

CITY OF ST. THOMAS

BY-LAW NO. 84 - 2017

A by-law to establish a basement flooding subsidy program for the
City of St. Thomas

WHEREAS Section 11(3)(4) of the Municipal Act, S.O. 2001, permits municipalities to pass by-laws respecting water and sewer services;

AND WHEREAS the Council of the Corporation of the City of St. Thomas recognizes the need to reduce excess flows into the City's sanitary sewer system by various means;

AND WHEREAS Section 107 of the Act permits municipalities to make grants to any person, group or body, including a fund for any purpose that Council considers to be in the interests of the municipality;

AND WHEREAS the Council of the Corporation of the City of St. Thomas has determined that it is in the interests of the municipality to provide financial assistance to property owners in the City of St. Thomas to take action and reduce the risk of basement flooding;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS ENACTS AS FOLLOWS:

1. That a basement flooding subsidy program for the City of St. Thomas be established, as outlined in Schedule "A".
2. That this by-law shall come into force on the day it is passed.

READ a First and Second time this 5th day of June, 2017.

READ a Third time and Finally passed this 5th day of June, 2017.

Original signed by "Maria Konefal"
City Clerk

Original signed by "Heather Jackson"
Mayor

SCHEDULE A

CITY OF ST. THOMAS CITY-WIDE BASEMENT FLOODING GRANT PROGRAM

PURPOSE

A PROGRAM TO PROVIDE FINANCIAL GRANTS TO DISCONNECT THE FOUNDATION DRAINS FROM THE SANITARY COLLECTION SYSTEM AND TO INSTALL A BACKWATER VALVE AND A SUMP PUMP FOR DISPOSAL OF FOUNDATION DRAIN WATER TO A SUITABLE OUTLET OTHER THAN THE SANITARY COLLECTION SYSTEM FOR PROPERTY OWNERS WITHIN THE CITY OF ST. THOMAS LIMITS

Definitions

In this Program:

"Applicant" means the individual, corporation, firm or other entity that has applied for a funding as outlined in the Basement Flooding Grant Program;

"City" means the Corporation of the City of St. Thomas;

"Condominium Corporations" means condominium corporations under the Condominium Act, 1998 for units used for residential purposes;

"Dwelling Unit" has the same meaning as contained in the City's Zoning By-law;

"Engineer" shall mean the City Engineer for the City of St. Thomas or the City Engineer's authorized representative;

"Non-profit housing co-operatives" means a non-profit housing co-operative under the Co-operative Corporations Act;

"Owner" shall include any person who or any firm or corporation that is the registered owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee, in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian;

"Property" means a separate parcel of land which has been assigned a property identifier under section 141 of the Land Titles Act, R.S.O. 1990, c. L.5;

"Residential homes" means residential semi-detached dwelling, single detached dwelling and duplex dwelling as defined in the City's Zoning By-law;

"Single detached residence" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or main structures, including a split level dwelling, but does not include a mobile home.

Funding

This Program will be funded in an amount determined by Council in its sole discretion from time to time. Grant commitments will be provided subject for funding availability as determined by Council at its sole discretion.

Eligibility for Grant

The applicant(s) for the grant must meet the following criteria in order to qualify for the Program:

- must be the registered owner(s) of the property, a condominium corporation, or a non-profit housing co-operative;
- has not commenced work prior to grant approval;
- there must be no other outstanding debts to the City of St. Thomas;

- the owner(s), Condominium Corporation, or a non-profit housing co-operative must meet all other conditions of this Program.

