A Dock (94 feet) and B Dock (89 feet) 2027

Alternatives



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Council could decide to not proceed with the Request for Proposal or change the recommendations as they see fit.

Financial Implications

At the beginning of 2022, the Marina Reserve had a balance of \$182,760. The budgeted contribution to the Marina Reserve for 2022 is \$79,435, resulting in a total of \$262,195 for 2022. The replacement of H dock which was extended to 115 feet from 56 feet and G dock (95 feet) cost \$255,590. This included enhancements such as 10 ride on seadoo docks and a launch for non-motorized watercraft such as canoes and kayaks. \$50,000 from the dedicated Infrastructure Reserve was used to support this replacement, leaving an estimated balance \$56,605 in the Marina Reserve at the end of 2022. The 2023 Budget will have an initial contribution of \$79,435 to the Marina Reserve bringing the balance to \$136,040 for 2023.

It is estimated that the request for proposal should be in the \$150,000 to \$225,000 range of which \$130,000 would be supported by the Marina Reserve and the remainder from the dedicated Infrastructure Reserve. Council will review the results of the Request for Proposal in January to decide to proceed with the tender award at that point.

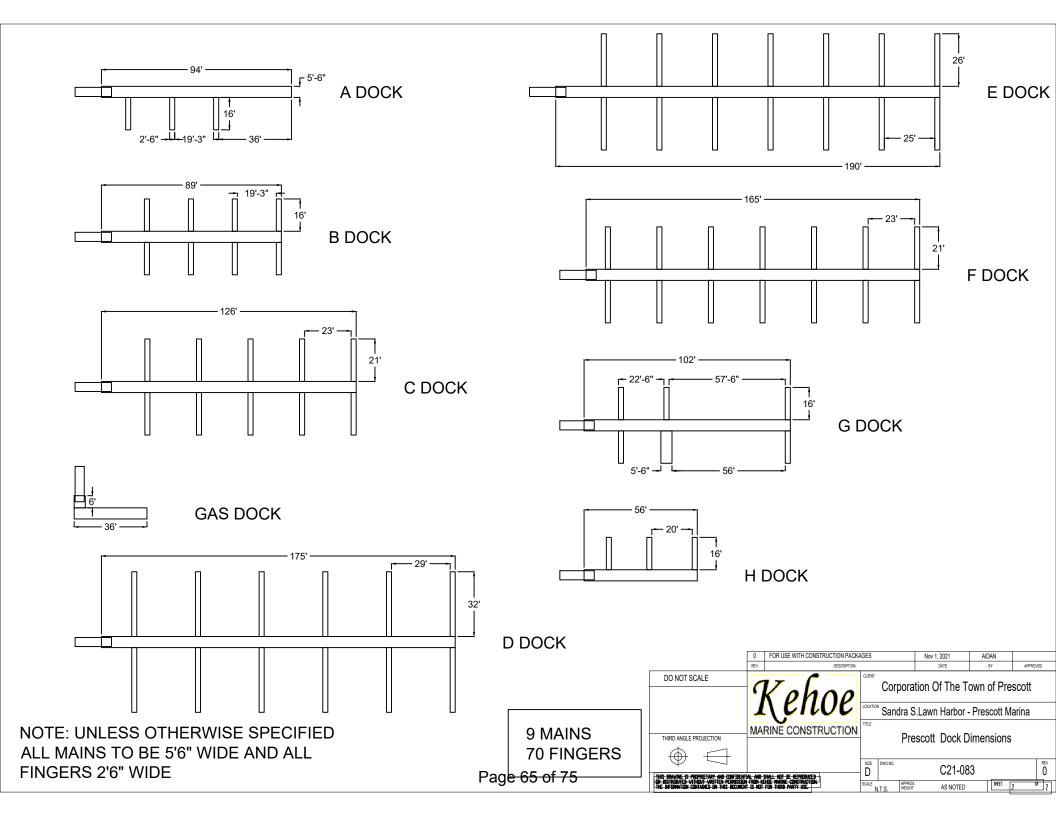
Environmental Implications

Attachments

Docks that fail will sink which are difficult to retrieve and disturb the marina basin. The intention is to keep the current docks floating long enough to ensure they do not sink while being replaced over the next several years.

- Marina Layout Submitted by: Nathan Richard Director of Operations







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STAFF REPORT TO COUNCIL

Report No. 112-2022

Date: November 21, 2022

From: Matthew Armstrong, Chief Financial Officer and Treasurer

Shawn Merriman, Chief Building Official & Manager of Building and By-law

RE: Casual/Contract Building Officials By-law Appointment

Recommendation:

For information.

Background:

The purpose of this report is to bring forward to Council the need to make sure there are adequate building officials appointed to the Town of Prescott so that the Town can fulfil Its obligations as required under the Building Code Act.

These building officials are used when needed as needed to cover the department should there be a need. Every few years the list is reviewed to determine if those listed are still capable to provide the service requested and changes made as needed.

