

THE CITY OF MELFORT

Office Consolidation

THE WATERWORKS BYLAW

NO. 2008-02

Including Amendments to March, 2009

All persons making use of this consolidation are reminded that it has no legal status and that the amendments have been embodied for convenience of reference only. A certified copy of the Bylaw and amendments should be consulted for all purposes of interpreting and applying the law.

AMENDMENTS TO THE WATERWORKS BYLAW 2008-02

AMENDMENTS

DATE PASSED

Bylaw No. 2009-04

March 9, 2009

CITY OF MELFORT

BYLAW NO. 2008-02

A BYLAW TO REGULATE THE MAINTENANCE AND MANAGEMENT OF THE WATERWORKS SYSTEM, SANITARY SEWER SYSTEM, AND FOR COLLECTION OF WATER AND SEWER RATES

The Council of the City of Melfort, in the Province of Saskatchewan, hereby enacts as follows:

1. DEFINITIONS

- (1) In this Bylaw, the words: Person, Consumer, Customer are synonymous, and mean the person or persons, organizations, corporations, etc., responsible for the payment of charges for water and sewer services.
- (2) DWELLING HOUSE ó means a private dwelling house, which is primarily to be occupied by one family, and shall include a dwelling house with a basement suite, which is accessed through a common entranceway.
- (3) DWELLING HOUSE CONSUMER ó means a water consumer who owns, rents, or occupies any such dwelling house.
- (4) ENGINEER ó means the person or persons employed by the City in the capacity of Engineer or Foreman with the responsibility for administration of the Works Department, and shall also be deemed to include the Meter person responsible for the installation, maintenance, and reading of water meters.
- (5) CITY ó means the City of Melfort and its employees.
- (6) WATER CONSUMER ó includes the owner, tenant, or occupant of any real property connected with or supplied with water through a water connection to the water system of the City.

2. WATERWORKS SYSTEM

- (1) Every person desiring to have his premises connected to the waterworks system shall apply to the City for that service.
- (2)
 - (a) The Council may cause to be installed in the premises of every person receiving water service, a meter to be placed upon the service pipe connecting the premises to the water system.
 - (b) Every person shall provide, at his own expense, a place in his premises for the installation of the meter, which shall be acceptable to the Engineer, and shall provide ready and easy means of access to said meter for examination by the meter reader and shall at all times properly and efficiently protect the service pipes and fixtures from frost or other injury so that the meter shall not in any way be damaged. In case the Engineer considers that any meter is insufficiently protected from frost, he may cut off the water service until measures to his satisfaction have been taken for its protection. Every person shall also provide at his own expense, a place, usually on the outside wall of his premises, where a remote read-out unit may be installed. The location shall be convenient for the meter reader and acceptable to the Engineer.

