

TOWN OF PENSE

BYLAW 17/2013

BYLAW OF THE TOWN OF PENSE TO PROVIDE FOR THE MANAGEMENT AND ADMINISTRATION OF WATER AND SEWER SERVICES.

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

PART I – GENERAL:

1. **Title:** This bylaw shall be known as the Water and Sewer Utility Administration Bylaw, 2013.
2. **Definitions :** The following definitions shall apply to this Bylaw:
 - (a) “ADMINISTRATOR” means the Town Administrator for the Town of Pense.
 - (b) “CONSUMER” means any person or persons who occupies a premises and makes application for water and sewer utility services, and for whom a utility account is established.
 - (b) “PARCEL” means a building or structure or any part thereof, which is connected to utility services and which has a separate metered water supply.
 - (c) “OWNER” means the assessed property owner or authorized representative thereof, as contained in the records of the Town.
 - (d) “PREMISES” mean business and/or residential buildings located within the Town or any part thereof. Where a parcel of land or a building contains one or more portions or units which are or may be occupied separately and are each connected to the water supply or separately metered, then each such portion shall be a premises.
 - (e) “PROPERTY PORTION” means the property between the outer line of the street and the inner surface of the wall of the building supplied with the sewer and water service.
 - (f) “SERVICE CONNECTION” means the water and sewer pipes which connect the water and sewer mains to the inner surface of the wall of the building supplied with the water and sewer utility service.
 - (g) “STREET PORTION” means the property between the water and sewer mains and the outer line of the street.
 - (h) “TOWN” means the Town of Pense, in the Province of Saskatchewan.
 - (i) “UTILITY” means the water and sewer utility continued by this Bylaw.

- (j) "UTILITY ACCOUNT" means the record of account maintained by the Administrator showing water and sewer utility service rates billed to the parcel and payments received on the account.
- (k) "UTILITY RATES BYLAW" means Bylaw No. 25/2013 of the Town, as amended from time to time;
- (l) "UTILITY SERVICE" means the provision by the Town of a public potable water supply to a Premises and the provision of a public sewage collection and disposal system from a Premises.

3. **Interpretation:** Any reference to a statute shall be taken to include a reference to any amending or replacement statute.

PART II – CONTINUATION OF WATER UTILITY

4. **Continuation:** The Town, having constructed and operated a water supply system and the town sewer system as a public utility, and being vested with authority pursuant to:
- (a) Clause 8(1)(i) of *The Municipalities Act*, which grants the Town the authority to pass bylaws respecting services provided by or on behalf of the Town, including the authority to establish fees for providing those services; and
 - (b) Clause 8(1)(j) of *The Municipalities Act*, which provides the Town the authority to pass bylaws respecting public utilities; hereby continues the water and sewer utility for the purposes of supplying water to any resident or business located within the Town in accordance with the terms of this Bylaw.

PART III – CONNECTION TO UTILITY:

5. **Requirement to Connect:**

- (a) Every Premises located within the Town shall be connected to the Utility, except as otherwise provided by this Bylaw.
- (b) Premises may be exempted from the requirement to connect to the Utility by resolution of Council, which exemption may be granted, refused or rescinded within the sole discretion of Council
- (c) Where there may be any Premises not connected to the Utility, which Premises are not the subject of an exemption resolution granted by Council as at the effective date of this bylaw, the Owner of such Premises shall apply to be connected to the Utility on or before the 30th day thereafter.
- (d) Where Premises are hereafter constructed within the Town, and where such Premises have not been granted an exemption, the Owner of such Premises shall apply to be connected to the Utility on or before the granting of a building permit for construction, and any such Premises may not be occupied until such

time as the Premises are connected to the Utility in accordance with the terms of this Bylaw.

- (e) Where Premises are to be renovated and such renovations require the cessation of Utility Service, the Owner shall apply to be temporarily disconnected from the Utility for such time as shall be necessary to effect renovation, such application to be made on or before the granting of a building permit for the purposes of such renovation (or in the event a permit is not required, at least 10 business days before renovation shall commence).
- (f) Where Premises are to be demolished and where such Premises have not been granted an exemption, the Owner shall apply to be disconnected from the Utility, such application to be made on or before the granting of a demolition permit by the Town.

6. Connection Point and Place of Supply

- (a) From and after such time as connection to the Utility is approved, and subject to the terms and conditions of this Bylaw and any other bylaw of the Town of Pense, where water service is to be provided to Premises, the Town shall supply water to the Premises at the property line of the land to be serviced, adjacent to such street, lane or easement upon which the water supply line shall be situated.

