

# TOWN OF DUNDURN

## BYLAW 2018-04

### A BYLAW TO REGULATE AND CONTROL WATER AND SEWER SYSTEM & THE UTILITY INFRASTRUCTURE LEVY OF THE MUNICIPALITY OF DUNDURN

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The Council of the Municipality of Dundurn in the Province of Saskatchewan enacts as follows:

1. This Bylaw shall be cited as "The Water and Sewer Management Bylaw"
2. **Definitions**
  - a) "Municipality" means the Town of Dundurn;
  - b) "Administrator" means the Administrator of the municipality.
  - c) "Public Works Operator" means any staff with authority under the Public Works Services
  - d) "Public Works Services" is a authorized department under the Municipality
  - e) "utility service" means water and sewer at a premise
  - f) "main" means municipal owned water and sewer lines that run down a road or easement.
  - g) "levy" means utility infrastructure upgrades in which a fee and/or charge is levied to the property owner
  - h) "services" means water and sewer service at a premise
  - i) "temporary" maximum 30 days
  - k) "system" means all apparatuses and infrastructure required by the municipality to operate water, sewer and storm water services.
3. **Utility Service and Deposit**
  - a) All persons who own a premise shall apply for water and sewer service from the Municipality and shall pay for such service at a rate, service charge and/or fee as outlined in the Municipalities Utility Rate Bylaw regardless of a tenant or lease occupancy. These fees may be amended from time to time.
  - b) All persons who own a premise shall pay a utility deposit in the sum as outlined in the Schedule 'A' attached to this Bylaw. These fees may be amended from time to time. The water utility deposit shall be refunded upon service being discontinued and the account closed at the request of the consumer when the property title is transferred, provided all water, sewer, water delivery and garbage pickup charges are paid in full.
4. **Voluntary Water Service Disconnection and Reconnection Requests**
  - a) Disconnection - upon receiving notice in the prescribed form from the property owner, if weather permits, the Municipality shall disconnect water services at the curb stop.
  - b) If the curb stop cannot be shut off due to weather conditions, the Public Works Operator or Utilities Department shall notify the home owner. The Municipality is not responsible for failure of any notifications if contact information is not valid or not specified.

- c) Voluntary water service disconnection will only be approved for unoccupied premises or for temporary utility or plumbing service work.
- c) Disconnection of water services does not stop charges of all other utility related services including sewer, utility delivery and infrastructure fees.
- d) Reconnection – upon receiving notice in the prescribed form from the property owner, if weather permits, the Municipality shall reconnect water services at the curb stop.
- e) The charge as outlined in Schedule 'A' attached to this bylaw to reconnect water service at the curb stop shall be paid to the Municipality.
- f) Notice of not less than 72 hours shall be given to the municipality by the consumer for all service connection and disconnection requests.

**5. New utility account applications**

- a) Every owner before occupancy of a premise shall complete a new account application for utility service and submit a refundable utility deposit as outlined in *Subsection 3(b)* before service will be authorized.
- b) The new account application fee will be as outlined in Schedule 'A' attached to this Bylaw and is non-refundable.
- c) Every owner who has requested their account closed and their deposit refunded or have used their deposit to pay for any arrears, shall be considered a "new account application" should those person(s) request utility service again at any premise serviced by the Municipality and are subject to the fee as described in *Subsection 5(a)(b)*.
- e) Any utility infrastructure levy fee charged on the land must remain in the account of the land owner.

**5. New Construct Water and Sewer Connection Levy Fee**

- a) Every new construct residential or commercial water and/or sewer connection to the main within the municipal boundaries shall pay a one-time infrastructure levy fee as outlined in Schedule A when connecting to existing infrastructure and/or in existing sub-divisions.
- b) The infrastructure levy is due in full before connection to the main.
- c) Every new construct residential or commercial water and sewer connection outside of municipal boundaries that is approved for utility service from the Municipality shall pay an infrastructure levy fee as determined by Council of the Town of Dundurn in full before connection.
- d) New sub-division development lot levies as negotiated between the municipality and developer that includes new construct water and sewer infrastructure costs may be at different rates at the discretion of Council.

**6. Water Supply Regulations**

- a) The Municipality shall have the right to limit the amount of water furnished to any customer, should circumstances seem to warrant such attention.
- b) Council may by resolution restrict the watering of lawns and gardens. If this provision is enacted, consumers with even building numbers shall be allowed to water on Mondays, Wednesdays and Fridays and consumers with odd building numbers shall be allowed to water on Tuesdays, Thursdays and Saturdays.

