

CHAPTER 97
TOWN OF MIDDLETON
BYLAW RESPECTING RELIEF FROM LIABILITY

BE IT RESOLVED that the Town Council of the Town of Middleton hereby adopts Section 171 of the Towns Act, Chapter 472, R.S.N.S. - 1989, 1994-95, C.7, to be applicable in the Town of Middleton to the Town, its officers and employees.

1. INTERPRETATION

a.) Under this bylaw the term "sewage" means the structures, devices, equipment and appurtenances intended for the collection, transportation, pumping and treatment of sewage, including storm water and

b.) the term "water system" means the structures, devices, equipment and appurtenances intended for the collection, transportation, pumping and treatment of water.

2. RELIEF FROM LIABILITY

The Town and its officers and employees shall not be liable for any damage caused directly or indirectly by

a) the operation, maintenance, repair, breaking or malfunction of a sewer or water system, or

b) interference with the supply of water through a water system

unless the damages are shown to be caused by the negligence of the Town or its officers or employees.

3. RELIEF FROM LIABILITY FOR DISCHARGE

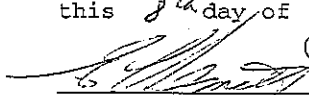
The Town and its officers and employees are not liable for any damages caused by the discharge of any sewage or water into any premises from a public sewer unless such discharge was caused by the improper construction of the sewer or by neglect in the maintenance of it.

4. RELIEF FROM LIABILITY FOR BREACH

The Town and its officers and employees are not liable for any damages caused by the discharge of any sewage or water into any premises from the public sewer in any case in which this Act or the bylaws of the Town have not been complied with by any owner or previous owner of the property.

THIS IS TO CERTIFY that this resolution was duly passed by majority vote of the whole Council at a duly called Council meeting held on the 5th day of June, 1995.

GIVEN under the hand of the Clerk and under the seal of the Town of Middleton this 8th day of June, 1995.



E. L. Bennett
Town Clerk and Treasurer

1. Notice to Council & First Reading April 25/95 + May 1/95
2. Date Notice of Intent Published in Mirror May 24/95
3. Date of Second Reading June 5/95
4. Date of Third Reading and Passing June 5/95
5. Date of Publication of Notice of Passing in Mirror June 21/95