

Amended by
2021-45
Lattard

Bylaw No. 2019-33

Water Utility Bylaw

A Bylaw to regulate the operation of a public water utility in the R.M. of Edenwold No. 158.

Pursuant to Section 23 of *The Municipalities Act* the Council of the Rural Municipality of Edenwold No. 158, in the Province of Saskatchewan, enacts as follows:

Definitions:

For the purpose of this bylaw public water utility means a works for the supply, collection, treatment, storage and distribution of water and for levying, collecting and enforcing the collection of fees for the provision of the water utility.

Administrator means the administrator of the Rural Municipality of Edenwold No. 158.

Backflow means the reversal of the direction of water flow in the water system.

Consumer means consumes, person, persons, customer, customers, are synonymous, and mean the person or persons, organizations, corporations, municipal, provincial, federal, tenant, occupant or inmate of any house or building connected to the water system who obtains water from the Municipality owned treatment plant, hydrant, stand pipe and responsible for the payment of utility charges.

Cross connection means any temporary, permanent or potential water connection that may allow backflow to occur and includes swivel or changeover devices, removable sections, jumper connections and bypass arrangements.

Fees mean rates for service, connection, infrastructure and disconnection of service.

Municipality means the Rural Municipality of Edenwold No. 158, its employee or employees whose employment requires them to undertake certain works under this bylaw.

Water meter or meter means any device approved by the Municipality which is designed to measure the quantity of water used by a consumer. A water meter may have to it a remote-reading device as a component of the meter.

Water service connection means that lateral water pipe which connects a consumer's premises to the Municipality's water main with the consumer owning that portion of the pipe lying within the boundaries of the consumer's premises excluding any pipe lying within the boundaries of any easement area granted to the Municipality for its water system.

Water system or water utility means that system of water reservoir, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, cross connections control devices and all other equipment and machinery of whatever kind owned by the Municipality and which is required to supply and distribute water to all consumers and which is deemed to be a public utility.

1. For the purpose of conducting water use surveys; or sampling, leakage, flow and pressure tests; or reading water meters; or installing, inspecting, repairing, replacing and removing water meters, cross connection control devices and related equipment upon any water service connection within or without any building or premises as may be required, employees of the Municipality employed for that purpose shall have free access at proper hours of the day and upon reasonable notice given and request made, or, in the case of the written authority of the Municipality given in respect of the special case, without notice, to all parts of every building or premises in which water is delivered and consumed.

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Bylaw No. 2021 – 45
RM of Edenwold No. 158
A Bylaw to Amend Bylaw 2019-33

Whereas, pursuant to Clause 8(1)(b) of *The Municipalities Act*, a municipality is authorized to make bylaws respecting the safety, health, and welfare of people and the protection of people and property.

The Council of the Rural Municipality of Edenwold No. 158, in the Province of Saskatchewan, enacts as follows:

Bylaw No. 2019-33 Text Change

Add

29(2) No occupant whose premise is served by a water system may dig or have dug a well for domestic, recreational, agricultural, or industrial purposes.

29(3) Any well dug before the adoption of Bylaw 2021-45 located on a premise served by a water system will be considered legal non-conforming and may not be expanded, rejuvenated, or rehabilitated.

31(2) Any occupant who digs or has dug a well in contravention of this Bylaw, or who expands, rejuvenates, or rehabilitates a well in contravention of 29(3), shall be notified through written order of their offence and shall have 90 days to have the well decommissioned by a Water Security Agency-licensed driller; the written order shall comply with Clause 364 of *The Municipalities Act* and shall be served in accordance with Clauses 390(1)(a), (b), and (c) of *The Municipalities Act*.

31(3) Pursuant to 31(2), if a well has not been decommissioned within 90 days of the notice, the Municipality may hire a licensed driller to decommission the well and may add all associated costs to the premise's tax roll as outlined in Clause 369(1)(c) of *The Municipalities Act*.

Effective Date

This bylaw shall come into force and take effect on the final passing thereof.