**7. Sewage Discharge**

- a) No person shall discharge into any drain, sewer or storm drain system operated by the Municipality a harmful matter, substance or thing, whether liquid or solid, that would be injurious to health, life or property or that would injure, pollute or damage any stream, watercourse, drain, sewer, storm drain system or sewage treatment plant.
- b) The service of any person who contravenes this section of the bylaw may be discontinued and/or a fine of minimum \$100.00 to \$10,000 and/or full cost of discharge cleanup will be imposed for each breach of the bylaw.

**8. Sump Pump Discharge**

- a) Where in the opinion of the Municipal Public Works Services, the landscaped area around a building is adequate to dispose of subsurface drainage without causing a nuisance to adjoining properties, the discharge from the sump pump shall be directed to the outside of the building and discharged on to a splash pad.
- b) Where in the opinion of the Municipal Public Works Services, the landscaped area around the building is inadequate to dispose of subsurface drainage and/or where such drainage may result in a nuisance to other properties, the type of system and point of discharge shall be acceptable to the said Supervisor.

**9. Tampering with Curb Stop Valve or Water Metre**

- a) No person shall tamper with a curb stop valve located on municipal property unless authorized by Public Works Services, Administration or Council.
- b) Whereby a municipal curb stop is found to be located on private land, the municipality shall authorize it to be closed or capped and reinstalled at the property line, at the cost of the municipality.
- c) No person shall tamper with a water metre and shall report any issue or breakage accidental or not to the municipality in a timely manner.
- d) The property owner shall bear all costs to repair a water metre or curb stop due to tampering or accidental breakage, or in the case that a new metre or curb stop must be installed due to tampering or accidental breakage; unless authorized otherwise by Public Works Services.
- e) The service of any person who contravenes this section of the bylaw may be discontinued and/or a fine of minimum \$100.00 to \$10,000 and/or a chargeback for approximated water usage not registered due to tampering will be imposed for each breach of bylaw.

**10. Connection Requirement**

- a) The owner of every parcel of real property to which a service connection to the potable water and sanitary sewer system can be, or has been made, and upon which a building or structure containing a plumbing fixture is situating, is required to connect such building or structure to the municipalities main service connection at the owner's expense.
- b) In the event of any owner failing to make the required connection within ninety (90) days of being notified in writing by the municipality to do so, the Public Works Services shall have the connections completed with all costs charged back to the property owner and a fine of minimum \$100 to \$10,000 may also be charged at the discretion of Council for breach of bylaw.



- c) Every residence, and every building containing washroom facility shall be connected to the municipal sewer and water supply system at the owner's expense.
- d) Where occupied, every residence and commercial establishment shall contain a functioning washroom facility with an operational connection to municipal water and sewer services.

**11. Application for New Sanitary Sewer and Potable Water Connections**

- a) No person shall connect any building water or sewer to a service connection curb stop or main until he has completed an application and/or agreement in the form of Schedule B.

**12. Service Connection Standards**

- a) All services shall be installed in accordance to municipal standards and specifications, as amended from time to time. The Municipality shall not be responsible to meet the elevation or connect to an existing building service installed by the previous owner if the situation does not meet the municipal standard or specification and the owner will be required to repair to the standards specified in order for the municipality to authorize a connection to the system.
- b) The Municipality or its agents shall in all cases construct the water and sewer connection from the main to the property line of the owner requesting the service, with all reasonable costs to construct the installation charged back to the property owner.
- c) In all cases the property owner or its agents shall construct the water and sewer connection from the property line to the building at the cost of the owner or its agents.
- d) All connections to municipal infrastructure including the curb stop must be inspected by Public Works Services before back filled.

**13. Water Meters**

- a) The Municipality shall supply one (1) water meter per potable water connection to a building at the cost of the municipality. The municipality shall own each water meter.
- b) Meters are to be installed with dual back flow valves at the cost of the owner in accordance to Provincial Plumbing Codes and Standards.
- b) Should a property owner request a meter to be tested for calibration, a fee shall be charged to the property owner as outlined in Schedule 'A' attached to this Bylaw. Should the meter be found to require calibration outside of the minimum standards, the fee shall be refunded.
- c) If a meter is found to require calibration outside of the minimum standards; a billing adjustment may be requested for not more than one (1) billing cycle before the date of meter being tested.
- d) No water metre is to be activated by the property owner, agent or plumber until final inspection and approval of installation by Public Works Services, Schedule B.

