

BYLAW NO. 42-2017

**A BYLAW OF THE TOWN OF HEPBURN IN THE PROVINCE OF SASKATCHEWAN
TO CONTROL AND REGULATE THE WATER AND WASTEWATER UTILITIES PROVIDED BY THE
TOWN OF HEPBURN**

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

1. This bylaw may be cited as **“The Town of Hepburn Utilities Management Bylaw”**.

DEFINITIONS:

2. In this bylaw:

“CAO” or **“ADMINISTRATOR”** shall refer to the Chief Administrative Officer of the Town of Hepburn;

“COUNCIL” shall refer to the Council of the Town of Hepburn;

“DESIGNATED OFFICER” shall mean the person authorized to enter a private dwelling for maintaining, repairing or replacing town-owned meters;

“DWELLING UNIT” shall be as defined in the Town of Hepburn Zoning Bylaw;

“MUNICIPALITY” shall refer to the Town of Hepburn;

“OUT OF TOWN SUBSCRIBERS” shall mean individuals/businesses who:

1. own a structure located outside of the corporate limits of the Town of Hepburn;
2. receive either water or Wastewater service from the Town of Hepburn;
3. do not pay taxes to the Town of Hepburn on the structure referenced in 1 above.

“PROPERTY” shall mean a parcel of land located within the boundaries of the Town of Hepburn and on which a building or buildings (commercial or residential) may or may not be situated, whether such buildings are occupied or unoccupied.

PURPOSE:

3. The purpose of this Bylaw is to set out management policies with respect to utilities within the boundaries of the Town of Hepburn by identifying requirements, expectations, deposits, maintenance responsibilities and general services.

REQUIREMENT TO CONNECT TO WATER AND WASTEWATER SERVICES:

4. Any owners of property in the municipality whose land or any portion of whose land adjoins a street or lane along which a water or wastewater main has been laid are required to connect the principal building(s) to the system of water and wastewater mains constructed and owned by the Town. All occupied buildings must be connected to the appropriate utility lines. Any property not connected at the time of passing of this bylaw will be expected to make the necessary arrangements for water (and, if available, Wastewater) line(s) to be installed from the mainline to the property line before any additional development will be allowed on the property.

5. At the discretion of Council, a developer may be required to install all or a portion of the mainline to service development in instances where the water and/or Wastewater main has not already been installed in an adjoining street or lane.

6. Each dwelling unit or other structure to which water is supplied (including apartments, duplexes, semi-detached dwellings, condominiums and garages) must have an individual water meter and curbstop to facilitate individual billing. Meters can only be installed where a plumbing permit has been issued and the installation is to be done by a qualified plumber.

7. Each dwelling unit, as set out in this bylaw, must have a separate curb-stop to facilitate water disconnection for vacancy or non-payment with the following exceptions:
- a. If the billing is being paid by a Condominium Association with a shared service line from the curb and there is a need for disconnection for vacancy or non-payment the main service valve to the condominium group will be turned off; and,
 - b. In instances where existing multi-unit buildings do not have individual curb-stops for each unit, the owner will be required to install same at his/her own expense or must agree to have the entire water billing rendered in his/her name.

8. All contractors working on connections to water and Wastewater mains within Town limits must be approved by the municipality and must have a Town Business License.

9. All connections made to the main water and Wastewater lines shall be subject to the approval of and inspection by the municipality prior to water being turned on. The installation and inspection MUST take place prior to the lines being buried. If the municipal staff has not been advised of the need for an inspection the Town may require the contractor to reopen the trench to ensure proper connection.

APPLICATION TO RECEIVE UTILITY SERVICE

10. All properties within the corporate limits of the municipality must be supplied with water from the municipal system and all new development is required to connect to the Town sanitary system wherever possible. Properties that do not have access to the Town Sanitary system shall install a private on-site sanitary system in accordance with Saskatchewan Public Health requirements. An application to the Municipality in a form as set out in Schedule "A" to this Bylaw shall be completed and connection fees paid in accordance with Schedule "B" where applicable.

11. Application for utility service shall be made by the property owner. Landlords will be required to leave the utility billing in their name as property owner in order to ensure they have control over the payment of the utility billing.

METER READINGS & BILLING PROCEDURES

12. Accounts for water service and/or Wastewater service shall cover a period of one month and shall be rendered on or before the fifteenth day of the month next following such period.

13. In the event a meter or remote reader is inaccessible for whatever reason, the designated officer shall leave a note indicating the need for a reading. If a reading cannot be obtained an estimate will be used for billing purposes.