7. Construction of Service Connection:

- (a) The Owner of each Premise is responsible for any and all construction work done to connect to or to disconnect from the Utility, as provided for in this Bylaw. Such responsibility shall extend to and include obtaining the necessary permits and authorizations, the supervision of any contractor(s) and ensuring that any work meets the specifications and requirements of the Town
- (b) No Owner shall install a Service Connection without first obtaining a Service Connection construction permit (as set out in Appendix I) prior to the start of any installation of a Service Connection. Fees for such a permit are set out in Schedule "A" of this bylaw.
- (c) No Service Connection shall be installed:
 - (i) Until the Owner shall have paid to the Town, in advance, the fees set out in Schedule "A" to this Bylaw;
 - (ii) Except in accordance with Town construction design standards as set out in Appendix "II", unless otherwise permitted in writing by the Town;
- (d) Every Service Connection constructed shall be inspected and accepted by a designated Town representative prior to backfilling.
- (e) Fees to be paid to the Town may be adjusted:

- (i) Where the Owner requests installation work from the Town which is above the normal prescribed minimum standard, in which case, the Owner shall be responsible to reimburse the Town for all additional cost arising therefrom:
- (ii) Where the Service Connection is made on a street which is not contained on a normal sixty-six (66) foot street right-of-way allowance. Street width variations from this standard shall be adjusted on a proportionate basis.
- (f) The Town or its contractor shall install the Street Portion of the Service Connection unless there is a Development and/or Servicing Agreement entered into to the contrary. Regardless of who undertakes construction, any such Street Portion, when constructed, shall belong to the Town and shall be the Town's responsibility to maintain.
- (g) No owner shall disconnect a Service Connection previously made.

8. Maintenance & Repair of Service Connection:

- (a) The Town shall be responsible for all maintenance of the Street Portion of the Service Connection. At such time as the Street Portion of the Service Connection is deemed by the Town to be beyond repair, the Town may, under *The Local Improvements Act, 1993*, replace the Service Connection at the expense of the Owner.
- (b) The Owner shall be responsible for the maintenance of the Property Portion of the Service Connection, and all costs relating thereto are the responsibility of the Owner. Notwithstanding the foregoing, the Town retains all rights, including but not being limited to those of entry and repair granted to it by sections 26 through 28 of *The Municipalities Act*.
- (c) In the event of a blocked sewer line:
 - (i) The Owner is responsible to obtain the services of a private sewer cleaning service;
 - (ii) The cost of the work shall be borne as follows:
 - (A) All invoices for sewer service shall be rendered to the Owner. The Owners shall direct the sewer contractor to, if possible indicate on their bill the location and cause of the blockage, and:
 - (1) Where the blockage was located on the Street Portion of the Service Connection, the Town shall reimburse the owner for all reasonable costs;
 - (2) Where the blockage was not on the Street Portion, the Owner shall bear the costs;

(B) Where the location cannot be ascertained, the Town will reimburse the Owner for one-half of all reasonable costs.

PART IV - ADMINISTRATION OF ACCOUNT:

9. Application for Commencement and Termination of Service:

- (a) All Applications for Utility Service shall be made in the prescribed form attached as Appendix "III".
- (b) All consumers who are not the owners of the property to be served shall pay a utility deposit as per Schedule "A".
- (c) All applications to terminate service shall be in writing as a signature on Appendix III, shall specify the affected Premises and shall indicate the date of termination.
- (d) The Town may terminate service in accordance with the provisions of this or any other Bylaw of Council.

10. Conditions of Supply:

- (a) The Town retains the right to restrict or ration the amount of water being consumed by any Premises.
- (b) The Owner shall ensure that from and after construction of the Service Connection, all water tanks, swimming pools or other storage vessels or container which have or will contain non-potable or other contaminated water, and which are connected to the water utility service, shall have a water back flow preventer installed so as to prevent non-potable or contaminated water from siphoning back into the water utility service.
- (c) The Owner of any Premises containing a water heater which is located above ground level shall install a water back flow preventer ahead of the water heater intake, so as to prevent damage to the water heater in the event of water pressure failure.
- (d) No Owner shall sell, convey or dispose of or give away or permit water to be carried or taken away or use it or supply it for the benefit of others, without the **express** written permission of the Town. This prohibition does not apply to the supply of water and sewer service to any tenant located on the Premises, provided that water supplied to a tenant shall be consumed on the Premises and may not be used or carried to another location.
- (e) No other water supply shall be connected to the Premises in any way which would result in a direct or indirect connection to the Town water supply.

