

TOWN OF PILOT BUTTE
Bylaw No. 2-2012

A BYLAW OF THE TOWN OF PILOT BUTTE IN THE PROVINCE OF SASKATHEWAN, TO MANAGE AND CONTROL THE USE, CONSUMPTION AND DISCHARGE OF A WATER AND SEWER PUBLIC UTILITY.

The Council of the Town of Pilot Butte in the Province of Saskatchewan enacts as follows:

1. This Bylaw shall be cited as **“The Water and Sewer Management Control Bylaw”**.
2. This Bylaw is enacted under Section 48 of *The Public Health Act, 1994* and Sections 23-32 and 362-369 of *The Municipalities Act*.
3. **In this Bylaw,**
 - a) **“Authorized Person”** means an employee of the Municipality or an individual/business contracted by the Municipality to perform work on behalf of the Municipality.
 - b) **“Boundary”** means the perimeter of an owner’s parcel of land.
 - c) **“Commercial Building”** means any principal business, trade, profession, industry, occupation, or employment carried on, and any premises from which goods and services are provided; and shall include any public building such as a school, hospital, church, etc.
 - d) **“Common Property”** means:
 - (i) real property owned by “tenants in common”, who each have an “undivided interest” in the entire property;
 - (ii) property managed by a homeowners’ association in a condominium project or a subdivision development, which all owners may use and each owns a percentage interest; or
 - (iii) lands owned by the government for public common use, like parks and national forests.
 - e) **“Council”** means the Council of the Municipality.
 - f) **“Fees”** means rates for service, connection, and disconnection of service.
 - g) **“Municipality”** means the Town of Pilot Butte.
 - h) **“Owner”** means a person who has the right, title, estate, or interest in land or improvements other than that of a mere occupant, tenant, or mortgagee.

- i) **“Parcel of land”** means:
 - (i) all or part of any parcel, as defined in *The Land Titles Act, 2000*, on an approved plan;
 - (ii) a number of parcels, as defined in *The Land Titles Act, 2000*, that are assessed together; or
 - (iv) any area of land used for a single assessment.

- j) **“Plumbing Regulations”** shall mean *The Saskatchewan Plumbing Regulations, 2011* and amendments thereto.

- k) **“Public Utility”** means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use: water, sewage disposal, public transportation operated by or on behalf of the municipality, drainage, electrical power, heat, waste management, residential or commercial street or road lighting, systems for the provision of radio or television services or both, any other system or works approved by the Saskatchewan Municipal Board.

- l) **“Raw Water”** means water that is not supplied by the public utility.

- m) **“Residential Building”** means the premises containing a residential dwelling unit and to include, a home occupation and a mobile home dwelling.

- n) **“Residential Multi – Family”** means a building comprised of two or more dwelling units located on a parcel of land.

- o) **“Service Connection”** means the part of the system or works of a public utility that runs from the main lines of the public utility to a building or other place on a parcel of land for the purpose of providing the utility service to the parcel, and includes the connection to the main line and couplings, stopcocks, meters and other apparatus inside the building or other place for the provision of the public utility.

- p) **“Water Meter Deposit”** is a refundable deposit paid by the owner of a parcel of land, to have a water meter supplied by the Municipality to measure the water usage to the parcel of land.

3. Public Utility Service Connection at or near the Boundary of a Parcel of Land

- a) A public utility service connection shall be installed at or near the boundary on all parcel of lands with a residential, commercial and residential multi - family building.

- b) A public utility service connection may be installed at a vacant parcel of land upon request by the owner of the vacant parcel of land.

- c) The Municipality shall determine the location of the public utility service connection at or near the boundary of the parcel of land.
- d) The Municipality shall be responsible for the hiring of a contractor to construct, maintain, repair and replace a public utility service connection at or near the boundary of a parcel of land, may enter any land for that purpose and shall restore any parcel of land entered for that purpose as soon as is practicable.
- e) As a term of supplying the public utility service to a parcel of land, the Municipality shall make the owner of the parcel of land responsible for the costs of the construction, maintenance, repair and replacement of the portion of the service connection from the main lines of the system or works to the boundary of the street, road, or easement.
- f) The costs as noted in Section 3(e) shall be an amount owing to the Municipality by the owner of the parcel of land.
- g) Any unpaid costs relating to the public utility service connection shall be added to the tax roll of that parcel of land.