1st Reading: August 10th, 2021

2nd Reading: September 14th, 2021

SEAL

3rd Reading: September 14th, 2021

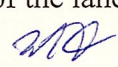
2. All persons desiring to be supplied with water from a public utility shall make application at the municipal office. A 3/4" water meter is required to be installed at all service connections. A hook-up fee in the sum of \$100 shall be paid by the consumer upon application and prior to connection of the service.
3. Where a consumer requires a larger size water meter and backflow valve the consumer must:
 - (a) make written application to the Municipality stating the requested size increase and the reason for the change to service;
 - (b) agree to pay for the additional costs of the larger meter and back flow valve.
4. A trench inspection, undertaken by the Municipality, is required prior to backfilling and water service connection to the water system utility.
5. The plumber employed and designated by the owner of the premises will be considered as the agent of the said owner while employed in the work of introducing water connection to the said premises, and will not be recognized as in any sense the agent of the Municipality, nor will the Municipality nor its employees be responsible for the acts of the plumber.
6. The water service will be turned on by an authorized representative of the Municipality. Theft of water where an unauthorized person has turned on the water will be held liable and fined.
7. No persons of any premises shall obtain water from the waterworks system by any means other than through a water meter approved by the Municipality.
8. All service connections shall be required to install a backflow prevention valve. A backflow valve fee in the sum of \$120 shall be paid by the consumer upon application and prior to connection of the service.

The Developer shall be responsible for the cost of all water meter and backflow valves required within a subdivision serviced by the utility; and, the costs shall be paid at the time of signing of a subdivision servicing agreement.

9. The water meter and backflow protection valve shall be approved, inspected and sealed by the Municipality.
10. Cross connection to the municipal water system is prohibited.
11. Where the Municipality believes that a cross connection exists the Municipality may carry out an inspection upon reasonable notice to the consumer OR without notice to the consumer where the Municipality has determined, at their sole discretion, that an immediate threat of contamination to the water system exists that may endanger public safety or property. If it is determined that a cross connection exists the Municipality may issue a written order to the owner or consumer of the premises to remedy the contravention. Where the owner/consumer fails to comply with an order issued by the Municipality the water service will be shut off. If the Municipality has determined, at their sole discretion, that an immediate threat of contamination to the water system exists that may endanger public safety or property the water may be shut off without notice to the owner/consumer.
12. The owner of the premises having obtained a service connection shall keep and maintain the service line connection, meters, water shut-off valve and other fixtures on his own premises, and between such premises and the watermain, in good order and repair and protected from frost at his own risk and expense. The owner shall ensure that the curb stop cap for the water service is kept level with all adjacent finished surfaces and

protected from damage.

13. Alteration or discontinuance of the service at any point in the distribution system to accommodate the re-development of a site shall be approved and supervised by the Municipality and all costs charged to the consumer regardless of whether the disconnect is on private or municipal property or easement.
14. The Municipality is not responsible for the replacement or repair of any surface improvements on the property being serviced, including grass, shrubs, trees, driveways, retaining walls, etc.
15. There shall be a charge to be paid by the water consumer whose water service has been turned on as set forth in Schedule "A" attached hereto, or as amended from time to time. Meter readings shall be taken every three months and every utility account shall be billed quarterly. Said charges are due upon receipt of the invoice.
16. Where for any reason whatsoever the meter reader is unable to read a meter on his regular visit, he shall leave on the premises a self reading meter card approved by the Municipality.
17. Every consumer shall pay a water infrastructure fee in accordance with Schedule "A" attached hereto. Said fee shall be paid quarterly to the administrator and are due upon receipt of the invoice.
18. Accounts unpaid after 45 days from the date of the invoice shall be subject to a late payment charge of five dollars (\$5).
19. Until notification of a request for disconnection is received by the municipal office and a final reading is obtained, the consumer shall be responsible for all charges incurred up to and including the date of disconnection.
20. The Municipality shall give notice to the consumer as soon as possible after the discovery of errors or omissions in the utility billing. All necessary adjustments for errors or omissions in the six months previous to the date of discovery shall be either invoiced to the consumer for any underpayment or refunded for any overpayment.
21. Any person who proposes to carry on, alter or expand any residential, industrial or commercial activity of any premises which is connected or is proposed to be connected to the water utility system shall prior to expanding or altering such activity or making any connection to the water utility system provide to the Municipality, in writing, the following information:
 - (a) the type and size of service connection required including daily volumes and peak volumes at the premises;
 - (b) a description of the activity to be carried on within the premises including any expansion or addition; and
 - (c) any other such information the Municipality may request.
22. Whenever any building or premises supplied by water is vacated, the owner shall apply to the Municipality to turn off the water supply on the outside of the building and shall give proper notice to the administrator. An owner or consumer who fails or neglects to give proper notice shall be liable and responsible for payment of all water rates and other charges up to and including the date the water supply is disconnected.
23. In case a premises is vacant and service pipe and fixtures are not protected, the Municipality may turn off the supply of water without notice and collect the expenses incurred. Expenses due against the said building or premises will be collected from the owner of the premises. Damage to a meter through improper protection by the owner or occupant shall be repaired or replaced at the expense of the owner.

