

THE CORPORATION OF THE TOWN OF SMITHS FALLS

BY-LAW NO. 8182-2009

BY-LAW TO AMEND BY-LAW 6022-94 BEING A BY-LAW OF THE CORPORATION OF THE TOWN OF SMITHS FALLS RESPECTING THE USE, INSTALLATION, INSPECTION, AND REGULATION OF SEWERS AND SEWAGE AND DRAINAGE WORKS

WHEREAS By-law No. 6022-94 dictates use, installation, inspection and regulation of sewers and sewage and drainage works;

AND WHEREAS the Municipal Act, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipal Act, as amended, provides that Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS the Municipal Act, as amended, provides that a single tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

NOW THEREFORE the Council of the Corporation of the Town of Smiths Falls enacts as follows:

1. That By-law No. 6022-94, as amended as follows:

THAT the following definitions be added:

(zz) "sidewalk" is defined as the concrete or asphalt walkway adjacent to a street what is intended for pedestrian traffic.

(fff) "street" is defined as that part of the road allowance that is meant for vehicular traffic and does not include the unpaved shoulder or ditch.

That Section 4 (2), Building Sewers and Connections be Amended to the following:

(2) If there is sufficient reason to suspect a malfunctioning sewer main, or the existence of a damaged building sewer that is located under the street or sidewalk as defined in this By-Law, the property owner shall immediately notify the Engineer (or his designate) who will proceed to investigate and repair the damaged pipe at the Town's expense.

2. That all other provisions of By-law 6022-94, as previously amended, shall remain unchanged. Should any section of this by-law, including any section or part of any schedules attached hereto be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. That the provisions of this by-law shall come into force and take effect upon the passing thereof.

Read a first and second time this 5th day of January, 2009

Read a third time and passed this 5th day of January, 2009

Mayor

Clerk