**14. New Water, Sewer & Meter Connection Inspection**

- a) The property owner or agent shall notify the Municipality as soon as the work for which the service connection approval was issued is ready for inspection and no service connection from the property line to the building shall be covered until it has been inspected and passed.
- b) In the case of a new water meter installation or replacement of an existing meter, no water service shall be turned on to the building until the installation has been inspected and passed.

## 15. Enforcement of Arrears and Penalties

- a) If a user of utility services fails to pay amounts charged as set out in this bylaw or any other utility rate bylaw or fails to pay any other charges, fees, rents or amounts levied by the municipality in relation to the provision of water and sewer services, the Municipality may, in addition to any other remedies available to it for the non-payment of charges, fees, rents or amounts levied, discontinue the provision of water and sewer services to the user upon giving reasonable notice of its intention to do so to the user. The Municipality or its employees shall not be liable for any damages resulting from the discontinuance of water supply to any building, boiler or other apparatus deriving its supply from the municipal water system.
- b) Any arrears on a utility account regardless of the service to which the arrears may occur from may result in the water to the property being disconnected until all arrears are paid.
- c) If the person to whom utility services are supplied is the owner of the land or building to which the service is supplied, the sum payable by him for the service and all rates, costs and levy's imposed pursuant to this bylaw or any other utility rate bylaw, charges, fees, rents or amounts in the relation to the provision of water and sewer services, are a lien on the land and building which has priority over all other liens or charges save that of the Crown and are a charge on the goods and chattels of the owner and may be levied and collected in the same manner as taxes are recoverable.
- d) If the person to whom the water and sewer services are supplied is a person other than the owner of the land or building to which the service is supplied, then the sum payable by him for the service and all rates and costs imposed pursuant to this bylaw and any other charges, fees, rents or amounts in the relation to the provision of water and sewer services are a debt due by the property owner and are a lien on his goods and chattels and may be levied and collected with costs by distress.
- e) If a utility infrastructure levy is charged to the land and the owner of that land fails to pay the infrastructure levy as set out in this bylaw and any other utility rate bylaw or fails to pay any other charges, fees, rents or amounts levied by the Municipality in relation to the utility infrastructure levy, the Municipality may, in addition to any other remedies available to it for the non-payment of utility infrastructure levy, charges, fees, rents or amounts levied, discontinue the provision of water and sewer services to the user upon giving reasonable notice of its intention to do so to the user. The Municipality or its employees shall not be liable for any damages resulting from the discontinuance of water supply to any building, boiler or other apparatus deriving its supply from the municipal water system.
- f) A distress and sale for rates, charges or rents pursuant to this bylaw is to be conducted in the same manner as distresses and sales are conducted for the arrears of taxes, and the costs chargeable are those payable pursuant to the Distress Act.
- g) An attempt to collect any rates, charges or rents pursuant to this bylaw or any other utility rate bylaw does not in any way invalidate any lien the municipality is entitled to on land, buildings, or goods and chattels by virtue of this section.
- h) As per *Section 31 of The Municipalities Act*, if any rate, charge or rent owed by an owner or tenant of land or a building is in arrears, the rate, charge or rent may be added to, and thereby form part of the taxes on the land or buildings of the owner with respect to which the water and sewer service was provided.
- i) Where any rate, charge or rent in arrears remain unpaid by over 90 days, that they may be added to and thereby form part of the taxes on the land or building(s) with respect to which the service was provided.



16. Any person who contravenes any provision of this bylaw for which no other penalty is provided shall be guilty of an offense and liable upon summary conviction to penalties provided under the general penalty bylaw of the municipality.
17. Bylaw 2013-01 is hereby repealed.



  
Per Vinding, Mayor

  
Eileen Prosser, Administrator

Introduced and given first reading on June 11, 2018  
Given second reading on June 11, 2018  
Given final reading and hereby adopted on this June 11, 2018

Certified true copy of Bylaw 2018-04  
Adopted by resolution of council.

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Eileen Prosser, Administrator



**TOWN OF DUNDURN**

**Schedule A**

**To Bylaw 2018-04**

**Fee Schedule**

Utility deposit - Property owner	\$ 220.00
Utility deposit - Non-property owner (not applicable)	\$ 0.00
New Account Application -	\$ 0.00
Temporary disconnect and reconnect service at curb stop - Extra fees may apply due to inclement weather locates.	\$ 50.00 each
Water Meter Calibration Testing -	\$ 150.00
Construct new water service connection infrastructure fee (existing sub-divisions and/or neighbourhoods)	\$ 1,800.00
Construct new sewer service connection infrastructure fee (existing sub-divisions and/or neighbourhoods)	\$ 6,200.00

