

BY-LAW NO. ~~47~~40 (B)

A By-Law Relating to Water and Sewer

Be it enacted by the Council of the Village of Port Elgin, New Brunswick, as follows:

1. Section 1 thereof is amended by adding hereinafter;
 - (n) "Leaseholders" shall mean any tenants for a term of years other than mortgagees of any such term not in possession. When a mortgagee is in possession of the property under mortgage, he shall be taken to be the owner or leaseholder thereof, as the case may be.
 - (o) "Owners" shall mean all persons having any freehold estate or interest in any lands, tenements or premises, other than mortgagees thereof not in actual possession.
2. Subsection 2 (c) thereof is repealed and the following substituted therefore;
 - 2 (c) (i) Every owner or leaseholder of a house, building, tenement or premises, fronting or abutting on a street, along or through which a public sewer is laid, and every owner which the Local Board of Health shall require to be drained for sanitary purposes, shall cause such house, building, tenement, premises, to be connected with and drained into such public sewer, by means of a private sewerage service to be constructed in the ~~manner of a private sewerage service to be constructed in the~~ manner provided for in and by this By-Law.
 - (ii) In case any owner or leaseholders as aforesaid shall neglect or refuse to make entrance, the same may be made by the Village at the expense of such owner or leaseholder, to be recovered by suit in any court of competent jurisdiction.
3. Subsection 7 (b) is repealed and the following substituted therefore;
 - (b) The council may suspend water and sewerage service to customers whose accounts remain unpaid for more than forty days after the date the accounts are rendered.
4. Section 7 thereof is amended by adding as follows;
 - (d) In addition to any other provision herein contained, the Village of Port Elgin shall be at liberty to recover by suit in any court of competent jurisdiction, any such sums as may be owing and outstanding to the Village of Port Elgin pursuant to this By-Law.

5. Section 8 thereof is repealed and the following substituted therefore;

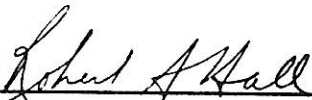
ENFORCEMENT

- 8 (a) Where an owner or leaseholder is in violation under paragraph 2 (c) (i) or 2 (c) (ii) of this by-law, such owner or leaseholder is guilty of an offence and liable on summary conviction, to a fine of not less than \$20.00 per day from the date of a demand made by The Village of Port Elgin pursuant to paragraph 2 (c) (i) or from the date of the hook-up or entrance at the instance of The Village of Port Elgin, whichever shall come first.
- (b) An owner or leaseholder who is in violation of Section 7 of this by-law as amended shall be guilty of an offence and liable under summary conviction to a fine of not less than \$20.00 per day commencing 40 days after the date of billing for services by The Village of Port Elgin.

READ FIRST TIME: December 13, 1977

READ SECOND TIME: December 13, 1977

READ THIRD TIME
AND ENACTED: December 13, 1977



 Mayor



 Clerk