4. Public Utility Service Connection from the Boundary of the Parcel of Land to a Residential/Commercial Building

- a) The owner of a parcel of land with a residential, commercial or residential multi - family building shall connect to the public utility, shall use the public utility for all inside water use, and shall be responsible for the costs related to, and the construction, maintenance, repair, and replacement of a public utility service connection located above, on or under the parcel from the boundary of the parcel of land to the residential or commercial building, unless otherwise determined by the Municipality.
- b) The service connection shall be approved and inspected by the Municipality, with the works to be done, in accordance with *The Plumbing Regulations*.
- c) If the municipality is not satisfied with the construction, maintenance, repair or replacement of a service connection by the owner of a parcel of land, the municipality may require the owner to construct, maintain, repair or replace the service connection of a public utility in accordance with the instructions of the municipality within a specified time.
- d) If an owner does not comply with the requirement (as noted in Section 4(c)) of a municipality to the satisfaction of the municipality within the specified time, or in an emergency, an authorized person of the Municipality may enter any land or building to construct, maintain, repair or replace the service connection and shall restore any parcel of land entered for that purpose as soon as is practicable.

- e) The costs (as noted in Section 4(a)) incurred by a municipality relating to the construction, maintenance, repair or replacement and restoration shall be an amount owing to the Municipality by the owner of the parcel of land, unless otherwise determined by the Municipality.
- f) Any unpaid costs relating to the public utility service connection shall be added to the tax roll of that parcel of land.

5. Water Public Utility –Water Meters and Access

- a) Water meters shall be installed in every residential, commercial and residential multi - family building where the public utility is supplied to a parcel of land.
- b) At the discretion of the Council, common or individual metering and shut offs may be required for residential multi – family dwellings.
- c) The water meter location shall provide sufficient space for installation and convenient access.
- d) Water meters shall remain the property of the Municipality.
- e) The water meters shall be read and/or estimated monthly and invoiced to the owner of the parcel of land.
- f) Any authorized person of the Municipality is entitled to free access at all reasonable times to all parts of parcel of land to which the water public utility is connected for the purpose of:
 - i) reading meters
 - ii) directing and installing or sealing meters or other appliances, and removing, altering, or repairing such meters as circumstances require;
 - iii) conducting and sampling tests;
 - iv) inspecting any service connection, and
 - v) maintenance and repair.
- g) Any person who obstructs or refuses to admit the authorized person by the Municipality to have free access at the proper hours of the day and upon reasonable notice given, and/or request made, to all parts of the premises in which the water public utility is delivered, for the purpose of inspections or repairing any service pipe or for the placing of meters upon any service pipe or connection within or without any building as he deems expedient and for the purpose of protecting or regulating the use of any meter shall be deemed guilty of an infraction of this bylaw.
- h) Where in the opinion of the authorized person by the Municipality, any water meter fixture or pipe is insufficiently protected from extreme temperature the Municipality may terminate the supply of water upon serving written notice to the owner of the parcel of land.

- i) No person shall wilfully tamper with any water meter connected to the service, either inside or outside of a building so as to alter the amount of water registered by the meter.
- j) The owner of a parcel of land shall be invoiced the applicable water meter deposit fee as referred to in Schedule "A" to this bylaw.
- k) The water meter deposit shall be refunded upon service being disconnected and all water and sewer utility fees being paid in full.
- l) Upon disconnection of the water public utility service, all or any portion of the water meter deposit may be applied to unpaid water utility and/or sewer utility fees.
- m) Any unpaid costs relating to the deposit, replacement, or damage of a water meter shall be added to the tax roll of a parcel of land.

