

The Corporation of the Municipality of Brockton



By-Law 2019-118

Being a By-Law to Establish Regulations for the Control and Use of Public Fire Hydrants for the Municipality of Brockton.

Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 5(1), as amended, provides that the powers of a municipal corporation are to be exercised by its council;

And Whereas the *Municipal Act, 2001, S.O. 2001, c. 25*, Section 5(3), as amended, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9; shall be exercised by By-Law;

And Whereas the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4* specifies the responsibilities and standards for use, maintenance and operational responsibilities of hydrants;

And Whereas the Municipality of Brockton in the interest of ensuring serviceability of fire hydrants and in the interest of sound public administration practices intends to pass a by-law regulating the use of fire hydrants within the Municipality;

Now Therefore the Council of the Corporation of the Municipality of Brockton **Enacts as Follows:**

1.0 Definitions

In this By-Law:

- a) "Municipality" means the Corporation of the Municipality of Brockton.
- b) "Backflow Preventer" means a device certified by the CSA which will prevent a reversal of the normal direction of flow which would allow any solid, liquid including water or gaseous substance or any combination thereof into a distributing pipe for potable water so as to cause or to have the potential to cause water in the pipe to become non-potable.
- c) "CSA" means the Canadian Standard Association.
- d) "Fire Department" means a fire department organized under the *Municipal Act, 2001* and equipped with one or more motorized fire pumpers meeting the standards prescribed by the regulations.
- e) "Director" means the Director of Operations or his/her designate for the Municipality.
- f) "Operating Authority" means Veolia Water Canada.

2.0 No person without lawful authority shall open or close any fire hydrant.

3.0 No person shall obstruct the free access or visibility of a fire hydrant by placing on or near it any object, material, fence, rubbish, snow or ice within the obstruction free boundaries as detailed in Schedule "A" of this By-Law.

4.0 No person shall plant or cause to grow or allow any plant to protrude into obstruction free areas as detailed in Schedule "A", which exceeds 200 mm above the ground surface, or which would interfere with emergency use of the hydrant.

5.0 No person shall, without written permission of the Municipality, use a fire hydrant for bulk loading of tanks or tank trucks.

