



Dear Mr Mayor and Council

In November 2013 we had a house fire.

In January 2014 the water line in the basement froze and flooded the basement.

In February 2014 the furnace quit and all the water lines to the cast iron radiators and the radiators froze and burst.

On October 11<sup>th</sup>, 2014 our home was torn down.

On Monday October 20, 2014 I met with Travis Roy for a building permit to put a Modular home on our existing basement. The basement has been ok'ed by an engineer. Travis told me that the windows we purchased for the basement were not to code. When I left the meeting I went to check on larger windows and received a call from Travis to inform me of By-Law 16/06 – 6.7 and 6.8 and By-Law 6/92 – 8. We were given a copy of the BY-Law. When we read this there is no mention of a sewer line. This By-Law does not state anything about sewer lines and only deals with water service connections. I have met with Travis on numerous occasions and have complied with all of the codes and By-Law's he has set out for me. Why were we not informed of this By-Law before we ordered a house and had the house tore down and paid engineers and all of the extra added costs?

Our sewer was scoped by Tom Veert September 15<sup>th</sup>, 2014 and roots were found to be in our sewer line on our property. We will have the roots removed and this was approved by Travis.

Mr Veert gave the tape to the town.

The sewer has a glitch/movement or defect 58 feet from the drain in the existing basement. This is out in the center of the Kings Highway. Kings Highway is the truck route for all the transports that go through town and also is the main roadway to the west end of town.

We can get a building permit but in order to get an occupancy permit we have to sign a statement that we will be liable if in the future any problems occur in the sewer line 58 feet out from our home. We have no control over the traffic that travels over this sewer line. If we have to be responsible for this sewer line we ask that you stop all traffic from driving on it or maybe setup a toll to cover some of the future costs.

If our house had not burnt and we were still living there and the sewer line broke 58 feet out from our home the town would have been responsible to cover the cost. The basement is the same and the sewer line into our home will not change, the only change will be a new structure on the existing basement. But now that we have had a fire, a flood and the heating system froze and burst – all within 4 months – the town feels that we should be responsible for the sewer line 58 feet from our home.

We have been told that if we move into our new home, which is built to the town's specifications, we will be charged and will have to pay \$300 a day. We have continued to pay our taxes for a year based on a house that does not exist with no refund. Inevitably our taxes will be raised and we still have to pay for the town's sewer main.

We have no choice but to sign a letter accepting responsibility for the town's sewer line if we want to move back into our home.

If we sign this letter it will only be because the town of Fort Frances is forcing us to and we do it under duress. We still have not seen any By-Law that talks about sewer lines only water service.

Please look into this and let us know what we have to do next. Please also explain where the By-Law that was given to us mentions anything in regards to the sewer lines. Please make this By-Law public knowledge so others can make a choice before paying for buildings that they may chose not to build if they knew of the added financial responsibility.

Jack and Camie Gray

The image shows two handwritten signatures in black ink. The top signature is for Jack Gray, featuring a stylized 'J' and 'G'. The bottom signature is for Camie Gray, with a more fluid, cursive style. Both signatures are positioned to the right of the typed names.

# Water Control By-Law

## TOWN OF FORT FRANCES By-Law No. 16/06

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mains located on private property shall be constructed in accordance with the Ontario Building Code as revised from time to time and in accordance with good engineering practices and shall be approved by the Chief Building Official. Where the Ontario Building Code is silent the Town's specifications shall be applied and shall prevail.

### 6.3 Connection to main – prior application

The installation of the water service pipe connection will not be scheduled or commenced in any way until the customer has met the requirements of this by-law.

### 6.4 Installation – alteration – approval by Town

For any new water service pipe or private main installation, or alteration of existing water service pipes or private mains, the owner must apply for approval from the Town.

### 6.5 Installation inspection by Town

The Town must inspect all water service pipes and appurtenances installed, including those required under a Subdivision or Development Agreement. The charge for inspection is to be at an hourly wage charge plus a vehicle or as specified in the Subdivision or Development Agreement.

### 6.6 Installation – access for inspection

The Town or persons authorized by the Town for inspection shall be, at all times, entitled to enter any premises for the purposes of examining pipes, connections and fixtures which are used in connection with the water service pipe and/or service main.