6. Public Utility Management and Control:

6.1 Water Public Utility

- a) The use of existing raw water wells for yard irrigation shall be permitted.
- b) The installation of a new raw water well or the replacement of an existing raw water well shall be permitted at the discretion of Council.
- c) Back flow prevention devices shall be supplied and installed by the Municipality immediately at the discharge side of the water meter to all parcels of land with raw water wells.
- d) The Municipality shall have the right on two days notice, to impose the rationing of water, and otherwise limit the amount of water to be furnished to any parcel of land, as circumstances warrant, and the Municipality shall not be liable for damages by imposing such limits and rationing.
- e) No person shall vend, sell, dispose, or in any way convey, or permit public utility water to be carried or taken away or use it to supply it for the use or benefit of others; to any land or use the water service for any other use than for which has been authorized by the Municipality for that land, owner, or occupier.
- f) No person shall introduce into the municipal water system any harmful matter, substance, or thing, whether liquid or solid, that would be injurious to health, life, or property or that may injure, pollute, or damage any stream, water course, drain sewer, sewage system, and water system, and/ or the water treatment plant.

- g) No person shall:
 - i) wilfully or maliciously hinder or interrupt the Municipality or authorized person in the exercise of any of the powers conferred with respect to the provisions of the water public utility service;
 - ii) wilfully or maliciously discharge water so that it is wasted;
 - iii) wilfully open, close, or obstruct any water hydrant;
 - iv) attach any pipe or line to the water public utility except for normal household use.
- h) The regulations governing plumbing and drainage made by the Minister of Health and approved by the Lieutenant Governor in Canada under *The Public Health Act, 1994* shall apply to and govern all plumbing and drainage within the Municipality.
- i) Application for a plumbing permit shall be completed by a plumber or plumbing contractor on a prescribed form and be accompanied by the required fee to the Municipality.
- j) The fee for the permit shall be as specified in *The Plumbing Regulations*.

6.2 Sewer Public Utility

- a) *The Plumbing Regulations* shall apply to all plumbing and drainage within the Municipality.
- b) Owners of a parcel of land who wish to be supplied with sewer service from the sewer public utility must make application to the Municipality and pay the applicable fee as per Bylaw No. 6-1995.
- c) Application for a plumbing permit shall be completed by the plumber or plumbing contractor on a prescribed form and accompanied by the required fee to the Municipality.
- d) No person shall discharge into any drain, sewer, or sewerage system operated by the Municipality anything of a harmful matter, substance or thing, whether liquid or solid, that may be injurious to health, life or property or that would injure, pollute, or damage any stream, watercourse, drain, sewer, sewerage system or sewage treatment plant.
- e) No person shall discharge waste water from weeping tile and/or sump pumps into the public sewer utility system.

7. Enforcement

- a) In the event an owner or occupier of a parcel of land shall breach any of the provisions of this bylaw, the Municipality shall:
 - i. provide reasonable notice and have the right to disconnect the parcel of land from the water and sewer public utility;
 - ii. add any costs related and owing to the tax roll of that parcel of land ;
 - iii. pursue any other remedies it has available at law, including civil action through the courts.
- b) Any person who contravenes any provision of the bylaw shall be guilty of an offence and is liable upon summary conviction to penalties provided under The General Penalty of the Municipality.

9. Bylaws Repealed

That Bylaws No. 17-2011 are hereby repealed.

10. This bylaw shall take effect on the date it is given third and final reading.

Mayor

SEAL

Administrator

Certified A True And Correct Copy Of A Bylaw
Passed By Resolution Of Council Of The Town Of
Pilot Butte At A Meeting Held The 27th Day Of February,
2012.

ADMINISTRATOR

Schedule "A"

Water Deposit Fee:

1. The Water Meter Deposit Fees shall be as follows:
 - a. 5/8" water meter \$350.00
 - b. 3/4" water meter \$400.00
 - c. 1" water meter \$525.00
 - d. 1 1/2 " water meter \$785.00
 - e. 2" water meter \$950.00
 - f. 3" water meter \$2950.00
 - g. 4" water meter \$4550.00