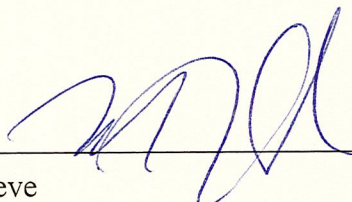
24. For failure to pay fees due, the water supply may be shut off and same shall not be restored until all arrears, penalties and other fees in connection therewith are fully paid. A reconnection fee of one hundred dollars (\$100) shall be paid prior to service being restored.
25. The Municipality shall have the right to restrict water usage to any consumer should circumstances warrant such action. In such actions may be instituted by order in periods of low water supply, and all consumers shall comply with such rationing order. Non-compliance after two warnings shall result in the service being disconnected.
26. No person shall sell, convey, dispose of, give away, wastefully dispose of, or permit water to be carried away or be taken for the use or benefit of others.
27. No person shall:
- (a) wilfully or maliciously hinder, delay or interrupt the municipality or its duly authorized employees entry into the premises for the purpose of conducting the exercise of any of the powers conferred on it with respect to the provisions of a public utility service.
 - (b) wilfully or maliciously discharge water so that it is wasted.
 - (c) wilfully open, close or obstruct any water hydrant.
 - (d) 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.
 - (e) cause any harmful or offensive matter to be added to or deposited into or on the water or water works or source of supply for such public utility or in any way wilfully damage or injure the works or pipes.
 - (f) attach or tamper with any pipe or line to the public utility or obtain or use a public utility service without the consent of the municipality.
 - (g) wilfully and without authorization hinder, interrupt or cut off the service of public utility.
 - (h) in any way interfere with or break the seal on or attached to any water meter installed in any building or premises.
28. All outstanding water accounts at December 31st shall be added to the property owners tax arrears account in accordance with *The Municipality's Act*. The cost for a registered letter informing the consumer how and when unpaid utility amounts are added to the tax account will be considered an additional charge to the consumer.
29. To improve billing accuracy and to ensure tenants are responsible for service invoices during their occupancy; and, landlords are responsible for any outstanding accounts and during time when the property is vacant the following shall apply:
- (a) Upon written advice of the landlord/owner, the water and sewer account will change into the tenant's name. The RM requests the landlord/owner's co-operation in providing information on "new" tenants. The RM will set up the water/sewer account in conjunction with occupancy dates.
 - (b) The landlord/owner and the tenant will each receive a copy of the quarterly water/sewer invoice.
 - (c) If a landlord/owner expects a long vacancy and wants to ensure that there is no consumption, a written request may be made for the RM to physically turn the water off at the curb-stop.
 - (d) At all times the water/sewer accounts are the responsibility of the landlord/owner and any unpaid accounts at December 31st of each year will be added to the tax roll account of the landlord/owner in accordance with *The Municipality's Act*. 