14. Accounts shall be paid within a period of thirty days from the date on which such accounts are rendered. If an account is not paid within the period of sixty days, the water service may be disconnected.

WATER DISCONNECTION

15. The municipality reserves the right to shut off the supply of water for any of the following reasons:

- a) Failure to open an account or failure to complete an accurate written application for service;
- b) Non-payment of the Town utility bill;
- c) Failure to provide access to the premises;
- d) Tampering with the water meter or the seal;
- e) Theft of water;
- f) Excess leakage of water on the private service line;
- g) Contamination or potential for contamination of water from the private service or private system;

h) Contravention of any section of this Bylaw.

16. If water service is disconnected due to non-payment, the service will not be reconnected until all arrears are paid in full together with a fee of \$60.00 to cover the expenses of turning off the water and for turning it on again; provided that if it is required to turn on the water service outside the employees' regular working hours, the call-out fee shall be \$100.

17. In instances where an emergency requires the temporary disconnection of water to a property, there will be no charge to the occupant.

18. If the water supply to a property is disconnected for infringement of the provisions of the bylaw, the same shall not be reconnected until all penalties, fees, rates, charges and arrears have been paid or arrangements have been made for full repayment of same.

NEW CONSTRUCTION AND INSTALLATION OF WATER METERS AND REMOTE READERS:

19. The municipality will not be responsible for the installation of a new water meter, expansion tank or other plumbing fixtures in a newly constructed building. This must be done by a qualified journeyman plumber. The Municipality will supply the water meter.

20. At the time of new construction it is expected that a 'remote' reader be installed and that this be placed on the front or side of the building to ensure the municipal staff does not need to access the back or side yard of the property or an area within a fenced/locked location.

21. If a remote reader is already located on the side or rear of a building, the municipality will not be responsible for any damage done to flower beds, gates, fences and the like and cannot guarantee that gates will always be appropriately secured following the reading of the remote. Further, if said remote is inaccessible due to the gate being locked, family pets being allowed to run at large within the fenced area, or other reasons beyond the control of the municipality, the owner will be requested to move the remote to an accessible location that is not within the fenced area.

22. If a remote meter reading device is installed in addition to the existing meter, the meter shall be the official reading.

23. If a meter has failed to register during any portion of the preceding month, the amount of water consumption for the month will be estimated based on previous usage.

24. At the time of new construction it is the responsibility of the owner to ensure that the curb stop (cc) is not restricted by landscaping, driveways or other material.

25. It is the responsibility of the property owner to ensure that the curb stop (cc) and water meter are accessible at all times. If damage is done to lawns, gardens, driveways, sidewalks or premises in locating the curb stop or water meter it remains the responsibility of the owner to ensure repairs are made to the owner's property.

SUMP PUMP REQUIREMENTS:

26. Sump pumps and sump pits are recommended for all new construction.

27. Sump pumps and weeping tile drainage shall not be directed into the Town sanitary sewer and shall be pumped to the surface in a location that drains towards the front street or back lane without negatively affecting adjacent properties.

GENERAL PROVISIONS:

28. The Town Waterworks staff shall be the designated officer with respect to repair, replacement or maintenance of town-owned meters. The Municipality will be responsible for the meter only, not parts connected to the meter nor for any plumbing that may be required in replacement of a meter.

29. The municipality reserves the right to disconnect the water service from any customer, without notice, and to keep the water service off for as long as necessary, to enable street repairs, service type repairs, or for the purpose of constructing new works.

30. The Town Waterworks staff may enter the premises in which a customer has water service, for the purpose of removing any meters or other property of the Town if the water supply has been discontinued.

31. In the event of a water break on a service line or damage to a service line, the cost of repair shall relate specifically to the location of the damage or break. Should the damage or break occur at the curbstop or on an individual's property side of the curb stop they will be responsible for the cost of repair. Should the damage or break occur on the Town property side of the curbstop the Town will be responsible for the repair. In the event that there is no clear definition as to the location of the break the cost will be shared on an equal basis by the Town and the property owner. The Town expects that the owner will immediately contact Town Administration or Public Works staff prior to any work being undertaken. If no contact is made with the Town prior to the contractor commencing work, the Town will not take on the responsibility for any of the billing relative to repair work that is done. Any contractor hired to do work in the Town will need to be vetted by the Town prior to commencing work or the Town will not take responsibility for any of the billing.