### 6.7 Termination of service – building demolition – permanent/temporary

In the event of the demolition of any building or buildings on a premise serviced with water and the appropriate application made with the Town, the existing water service is to be terminated as follows:

- a) Where the water service pipe is to be permanently terminated the service pipe, at the discretion of the Engineer is to be disconnected at the water main, the water main plugged, and the curb box and rod removed at the owner's expense.
- b) Where the water service pipe is to be temporarily terminated, the Town shall turn off the shut-off valve (curb stop), at the owner's expense.

### 6.8 Termination of service – reconnection – inspection

Where a water service connection is required to be reconnected to a premises, such service shall be dug by the Owner/Applicant at the property line, water service expose and inspected by the Town to ensure that such service meets present standards.

If existing service is acceptable the Owner may proceed with its installation. Connections to existing services are to be inspected by the Town prior to backfilling at the inspection rate as set within this by-law.

If existing service does not meet present standards or by-law requirements the Owner shall make application for new service as described in Section 2.1 of this by-law.

The Owner/Applicant shall be liable for the cost of locating water service connections upon application for reconnection.

### 6.9 Maintenance of service stub – Town

The Town of Fort Frances at its expense shall maintain the water service stub.

### 6.10 Maintenance of service extension and private main – Owner

Any and all defects to the water service extension and private main shall be repaired by the owner of the property being serviced. Should the Town become aware of any such defect, and upon written notification to the owner, the said defect is not repaired, within seven (7) days of the date of the notification or within such time as the Engineer may deem necessary, then the Town may turn off the water supply to the property. Once the owner has repaired the water service extension the Town will restore the water supply to the premises. The owner shall be charged for the turn "off/on" of the water supply in accordance with the Town's User Fee By-law.

### 6.11 Access to shut-off valves

All shut-off valves must be left clear and accessible at all times so that the water in the water service pipe and private mains may be turned off or on as may be found necessary by the Engineer.

### 6.12 Responsibility for protection, water loss, damage

All water service extensions to and including the meter shall be properly protected from frost and any other damage at the expense and risk of the owner of the property being serviced. The owner shall be responsible for the water loss occasioned by a leak in the water service extension and/or private main and the charge for such water loss shall be determined by the Engineer, shall be paid by the owner upon demand by the Town, and the Town shall not be held responsible for any damages arising from such leakage.



7. In the event of the demolition of any buildings serviced by private drain or water connections, application in the form of Schedule "C" attached to and forming part of this by-law, shall be made to the Public Works Department for termination of water services and private drain connections and the costs thereof shall be as set out in said Schedule "C" and shall be borne by the applicant.

8. Where private drain or water service connections are required to be reconnected to any property, such services shall be dug and inspected by the Town to determine the condition of such private drain or water service, and the fee therefor shall be as provided for in Schedule "C" to this by-law for termination of service, and where it is determined that replacement is necessary, such private drain or water service connections shall be replaced at the rates as set out in Schedule "B" to this by-law as may be amended from time to time.

9. The applicant shall be liable for the cost of locating private drain or water service connections upon application for reconnection.

10. The drainage of weeping tile water, surface water and roof water into the sanitary sewer is prohibited and shall apply to:

- a) all new construction;
- b) replacement construction where the building was demolished or destroyed;
- c) addition and/or expansion construction
- d) total interior renovation construction.

Where, in the opinion of the Public Works Manager, weeping tile drainage cannot be discharged into the yard, such discharge, subject to design approval of the Public Works Manager, may be drained into open ditches or a storm sewer system. The owner shall bear all connection and maintenance costs.

11. The fee to be charged for water service to be turned on or off shall be in the amount as set out in Schedule "D" attached to and forming part of this by-law.

12. That the procedures for thawing frozen water service connections and the charges therefore shall be as set out in Schedule "D" attached to and forming part of this by-law.

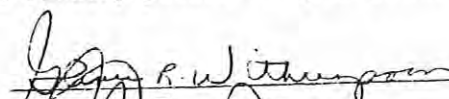

13. Every person requesting services to be performed by the Public Works Department of the Town of Fort Frances with respect to maintenance works on private drain connections and/or water service connections shall submit said request in the form as follows:

- a) with respect to water service connections - Schedule "D" attached to and forming part of this by-law;
- b) with respect to private drain connections - Schedule "E" attached to and forming part of this by-law.

14. Charges for maintenance services on private drain connections performed by the Public Works Department shall be as set out in Schedule "E" attached to and forming part of this by-law.

That this by-law shall come into force and take effect on final passing.

READ THREE TIMES and finally passed in open Council this 10th day of February 1992.

MAYOR

CLERK