- (c) Every residential, commercial and other premises connected to the City waterworks system shall be equipped, at the owner's expense, with a T.R.T. (Trident Remote Totalizer) unit for the outdoor registering of water meters. The cost of the T.R.T. is to be determined by the City by resolution from time to time.
 - (d) Every person desiring to receive or to continue to receive water service shall deposit with the City, as set out in Schedule "A", the fee for each meter, provided that the person who paid the said Water Meter Deposit shall be entitled to a return of the Water Meter Deposit when service is discontinued for which the said Water Meter Deposit was paid, less any outstanding amounts due at the time of discontinuing service.
 - (e) No service will be given and any existing service may be discontinued without notice where no meter has been installed.
 - (f) Only one (1) meter shall be supplied for each connection to the water system provided, however, that the Engineer may, at his discretion, supply such additional meters as he may deem necessary.
 - (g) All complaints of excessive water usage alleged to be due to a faulty water meter will be investigated by the City upon the water consumer or person making such complaint depositing the sum of \$30.00 to the credit of the City, and if upon investigation, the said water meter is found to be faulty, the said deposit will be returned to the water consumer or complainant; otherwise, the said deposit will be retained as a service charge.
 - (h) In the event that a meter when read is found to have failed to register correctly during any portion of the preceding three-month period, the amount of water consumption for such period shall be taken to be either the same as that of the next previous period in which the meter has registered correctly, or the same as that of the corresponding period in the next preceding year, whichever may be more advantageous to the water consumer.
- (3) (a) The charges to be paid by water consumers whose water service has been turned on shall be those presently set forth in Schedule "A" hereto, or as amended from time to time; provided, however, that the basic service fee shall be payable in every case whether or not any water is consumed.
- (b) The due date for services rendered in accordance with this Bylaw shall be the date as indicated on the invoice. Account balances outstanding after the due date will be considered over due and will be subject to a penalty of 1.5% per month compounded monthly until the account including all penalties are paid in full.
- If an account is not paid in full by the due date, the water service may be discontinued without notice. When service is discontinued for non-payment, the said service shall not be reconnected until all arrears and accrued penalties are paid in full. An additional fee of Thirty (\$30.00) Dollars to cover the expense of turning off the water and turning it on again shall be paid prior to the service being reconnected. If all arrears and penalties are paid to the employee designated to discontinue the service prior to actual disconnection being effected, the service fee shall be Ten (\$10.00) to cover the cost of the employee's attendance at such premises.
- (c) The collection of the charges for water service, cut-off and resumption of such services, and sums collected from customers and the supervision of all books, accounts, and other records in connection with the water service shall be under the immediate control and direction of the City Manager.
- (4) (a) No person other than a City employee or member of the Fire Department or a person authorized by any of them shall open, close, or interfere with any hydrant, gate, or

valve connected with the waterworks system, and no person shall in any way interfere with any stop cock, pipe, or other waterworks appliance outside of his premises, nor shall he interfere with any meter, whether inside or outside of his premises.

- (b) No person shall turn water on in any premises or open a City cock or curb stop except the Engineer or a person authorized by him. When water has been turned off for non-payment of rates or for failure to protect meters or pipes to the satisfaction of the Engineer, or for any other necessary or proper reason, no person shall turn it on again who is not duly authorized to do so.
- (5) (a) For the purpose of making repairs to the mains or of connecting or repairing service pipes or constructing extensions or new work or any other work, the City shall have the right to shut off the water from any customer without notice and to keep it shut off as long as may be necessary to enable the work to be completed. Whenever feasible, the customer shall be notified in advance.
- (b) Subject to Paragraph 5(a) hereof, the City shall have the right to limit the amount of water furnished to any customer, upon reasonable notice to the customer of such intended action.
- (c) The City shall have the right by resolution to regulate the use of water for fountains or jets, hoses, or sprinklers, or to limit the hours for using the same. Every person found guilty of an infraction of any restriction imposed by authority of this Section, shall be subject to the penalty imposed by the General Penalty Bylaw.
- (6) (a) Every Customer intending to vacate any premises supplied with water from the waterworks system or who intends to discontinue the use of such water shall give notice of the same to the City and shall turn off the main valve on the inside of the building before leaving.
- (b) There shall be a \$30.00 fee charged to consumers for discontinuance and reconnection of water service on a seasonal basis.
- (c) There shall be no charge for turning water service off and on at the request of a plumber or home owner where the premises requires plumbing repairs, and the City does not lose utility revenues.
- (7) Where a consumer permits a water meter to freeze up, and damage to the meter results, repairs shall be made by the City and the cost of materials and labour shall be added to the consumer's account.