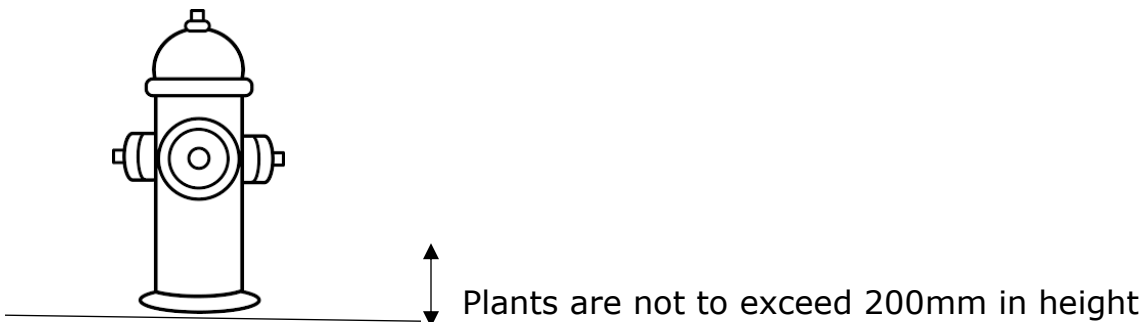
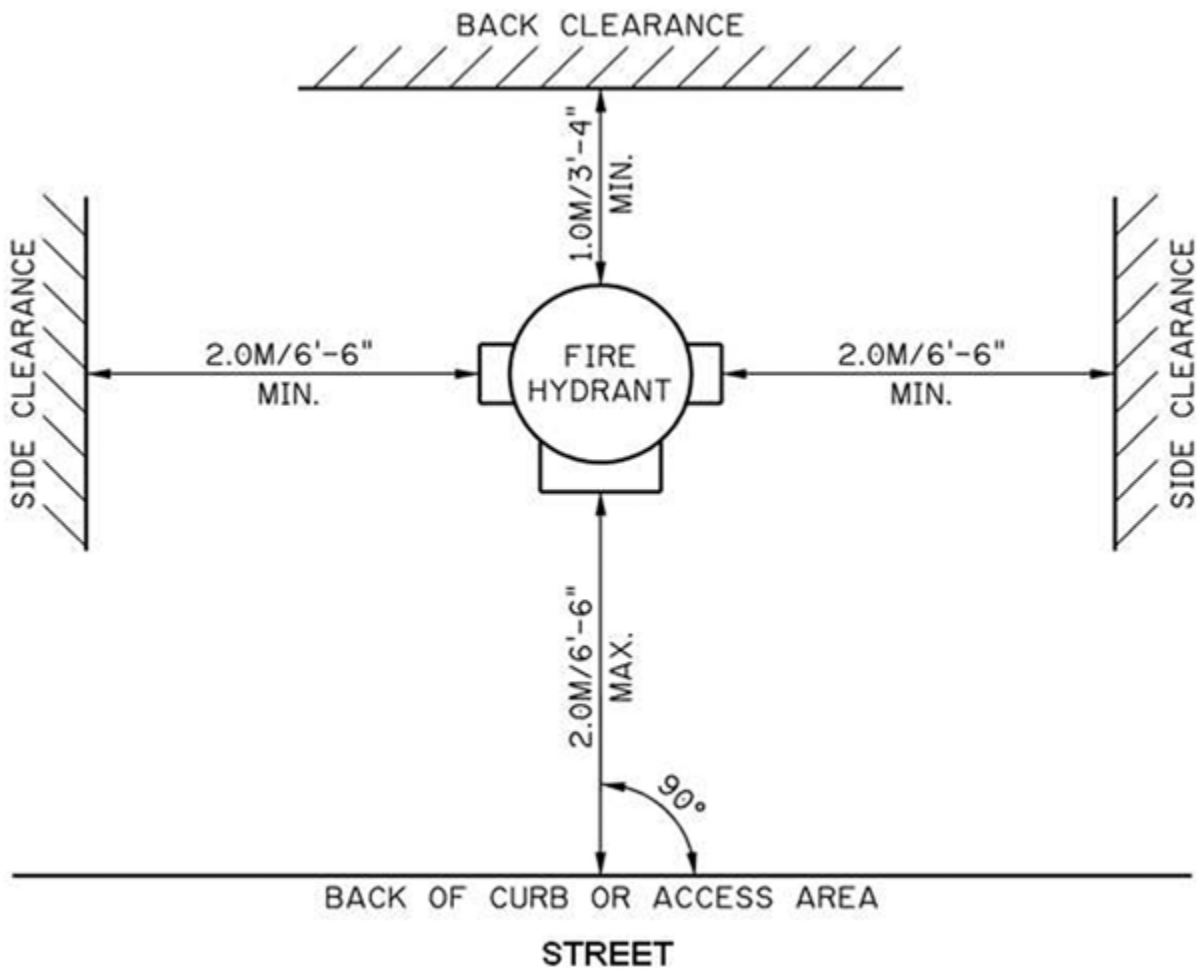
- 6.0 Permission may be granted by the Municipality for the use of hydrants for construction, or bulk loading of trucks. Such use shall only be permitted if the party using the hydrant affixes approved hydrant valves with a backflow preventer. Couplings, valves and backflow preventers shall conform to CSA standards.
- 7.0 The rates to be charged for non-emergency or non-firefighting use of hydrants shall be determined by the Municipality's Water Meter By-law 2011-08 Schedule A, as amended from time to time.
- 8.0 All hydrant use shall be reported to the Municipality during normal business hours twenty-four (24) hours prior to use.
- 9.0 After hydrant maintenance, the Municipality shall restore the surface material, but it shall not be responsible for damage or loss of shrubs, flowers or similar plants resulting from such use or maintenance.
- 10.0 Nothing in this By-Law restricts the use of hydrants by a Fire Department, or the Operating Authority.
- 11.0 Nothing in this By-Law restricts the Municipality from regulating and removing hydrant obstructions.
- 12.0 The Municipality may order the removal of obstructions within a specified time, giving a minimum of five (5) days to the party responsible of the obstructions. Should the party responsible not comply with said order the Municipality shall have the obstructions removed, the cost of which shall be borne by the party responsible for the obstruction. The fees associated with the removal of obstruction shall be in accordance with the Municipality's current Fees and Charges By-Law.
- 13.0 Every person who contravenes any provisions of this By-Law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act, R.S.O. 1990, c. P.33*.
- 14.0 That By-Law 2007-44 be hereby rescinded and this By-Law shall supersede all others.
- 15.0 That this By-Law shall come into effect upon final passage.
- 16.0 This By-Law may be cited as the "Use of Public Fire Hydrants By-Law".

Read, Enacted, Signed and Sealed this 15th day of October, 2019.

Mayor – Chris Peabody

Clerk – Fiona Hamilton

Schedule "A" to By-Law 2019-118
Fire Hydrant Obstruction Free Boundaries



Part I Provincial Offences Act
The Corporation Of The Municipality Of Brockton

By-Law 2019-118

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for the Municipality of Brockton.

Item	Short Form Wording	Offence Creating Provision or Defining Offence	Set Fine
1.	Open or close any hydrant	Section 2	\$200.00
2.	Obstructing access or visibility of a fire hydrant	Section 3	\$200.00
3.	Planting in the obstruction free zone as per Schedule “A”	Section 4	\$200.00
4.	Using a fire hydrant without permission	Section 5	\$200.00
5.	Making an improper hydrant connection	Section 6	\$200.00
6.	Failure to give notice of hydrant use	Section 8	\$200.00
7.	Failure to follow an order to remove an obstruction	Section 12	\$200.00