11. Meter Installations:

- (a) All water meters supplied to any person by the Town will be supplied and owned by the Town.
- (b) The owner of the property being serviced shall provide a frost proof location for the water meter that is readily accessible for the purpose of taking meter readings.
- (c) The owner of the property being serviced shall be liable for the full replacement cost of a meter installed on his property if damaged by frost or other cause.
- (d) All meter installations and maintenance work shall be scheduled at the Town Office, unless the work is of an emergency nature.
- (e) Installations of meters by request shall be charged at rates set out in Schedule "A".
- (f) **Meter Testing** – a meter may be tested for accuracy on request of the owner. Such testing shall consist of sending the meter to a qualified contractor. The results of the test shall be final. If the test confirms accuracy, the owner of the property where the meter was installed shall pay for the cost of the testing. If the test shows deficiency in the meter, the Town shall pay for the cost of the testing. Fees for such testing are set out in Schedule "A".

12. Commencement and Termination of Service:

- (a) Utility meters will be read and Service Connections turned on or off on regular working days, Monday to Friday 9:00 a.m. to 12:00 noon, 1:00 p.m. to 5:00 p.m.
- (b) Water will be turned on by a town employee only if a designated, adult representative of the Owner is present to check for leaks or open taps.
- (c) The owner must be present to allow a town employee access to the meter for a reading, unless the meter has a remote or electronic reading meter recorder attached.
- (d) Owners requiring service outside regular working hours shall pay, in advance, the after- hours charges as set out in Schedule "A" of this bylaw.
- (e) The Town reserves the right to terminate service at any time, providing the owner with 24 hours written notice.

13. Utility Billing:

- (a) Water meters shall be read every quarter.
- (b) Estimates shall be adjusted to actual usage at the billing following the estimate.

- (c) Where water consumption has not been properly recorded on the water meter, consumption may be estimated on the basis of the previous reading or on an averaged seasonal consumption and the resulting estimate may be increased by 15%.
- (d) Consumers may be permitted to pay for water and/or sewer service in advance of billings or the date such billings are due, however, that consumers shall not receive any discounts off the base rate

PART IV – PENALTIES:

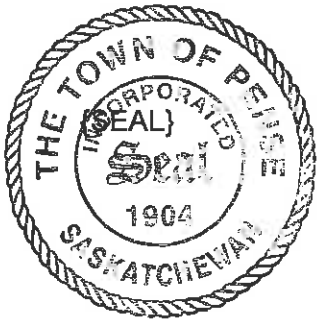
14. Where the Town should incur costs as a result of a contravention of:

- (a) Subparagraphs 5 (c) through (f);
- (b) Subparagraphs 7 (b), (c), (d) and (g);

such costs may be added to and form part of taxes on the Premises:

PART V – COMING INTO FORCE

- 15. This bylaw shall take effect on the date of third reading and adoption of this bylaw.
- 16. Bylaws 6/99, 8/95 and 49 are hereby repealed.



Michele LeBlanc
Mayor

Judith
Administrator

WATER AND SEWER UTILITY ADMINISTRATION BYLAW

APPENDIX 1

APPLICATION TO CONSTRUCT SERVICE CONNECTION

PROPERTY OWNER:

NAME: _____

MAILING ADDRESS: _____

PHONE: _____

CIVIC ADDRESS: _____

LOT: _____ BLOCK: _____ PLAN: _____

CONTRACTOR:

NAME: _____

MAILING ADDRESS: _____

PHONE: _____

The undersigned contractor hereby agrees as follows:

1. To construct the service connection in accordance with the attached specifications.
2. To provide proof of liability insurance in the amount of \$1,000,000 or more.
3. To pay an administration and inspection fee of \$50.00.
4. To indemnify and save harmless the Town with respect to any action against the Town resulting from any activity or lack of activity on the part of the contractor.

Date Contractor

For Office use only:

Receipt for Fee # _____

Proof of insurance provided: _____

APPLICATION TO CONSTRUCT BUILDING SERVICE CONNECTION

(continued)

PLAN OF BUILDING SERVICE CONNECTION:

Date of Installation: _____

Water Line Size, Type: _____

Sewer Line Size, Type: _____

Insulation Type & Location (indicate on Plan): _____

Curb Stop Replacement: _____

Inspected by: _____

Comments:

I hereby authorize connection of the above property to the water and sewer system of the Town of Pense.