3. SEWERAGE SYSTEM

- (1) Persons who own or occupy premises drained or required by Bylaw to be drained into a sewer shall pay for such services a monthly service charge in accordance with Schedule 5A hereto.
- (2) The service charges imposed by this Bylaw shall commence at and from the time the plumbing fixtures are installed and the premises is occupied. No charge shall be made during any period when any premise is vacant and the water services have been discontinued.
- (3) No person or persons shall drain run-off water directly into the sanitary sewer system. Every person found guilty of an infraction of this Section shall be subject, upon summary conviction, to a penalty under the General Penalty Bylaw.
- (4) In addition to the requirements of the Saskatchewan Plumbing and Drainage Regulations, it shall be the responsibility of every applicant for a sanitary sewer connection to install a backwater valve on the main building drain for a single-family use or on all lateral pipes connected to the main building drain for multi unit use. Backwater valves installed in the

building drain, which are not normally open, will require a vent pipe of no less than 1½ inch (38mm) in diameter be installed in the building drain at the interior wall through which the building drain exits the building.

- (5) Where it is determined to the City's satisfaction that a sewer service line has become obstructed due to roots from a tree located on City-owned property, the City may, at its discretion, assume responsibility for a portion of the costs incurred in clearing the said sewer service line in accordance with such policy as may be established by resolution of Council.

4. **LIMITATION OF LIABILITY**

- (1) Sewer services shall only be supplied on the condition that the applicant shall make no claim against the City, its officials, employees or agents except with respect to damage caused by the negligence of the City, its officials, employees or agents acting within the scope of their employment, as the case may be. It is a further condition of supply that the applicant shall make no claim for any indirect, incidental or consequential damages, including, but not limited to, lost profits. Not to limit the generality of the foregoing, the City shall not be liable for:
 - (a) actions based in nuisance;
 - (b) actions in respect of losses which may reasonably have been prevented by properly maintained backwater valve; or
 - (c) actions in respect of losses related to the interruption or termination of sewer services or failure or refusal to provide sewer services whether or not notice was provided.
- (2) Sewer services shall only be provided on the condition that the applicant shall indemnify and save harmless the City, its officials, employees and agents in respect of all claims arising from the provision of sewer service, excepting those claims caused by negligence as described in Subsection (1). Not to limit the generality of the foregoing, the applicant shall indemnify and save harmless the City, its officials, employees and agents from and against claims for damages by the applicant or any third party arising directly or indirectly:
 - (a) from the connection with the Sewage Works System or the provision of sewer services to the premises owned or occupied by the applicant or any person to whom the applicant is a agent;
 - (b) from the failure of the Sewage Works System, sanitary sewer connections or any part thereof or appurtenance thereto; or
 - (c) from the absence or lack of a properly operating backwater valve.

5. **GENERAL**

- (1) Dwelling house consumer water and sewer accounts shall be rendered bi-monthly, and all other water and sewer consumer accounts shall be rendered monthly.
- (2) The Council may, from time to time, by resolution, determine the periods for billing purposes.
- (3) Bylaw No. 2005-18 is hereby repealed

6. **COMING IN TO FORCE**

This bylaw shall come into force and take effect on January 1, 2008.

Mayor

City Clerk

INTRODUCED AND READ THE FIRST TIME this 21st day of January, 2008.

READ THE SECOND TIME this 21st day of January, 2008.

READ THE THIRD TIME this 21st day of January, 2008.

SEAL

CERTIFIED a true copy of Bylaw No. 2008-02,
adopted by resolution of Council on the 21st day
of January, 2008.

City Clerk

Schedule "A"

TO BYLAW NO. 2009-04

CITY OF MELFORT

I WATER METER DEPOSITS:

Every person desiring to receive or to continue to receive water and/or sewer service shall deposit with the City the following fee for each meter:

- (a) For each water meter not in excess of one (1) inch: \$100.00 for property owners
\$150.00 for renters of premises
- (b) All meters in excess of one (1) inch shall be purchased from the City and the customer shall pay the entire cost for the meter. The City reserves the right to service and/or change the meter at any time totally at City cost.

II BASIC MONTHLY WATER AND SEWER SERVICE FEES:

1. Basic monthly service fees for all consumers receiving service from the City's water and/or sewer system are as follows:

Water	\$ 22.25
Sewer	<u>5.00</u>
Total	\$27.25

2. Water rate on consumption :

Rate per 1,000 imperial gallons: \$8.70

All rates are effective May 1, 2009.