Analysis:

Being a small department, neighboring municipalities have joined together to provide assistance to it's neighbors when necessary. This allows each municipality to enjoy the benefits of working together while not limiting the municipality that can occur when the service is offered by another body. During the course of the last year this department has assisted Augusta, Merrickville-Wolford, and Brockville. At the same time Augusta has assisted the Town of Prescott when needed. All persons requested are qualified and capable to perform the services that could be requested of them.

Those that are being removed from the list are due to retirement and moving onto another municipality that is no longer near by. In addition the majority of those



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requested use the same software as Prescott which makes for little additional work or training by all.

Alternatives

Hire additional staff that are qualified, registered and capable of performing the duties of a building official.

Financial Implications

None

Environmental Implications

None

Attachments:

- Draft Amending By-Law

Shawn Merriman
Chief Building Officer & Manager of Building and By-law

THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. xx-2022

A BY-LAW TO AMEND BY-LAW NO. 26-2019, BEING A BY-LAW TO APPOINT BUILDING INSPECTORS FOR THE CORPORATION OF THE TOWN OF PRESCOTT (CONTRACTED/CASUAL).

Being a by-law to amend By-Law No. 26-2019, being by-law to appoint Building Inspectors for the Corporation of the Town of Prescott (Contracted/Casual).

WHEREAS in accordance with Section 3(1)(2) of the Ontario Building Code Act, 1992 S.O. c. 23, as amended, the Town of Prescott is required to appoint a Chief Building Official and such inspectors as are necessary for the enforcement of this Act.

NOW THEREFORE the Council of the Corporation of the Town of Prescott enacts as follows:

- 1. That By-law 26-2019 be amended by removing Sections 3 and 4 and replacing those sections with following:
 - 3. That Sebastien Scott is hereby appointed as Building Inspector for the Town of Prescott, to act on behalf of the Chief Building Official in his absence and that as a Senior Building Official, shall perform the duties of the Chief Building Official as set out in the Building Code Act, 1992, S.C. 1992, c. 23, as amended.
 - 4. That Dan Halladay is hereby appointed as Building Inspector for the Town of Prescott, to act on behalf of the Chief Building Official in his absence and that as a Senior Building Official, shall perform the duties of the Chief Building Official as set out in the Building Code Act, 1992, S.C. 1992, c. 23, as amended.
- 5. That By-law 26-2019 be amended by adding the following sections:
 - 5. That Jonathon Proulx is hereby appointed as Building Inspector for the Town of Prescott, to act on behalf of the Chief Building Official in his absence and that as a Senior Building Official, shall perform the duties of the Chief Building Official as set out in the Building Code Act, 1992, S.C. 1992, c. 23, as amended.
 - 6. That Andrew Turner is hereby appointed as Building Inspector for the Town of Prescott, to act on behalf of the Chief Building Official in his absence and that as a Senior Building Official, shall perform the duties of the Building Inspector as set out in the Building Code Act, 1992, S.C. 1992, c. 23, as amended.

- 6. All other applicable provisions of By-Law 19-2019 shall continue to apply.
- 7. This by-law shall take effect and come into force on November 21, 2022.

Mayor

8. That any other By-Laws, resolutions or actions of the Council of the Corporation of the Town of Prescott that are inconsistent with the provisions of this By-Law are hereby rescinded.

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Clerk

THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 49-2022

A BY-LAW TO AMEND BY-LAW NO. 26-2019, BEING A BY-LAW TO APPOINT BUILDING INSPECTORS FOR THE CORPORATION OF THE TOWN OF PRESCOTT (CONTRACTED/CASUAL).

Being a by-law to amend By-Law No. 26-2019, being by-law to appoint Building Inspectors for the Corporation of the Town of Prescott (Contracted/Casual).

WHEREAS in accordance with Section 3(1)(2) of the Ontario Building Code Act, 1992 S.O. c. 23, as amended, the Town of Prescott is required to appoint a Chief Building Official and such inspectors as are necessary for the enforcement of this Act.

NOW THEREFORE the Council of the Corporation of the Town of Prescott enacts as follows:

- 1. That By-law 26-2019 be amended by removing Sections 3 and 4 and replacing those sections with following:
 - 3. That Sebastien Scott is hereby appointed as Building Inspector for the Town of Prescott, to act on behalf of the Chief Building Official in his absence and that as a Senior Building Official, shall perform the duties of the Chief Building Official as set out in the Building Code Act, 1992, S.C. 1992, c. 23, as amended.
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 - 6. That Andrew Turner is hereby appointed as Building Inspector for the Town of Prescott, to act on behalf of the Chief Building Official in his absence and that as a Senior Building Official, shall perform the duties of the Building Inspector as set out in the Building Code Act, 1992, S.C. 1992, c. 23, as amended.

- 6. All other applicable provisions of By-Law 19-2019 shall continue to apply.
- 7. This by-law shall take effect and come into force on November 21, 2022.
- 8. That any other By-Laws, resolutions or actions of the Council of the Corporation of the Town of Prescott that are inconsistent with the provisions of this By-Law are hereby rescinded.

