

**BYLAW NO. 535/21**

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

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COUNCIL of the **Town of Spiritwood**, in the Province of Saskatchewan, enacts as follows:

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

**DEFINITIONS:**

2. In this bylaw:

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

**“COUNCIL”** shall refer to the Council of the Town of Spiritwood;

**“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 Spiritwood Zoning Bylaw;

**“MUNICIPALITY”** shall refer to the Town of Spiritwood;

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

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

**“PROPERTY”** shall mean a parcel of land located within the boundaries of the Town of Spiritwood and on which a building or buildings (industrial/commercial, residential, or agriculture) 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 Spiritwood 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 curb stop to facilitate individual billing. Meters can only be installed 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.

10. Except as otherwise provided herein, or as may otherwise be directed by Council, no person shall consume water supplied through the Waterworks System except where the consumption thereof is measured by a water meter.

#### **APPLICATION TO RECEIVE UTILITY SERVICE**

11. 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.

12. 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**

13. All property owners that are required water connection must pay a water meter deposit, as set out in the Water and Wastewater Utility Rate Bylaw. Water meter deposits are to be paid at the time of application unless other financing arrangements are entered into with the Town.

14. Water meter deposits shall be held by the Town as security for the financial obligations of the person receiving water service for any consumption rates or fees. Where a deposit does not cover the entirety of amount for which it has been taken for security, the depositor shall pay any deficiency upon being invoiced by the town. If a surplus remains after all financial obligations are completed, then the Town shall refund the surplus within a reasonable time thereafter.

15. Accounts for water service and/or wastewater service shall cover a period of three successive months and shall be rendered on or before the tenth day of the month next following such period.

16. 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.

17. Accounts shall be paid within a period of thirty (30) days from the billing date. Where the utility bill remains unpaid after thirty (30) days, they shall be deemed to be in arrears and a penalty, as set out in the Water and Wastewater Utility Rates Bylaw, shall be levied on the outstanding balance on a monthly basis starting the 1<sup>st</sup> of the following month. If an account is not paid within the period of ninety days, the water service may be cut off. After the ninety day period the amount of utility

arrears may be added to taxes.

### **WATER DISCONNECTION**

18. 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 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.

19. 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 \$100.00 to cover the expenses of turning off the water and for turning it on again. 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.

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

### **NEW CONSTRUCTION AND INSTALLATION OF WATER METERS AND REMOTE READERS:**

21. 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.

22. At the time of new construction, it is expected that a 'remote' reader, supplied by the Town, 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.

23. 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.

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

25. 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.

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

27. It is the responsibility of the property owner to ensure that the curb stop 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:**

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

29. Sump pumps and weeping tile drainage shall not be directed into the Town sewer main 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:**

30. The Municipality will be responsible for the water meter only, not parts connected to the meter nor for any plumbing that may be required in replacement of a meter.

31. Where a meter requires replacement due to damage, being frozen, or for any other reason, the subscriber shall pay to the Town an amount equal to the cost of the meter invoiced to the Town, shipping charges and an admin fee, as set forth in the Water and Utility Rate Bylaw, together with any tax payable by, or required to be levied by the Town.

32. 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.

33. The Town Municipal 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.

34. The Town is responsible for construction, maintenance, repair and replacement of the main lines and the service connection from the main line to the curb stop or if there is no curb stop the property line. Any contractors performing work on Town owned property or infrastructure must be approved by Town Council or Town Municipal staff.

35. 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 after the curb stop 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 with the curb stop or on the Town property side of the curb stop 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 Municipal 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 payments relative to repair work that is done.

36. Out of Town subscribers will be subject to the following provisions:

- a) Any repair to any water or 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;

37. 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 property owner unless there is substantive proof that the blockage is as a result of work being done on town property or the blockage being located within the Town sewer main. The owner shall contact Town Municipal 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 payment of any work that is done.

38. The Town would be responsible for the following reasons:

- a) Trees located on town property which have roots that grow into the connection or line.
- b) Problems related to the installation of other utilities by the Town within the right-of-way.
- c) Other reasons as determined by Town Council.

39. The Town shall not be liable for damages due to wastewater back-up. It shall be the responsibility of the property owner 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:**

40. Owners transferring from one property to another within the Town must immediately notify the Town office of the move.

**PAYMENT OF CONNECTION FEES:**

41. 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:**

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

**COMING INTO FORCE AND EFFECT:**

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

SEAL

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Mayor

\_\_\_\_\_  
Chief Administrative Officer

Certified a true copy of  
Bylaw No. 535/21  
adopted by resolution of  
Council on the 23<sup>rd</sup>  
day of June, 2021.

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Administrator