30. Neither the Municipality, nor its employees shall be held liable for any damages resulting from suddenly shutting off the supply of water from any building or premises deriving its supply from the Municipality's water system either with or without notice. Wherever practicable, reasonable notice of intention to shut off water supply shall be given to consumers.
31. Any person who breaches any provision of this bylaw for which no other penalty is provided is guilty of an offence and liable upon summary conviction to a fine of not more than \$500.
32. Nothing in this bylaw relieves any person from complying with any provision of any Federal or Provincial legislation or any other Bylaw of the Municipality.
33. Bylaw No. 2014-17 is hereby repealed.
34. The rates, charges, tolls or rents contained in this Bylaw shall come into force and take effect on the day of approval being issued by the Local Government Committee, Saskatchewan Municipal Board or January 1, 2020, whichever is the later.


First reading: July 23, 2019

Second reading: September 10, 2019

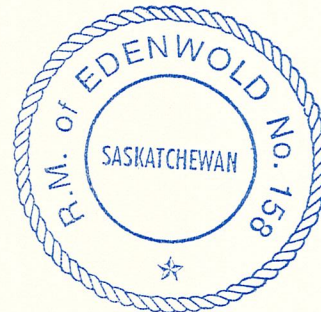
Third reading: September 10, 2019




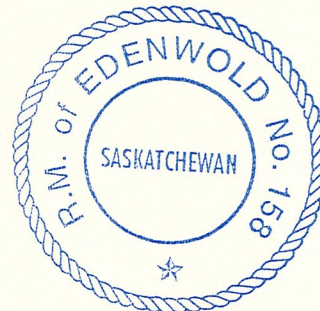
Reeve



Administrator



CERTIFIED A TRUE AND CORRECT COPY OF
Bylaw No. 2019-33
 Administrator
DATED AT EMERALD PARK, SASK.
THIS 10th DAY OF September 2019



Schedule "A" to Bylaw No. 2019-33

Quarterly Water Rates

The rates, charges, levies, tolls or rents contained in this Bylaw shall come into force and take effect on the day of approval being issued by the Local Government Committee, Saskatchewan Municipal Board or January 1, 2020, whichever is the later.

Residential & Commercial Usage

Effective January 1, 2020

0 - 70 cubic metres	at a rate of	\$1.61 per cubic metre
71 - 300 cubic metres	at a rate of	\$2.03 per cubic metre
over 300 cubic metres	at a rate of	\$3.60 per cubic metre

Effective January 1, 2021

0 - 70 cubic metres	at a rate of	\$1.65 per cubic metre
71 - 300 cubic metres	at a rate of	\$2.07 per cubic metre
over 300 cubic metres	at a rate of	\$3.68 per cubic metre

Effective January 1, 2022

0 - 70 cubic metres	at a rate of	\$1.69 per cubic metre
71 - 300 cubic metres	at a rate of	\$2.12 per cubic metre
over 300 cubic metres	at a rate of	\$3.76 per cubic metre

Water Infrastructure Levy

Effective January 1, 2020 \$6.00 per month

Effective January 1, 2021 \$7.20 per month

Effective January 1, 2022 \$7.20 per month

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October 31, 2019

Local Government Committee

Mr. Kim McIvor
Administrator
RM of Edenwold No.158
100 Hutchence Road
EMERALD PARK SK S4L 1C6

Dear Mr. McIvor:

Enclosed for your records is approval of water rates contained in Bylaw 2019-33, excluding the management fees (Clauses 2, 8 and 31- approval not required) pursuant to subsection 23(3) of *The Municipalities Act*.

Yours truly,

A handwritten signature in black ink, appearing to read "Lidiane Soares".

Lidiane Soares
Financial Analyst

Enclosure

19-311 Eberl

RM OF EDENWOLD NO. 158 – WATER RATES

*That the Committee approve the water rates, excluding the management fees as outlined in the **Rural Municipality of Edenwold's Bylaw No. 2019-33** in accordance with subsection 23(3) of *The Municipalities Act*.*

CARRIED