Application for Grant

1. The owner or their authorized agent shall apply to the City for funding prior to any work being carried out through an application process provided by the City Engineer.
2. The subsidy is available only to existing homes in the limits of the City of St. Thomas that have an existing sanitary sewer private drain connection, as per Appendix A. This subsidy is not eligible to new houses or developments built within the City.
3. Before starting any work, the homeowner will need to obtain 2 quotes from certified plumbing contractors.
4. Quotes must detail what work is to be done and separate out the cost for each portion of work.
5. City Staff will review the application (attached in Appendix B) and supporting documentation and will notify the applicant, if funding will be granted for the work to be carried out based on the quotes submitted and feasibility of the work to be carried out. Further information or documentation may be required by the City Engineer.
6. Approval of all grant applications is subject to availability of funding at any given time, as determined solely by Council.
7. Under the discretion of the City Engineer, any work that is started or completed prior to the grant application approval may be deemed ineligible under this Program.
8. Once an application has been approved, the applicant or Contractor obtains the necessary permits prior to carrying out the work. Failure to obtaining a permit prior to work commencing will result in cancellation of any approved grant amounts.
9. The Contractor must co-ordinate work with the City well in advance. The Contractor is responsible to obtain all utility locates for the work for both private and City property.
10. The Contractor or the applicant must arrange for an inspection by the City with respect to the permit. Permits that have not had an inspection by the City will result in cancellation of any approved grant amounts.
11. Downspouts must be disconnected from the sanitary collection system and capping of the home's external tile connection, unless applicant has received an exemption from the City of St. Thomas.
12. The City assumes no liability whatsoever relating to the work undertaken by the Contractor.
13. Within six months of receiving grant approval, the owner or their agent must submit to the City the final paid invoice from the Contractor. The City will not provide a grant for an amount greater than the approximate grant amount approved, even where the final invoice is greater than the approximate grant amount.

Eligible Work

Funding will be based on amounts as shown in the table below:

I-I Reduction Strategies	Implementation Process	Strategy Cost
Disconnection of foundation drains and installation of new sump pumps	City to administer program for installation of sump pump. Residents to contact City and sign up for program, with City paying 75% of installation cost (based on 2 contractor quotes obtained by homeowner)	City to reimburse 75% of costs, up to a maximum of \$3,750)
Installation of backwater valve on sanitary drain connection	City to administer program for installation of backwater valves. Residents to contact City and sign up for program, with City paying 75% of installation cost (based on 2 contractor quotes obtained by homeowner)	City to reimburse 75% of cost, up to a maximum of \$750)
Building/Plumbing Permit Fee	Through the City-Wide Basement Flooding Program budget, the City will pay for the cost of the building/plumbing permit for installation of a sump pump or the installation of a backwater valve or a combination of both options.	City to cover 100% of the permit fee through the program