Date

Authorized Town Official

WATER AND SEWER UTILITY ADMINISTRATION BYLAW

APPENDIX II

SPECIFICATION FOR BUILDING SERVICE CONNECTIONS

1. The Owner is responsible to supply all material, labor and equipment and to perform all operations involved in connection, assembly testing and certification of the water and sewer building connection(s) as described in this permit application.
2. The work consists of constriction and installation of water and sewer service pipe from the Town of Pense service box up to but not including the water meter inside of the house. Basic water and sewer construction shall be as per attached drawing "A".
3. Provincial and federal plumbing codes and any other regulations pertaining to water and sewer service installation, as well as any local Town of Pense specifications shall be followed.
4. Water and sewer connections must be inspected by the authorized town inspector before such connections are backfilled.
5. Water Service pipe shall be:
 - minimum inside diameter of 20 mm.
 - copper type "K" soft or plastic type as approved by Town engineers
 - insulated where required by the town, using insulation material as approved by Town engineers
6. Sewer Service pipe shall be:
 - PVC pipe complete with rubber gaskets as approved by Town engineers
 - minimum inside diameter of 100 mm
 - insulated where required by the Town, using insulation material as approved by Town engineers
7. Pipe Bedding and Backfill Material shall be either the bottom of the trench(undisturbed soil) or sand.
8. Water service line can be installed in a common trench with sanitary sewer line.
9. To Install:
 - ensure that all pipes and fittings are clean and free of defects before, during and after installation
 - trench to minimum cover of 2.6 m over sewer pipe, 2,8 m over water pipe at curb stop and 2.25 m at building, or as approved by Town engineers (depths are to be from finished grade)

- sewer pipe to have minimum grade of 1% for 150mm, 2% for 100mm
- lay sewer pipe on prepared bed, ensuring proper alignment to prevent undue settlement
- installation of sewer pipe shall be to pipe manufacturer's specification and using approved equipment
- sewer pipe is not to laid on frozen bedding
- water pipe is to be installed so it will drain to the curb stop from the building, at sufficient depth to prevent frost penetration

10. Building Connections:

- water and sewer connection lines shall be brought a minimum of 1 m up inside the basement. A ball valve shall be installed on the water line inside the building by the owner. The Town of Pense shall install the water meter.
- the owner is responsible to inspect the existing curb stop prior to connection of the water service. If the existing curb stop is bent or rusted or in some way damaged, the owner shall report this to the Town of Pense, The Town will then supply the owner with a new curb stop at no charge, and the owner will be responsible for installation. If the owner does not advise the Town prior to installation of the water service, the owner shall replace the curb stop at the owner's expense.

11. Inspection and Approval Requirements:

- The Town of Pense shall be contacted for inspection of all service connections prior to backfilling. Any deficiencies found during inspection shall be corrected at the owner's expense before final approval for connection is given.
- All inspections shall be done during regular working hours Monday to Friday, 8:00 a.m. to 5:00 p.m.

WATER AND SEWER UTILITY ADMINISTRATION BYLAW

APPENDIX III

APPLICATION FOR WATER AND SEWER UTILITY SERVICES

DATE _____ RECEIPT #: _____

ACCOUNT #: _____

STREET ADDRESS: _____

REGISTERED OWNER: _____

PHONE # (HOME): _____ WORK (1): _____

(2): _____

BOX #: _____

I HEREBY APPLY FOR WATER AND SEWER UTILITY SERVICE TO BE PROVIDED BY THE TOWN OF PENSE. I ACKNOWLEDGE AND AGREE THAT SERVICE SHALL BE PROVIDED IN ACCORDANCE WITH THE TERMS AND CONDITIONS SET FORTH IN THE WATER AND SEWER UTILITY ADMINISTRATION BYLAW AND THE UTILITY RATES BYLAW, AND SUCH OTHER BYLAWS AND RESOLUTIONS AS MAY BE PASSED BY TOWN COUNCIL FROM TIME TO TIME. I FURTHER AGREE TO ABIDE BY THE TERMS AND CONDITIONS OF EACH SUCH BYLAW AND RESOLUTION.

SIGNATURE: _____ DATE: _____

Termination:

I hereby apply for the above water and sewer utility service to be terminated.

Signature: _____ Date: _____

**WATER AND SEWER UTILITY ADMINISTRATION BYLAW
SCHEDULE A
FEES**

1. APPLICATION FOR NEW SERVICE CONNECTION	\$50.00
2. SERVICE CONNECTION FEE – MINIMUM FOR 66' ROAD WIDTH	\$50.00
3. SERVICE CONNECTION ADMINISTRATION FEE	\$35.00
4. AFTER HOURS SERVICE FEE (SUBSECTION 12(D))-PER HOUR	\$100.00
5. DISCONNECT FEE	\$50.00
6. RECONNECT FEE	\$50.00
7. METER INSTALLATION BY REQUEST	\$70.00
8. WATER METER TESTING	AT COST
9. UTILITY ACCOUNT DEPOSIT	\$200.00