READ AND PASSED, NOVEMBER 2022.	SIGNED	AND	SEALED	THE	21 st	DAY	OF
May	or				С	lerk	-

THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 50-2022

A BY-LAW TO APPOINT MEMBERS OF COUNCIL TO BOARDS AND COMMISSIONS, TO APPOINT MEMBERS OF COUNCIL TO THE COMMITTEES OF COUNCIL, AND THE APPOINTMENTS OF DEPUTY MAYOR FOR THE YEAR 2023

Being a by-law to appoint members of Council to boards and commissions, to appoint members of Council to the Committees of Council, and the appointments of Deputy Mayor for the year 2023

WHEREAS the Council of the Corporation of the Town of Prescott holds seats on numerous boards and commissions, both those established by Council and with external organizations, and the Council will appoint members to represent the Corporation to each of these boards and commissions; and

WHEREAS the role of Deputy Mayor must be filled by a Councillor who, in the absence of the Mayor, holds all authority as the Head of Council, and this role shall be filled by each of the Councillors on a rotational schedule for the term of this Council;

NOW THEREFORE the Council of the Corporation of the Town of Prescott hereby appoints the following Council members to the following boards and commissions:

Committee	Appointees	
Prescott Police Services Board	Mayor + 1	Mayor Shankar
	-	Councillor Campbell
Joint Services Committee	Mayor/Designate	Mayor Shankar
		Deputy Mayor (Rotates)
Leeds, Grenville & Lanark Dist. Health Unit	1	Councillor Lockett
St. Lawrence Lodge Committee of Mgmt.	1	Councillor Burton
Walker House Board	1	Councillor Burton
South Grenville Chamber of Commerce	1	Councillor Young
Prescott Public Library Board	1	Councillor Burton
Prescott Cemetery Board of Management	1	Councillor McConnell
Prescott Heritage Committee	1	Councillor McConnell
Fire Services Committee	1	Councillor Campbell
Prescott Wastewater Board of Mgt.	4	Mayor Shankar
		Councillor Kirkby
		Councillor Lockett
		Councillor McConnell
Tri-Council Recreation Committee	1	Councillor Burton
Physician Recruitment	1	Councillor Lockett

Planning Advisory Committee	Mayor+2	Mayor Shankar
		Councillor Burton
		Councillor Young
Prescott Business Improvement Area	2	Councillor Young
Board of Management		Councillor Lockett
Community Emergency Management	Mayor +1	Mayor Shankar
Committee		Councillor Campbell
Joint Initiatives Working Group	2	Mayor Shankar
		Councillor Kirkby
Municipal Drug Strategy	1	Councillor Campbell
Policy Working Group	Mayor+2	Mayor Shankar
		Councillor Kirkby
		Councillor Lockett
St. Lawrence Shakespeare Festival Board	1	Councillor Burton

FURTHER the Council of the Corporation of the Town of Prescott hereby appoints the following Councillor as Deputy Mayor:

Deputy Mayor	Nov. 15, 2022 to Mar. 14, 2023	Councillor Burton
Deputy Mayor	Mar. 15, 2023 to July 14, 2023	Councillor Campbell
Deputy Mayor	July 15, 2023 to November 14, 2023	Councillor Kirkby

FURTHER the Council of the Corporation of the Town of Prescott hereby appoints the following Portfolio Chair classifications:

Finance & Corporate Services	Councillor Lockett
Operations	Councillor Kirkby
Economic Development & Tourism	Councillor Young
Water/Wastewater, Capital & Projects	Councillor McConnell
Protective Services	Councillor Campbell
Community Services	Councillor Burton

AND FURTHER that any other By-Laws, resolutions or actions of the Council of the Corporation of the Town of Prescott that are inconsistent with the provisions of this By-Law are hereby rescinded.

READ AND PASSED, SIGNED AND SEALED THE 21st DAY OF

THE CORPORATION OF THE TOWN OF PRESCOTT

BY-LAW NO. 51-2022

A BY-LAW TO ADOPT THE PROCEEDINGS OF THE COUNCIL MEETING HELD ON NOVEMBER 21, 2022

WHEREAS, Section 5(3) of *the Municipal Act, 2001 S.O. 2001, c.25, as amended*, provides that Council's powers shall be exercised by by-law; and

WHEREAS certain actions of Council do not require the enactment of a specific by-law;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Town of Prescott enacts as follows:

- 1. Subject to Paragraph 3 of this by-law, the proceedings of the above-referenced Council meeting, including all Resolutions, By-laws, Recommendations, Adoptions of Committee Reports, and all other motions and matters decided in the said Council Meeting are hereby adopted and confirmed, and shall have the same force and effect, as if such proceedings were expressly embodied in this by-law.
- 2. The Mayor and Clerk are hereby authorized to execute all such documents, and to direct other officials of the Town to take all other action, that may be required to give effect to the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law.
- 3. Nothing in this by-law has the effect of conferring the status of a by-law upon any of the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
- 4. Any member of Council who complied with the provisions of Section 5 of the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M.50 respecting the proceedings of the Council Meeting referred to in Paragraph 1 of this by-law shall be deemed to have complied with said provisions in respect of this by-law.

READ AND PASSED, SIGNED AND SEALED THE 21st DAY OF NOVEMBER,	2022.

Mayor

Clerk