Discontinuation of Program

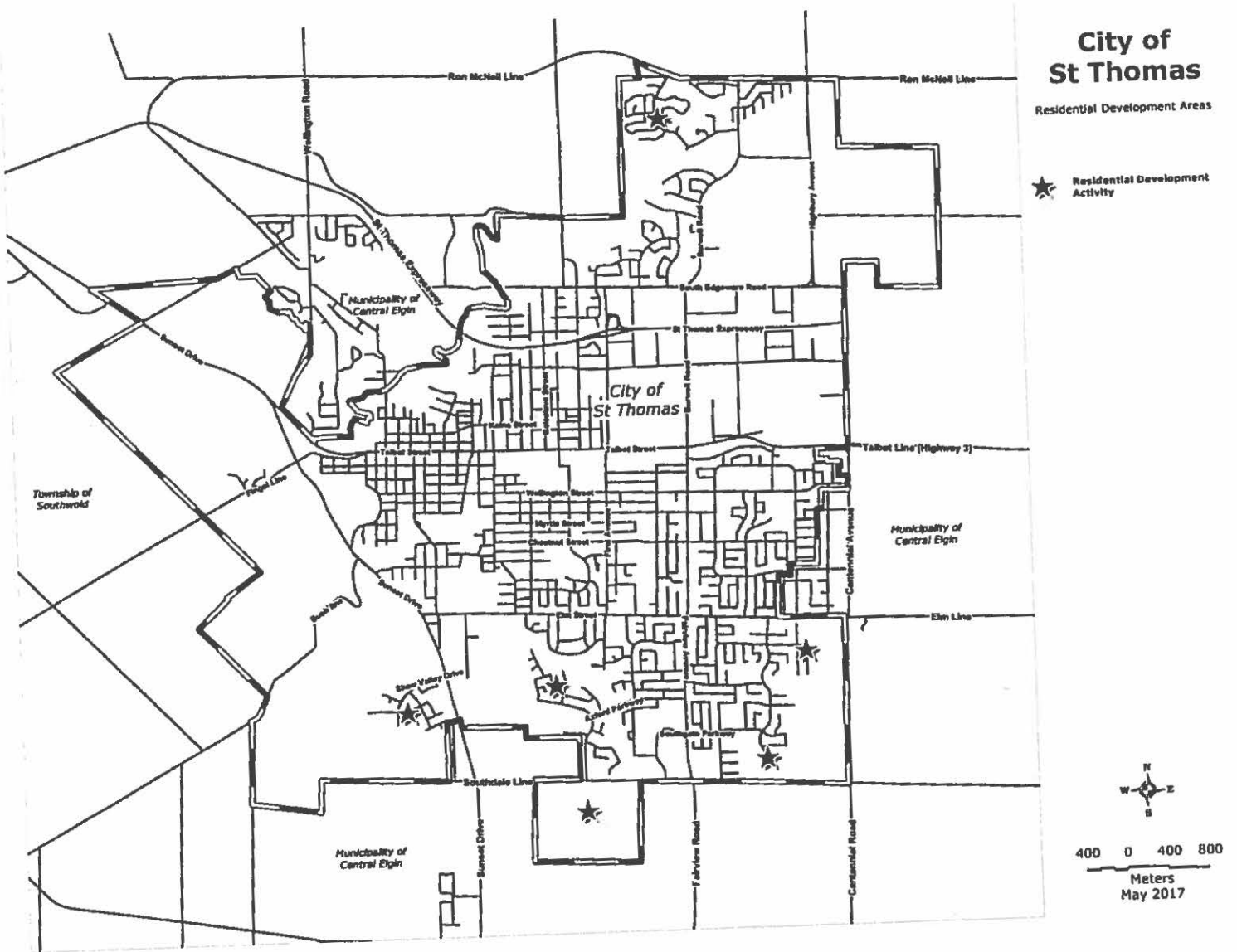
The terms of the Program are subject to change. Council may periodically review the Program Guideline to determine if the Program should continue, be modified, or cease to issue any new grants. The City may discontinue the Program at any time, without notice.

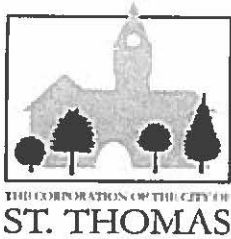
City Not Liable

In order to qualify for a grant, the owner, Condominium Corporation, or non-profit housing co-operative agrees that the City shall not be liable for any damages to the owner's property or property for which the condominium corporation or non-profit housing co-operative is responsible as a result of any of these installations.

Appendix A

Residences Eligible for the City-Wide Basement Flooding Grant Program





APPENDIX B

Basement Flooding Protection Subsidy Program Application

Section 1 – Address of Residence		
Street Number	Street Name	
Are the downspouts from your property's eavestrough still connected to the sewer system? Yes ☐ No ☐		
Do you have a front paved parking area on your property? (The portion of the boulevard or front yard that was constructed by the city for the purpose of providing motor vehicle parking for the owner/tenant. Yes ☐ No ☐		
Section 2 – Property Owner Information		
First Name	Last Name	
Phone Number	Alternate Phone Number	
Email Address		
Mailing Address (if different from above) Street Number Street Name		
City	Province	Postal Code
Section 3 – Plumber/Contractor Information		
#1. Plumber/Contractor Name		
Sub-Contractor Name (if applicable)		
#2. Plumber/Contractor Name		
Sub-Contractor Name (if applicable)		
Section 4 – Eligible Installation Costs		
		Installation costs (including permits and applicable taxes)
A) Backwater Valve		\$
B) Sump Pump System		\$
C) Foundation Drain (weeping tile) Pipe Severance & Capping		\$
Section 5 – Checklist		
☐ I have completed and signed the application form		
☐ I have attached the original quotes (2) from my contractor(s) showing: ☐ The address of the eligible installation, ☐ The name and address of the contractor, ☐ A cost breakdown of all charges, outlining in detail the eligible installation(s).		
☐ My contractor is a certified plumber.		
☐ I have read, and understand and agree to, the Subsidy Conditions. I recognize that there may be other conditions specified in the Basement flooding Protection Subsidy Program that apply to my application		