32. Out of Town subscribers do not pay taxes to the Town for the structure being serviced and service must be fair and equitable to other residents of the Town who are supporting the utility through the taxes they pay on their land and improvements within Town limits. Accordingly out of town subscribers will be subject to the following provisions:

- a. water service shall not be permissible to properties outside of the Town boundaries in accordance with the Saskwater agreement;
- b. Wastewater rates for out-of-town subscribers shall be double the rate for Town properties in consideration of the associated taxpayer funded wastewater infrastructure maintenance and capital expenses;
- c. Any repair to any wastewater line lying between the last service connection within the Town, and the out of town subscriber will be the responsibility of that subscriber, regardless of whether it lies within or beyond Town boundaries. Any such costs will be incurred reasonably, and will be invoiced to the user, to be paid within 30 days;
- d. Where an invoice (b above) is not paid within 90 days, service will be suspended until the account is current. Thereafter, the municipality will not undertake any repair to the said wastewater line until such time as the costs have been estimated, and the subscribers have deposited that amount with the Town on account of the anticipated costs.

33. In the event of a Wastewater blockage on a service line, the cost of repair shall relate specifically to the location of the blockage. It is anticipated that a blockage on a service line is the result of inappropriate use of the service line and the cost will be that of the home owner unless there is substantive proof that the blockage is as a result of work being done on town property. The owner shall contact Town Administration or Public Works staff prior to any work being undertaken. If no contact is made with the Town, the Town will not take on the responsibility for the billing of any work that is done.

34. The Town shall not be liable for damages due to wastewater back-up. It shall be the responsibility of the consumer to install anti-backflow valves where service is provided by an individual lift pump on the property. Plumbing regulations require anti-backflow valves and covers for floor drains to be part of the original installation. It is the owners' responsibility to ensure proper use of and operation of these safety devices.

TERMINATION OR TRANSFERRING ACCOUNTS:

35. Consumers transferring from one property to another within the Town must immediately notify the Town office of the move. If the Town office is not notified the customer will remain liable for the total billing applicable to the former property until the Town is notified.

36. Consumers vacating any property or terminating services must give notice of termination or vacating to the Town office.

PAYMENT OF CONNECTION FEES:

37. All water and wastewater connection fees are to be paid at the time of application unless other financing arrangements are entered into with the Town.

RESTRICTIONS:

38. The municipality shall have the right, by resolution of Council, to limit the amount of water furnished to consumers should circumstances warrant such action.

REPEAL PREVIOUS BYLAW:

39. Bylaws 182-09 and 192-09 are hereby repealed.

COMING INTO FORCE AND EFFECT:

40. This bylaw shall come into force upon adoption by Council.

Read a first time this 15th day of March, 2017

Read a second time this 15th day of March, 2017

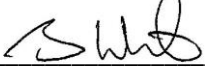
Read a third time and adopted this 15th day of March, 2017

SEAL

Mayor

Chief Administrative Officer

Read a third time and adopted
this 15th day of March, 2017



Administrator

SCHEDULE "A"
Water and Sewer Account Application

PART 1 (Part 1 is required to set up a new account – it is critical that we have a contact number and email address as part of your application.)

(Please note: Your account name should appear as shown on your property title)

****Principle Account Holder:** _____

Secondary Account Holder: _____

Street Address: _____

****Billing Address:** _____

*****Home Ph #::** _____ **Work Ph #:** _____ **Cell Ph #** _____

****Email:** _____

Possession Date: _____

<p>The following is applicable to renters only: Please note that we are required to report delinquent accounts to the property owner. Please initial to indicate that you have read and understand that the Landlord will receive copies of correspondence regarding your account.</p> <p style="text-align: right;">Tenant's initials _____</p>
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****REQUIRED information*****A minimum of one working telephone number is **REQUIRED**

For office use only:

Date Received: _____

Water Connection Fees: Yes____ No____

Wastewater Connection Fees: Yes____ No____

SCHEDULE “B”
Offsite Development Levy -
Water and Wastewater Connection Fees

WATER CONNECTION FEE: \$5,000/ CONNECTION

WASTEWATER CONNECTION FEE: \$7,500/ CONNECTION

*A new connection is any development or lot that was not previously connected to the Town water and/ or wastewater infrastructure.

Connection fees have been established to recover the costs of new and expanded infrastructure including the development of the potable water system in 2012 and future projects such as the wastewater lagoon expansion and other water and wastewater improvements required for future growth.

The Town of Hepburn may impose a Development Levy for the purposes of recovering all or part of the capital costs to provide offsite infrastructure for water, wastewater, stormwater, roadways and other related infrastructure required for future growth and development.

New subdivision and development that requires on-site services such as new water, sanitary or stormwater mains, roadways and other infrastructure will be addressed separately in a Development and Servicing Agreement at the cost of the developer.