

## BYLAW 8-2019

## WATER AND SEWER MANAGEMENT BYLAW

A BYLAW OF THE TOWN OF SOUTHEY, IN THE PROVINCE OF SASKATCHEWAN, TO MANAGE AND CONTROL THE CONSTRUCTION, INSTALLATION, USE, CONSUMPTION AND DISCHARGE OF A WATER AND SANITARY SEWER SYSTEM.

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

I. DEFINITIONS

1.1 In this Bylaw:

- a) **Authorized Person** – An employee of the Town or an individual/business contracted by the Town to perform work on behalf of the Town.
- b) **Backflow Prevention Valve** – A valve in that portion of the property owner’s plumbing system known as the building drain, which is installed downstream of any connection and which is intended to prevent reverse flow from a public sewer into the sewer portion of the building plumbing system.
- c) **Blockage** – an obstruction which makes movement or flow difficult or impossible.
- d) **Boundary** – The perimeter of an owner’s property.
- e) **Commercial** – Any principal business, trade, profession, industry, occupation, or employment carried on, and any premises from which goods and services are provided; and shall include any public building such as a school, hospital, church etc.
- f) **Consumer(s), Person(s), Customers** – Synonymous terms; the person or persons, organizations, corporations, etc. responsible for the payment of charges for water and sanitary sewer service.
- g) **Council** – The council of the Town of Southey
- h) **Cross Connection** – 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.
- i) **Failure of line** – cracks, corrosion, old age can cause your sewer line to stop workings, leak, break or collapse.
- j) **Occupant** – includes:
  - I. A person residing on a property or in a building on a property;
  - II. A person entitled to the possession of a property or a building on a property if there is no person residing on the property or in the building; or
  - III. A leaseholder of a property.
- k) **Owner** – A person who has the right, title estate, or interest in land or improvements other than that of a mere occupant, tenant, or mortgagee.
- l) **Property** – Within the Municipality:
  - I. All or part of any parcel of land, as defined in *The Land Titles Act, 2000*, on an approved plan;
  - II. A number of parcels of land, as defined in *The Land Titles Act, 2000* that are assessed together; or
  - III. Any area of land use for a single assessment and includes all buildings or other structures located on a parcel of land.
- m) **Plumbing Regulations** – The Saskatchewan Plumbing Regulations and amendments thereto.
- n) **Residential** – The premises on a property containing a residential dwelling unit and includes a house used for business and residential purposes and mobile home dwelling.
- o) **Residential Multi-Unit** – A building comprised of two or more dwelling units located on a property.
- p) **Service Connection** – The part of the water and sewer system that runs from the main lines of the water and sewer system to a building or other place on a property for the purpose of providing water and sewer services to the parcel, and includes the connection to the main line and couplings, curb stops, meters, and other

apparatuses inside the building or other place for the provision of the water and sewer service.

q) **Town** – The Town of Southey, its employee or employees whose employment requires them to undertake certain works under this Bylaw.

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## II. **WATERWORKS SYSTEM**

1. Every property owner shall have his premises connected to the waterworks system and apply to the Town for that service. No person shall connect, cause to be connected, or permit to remain connected to the water system a cross connection that has not been approved in writing by the Town.
2. Serviced lots that are sold by the Town, the property owner will bear the cost of a new installation from the curb stop to their premises. Lots that are not serviced and sold by the Town, the installation from the main line to his premises including all valves and shut-offs drains shall be borne by the owner of the premises. The cost of the curb stop will be borne by the Town.
3. The Town shall be responsible for repairs to the waterline from the main line to the property line, including the curb stop and the homeowner will be responsible from the property line to the residence.
4. When applying to be connected to the Town's waterworks system, the property owner shall provide a place in his premises for the installation of a water meter, which shall be acceptable to the Town, and shall provide ready and easy access to said meter for examination and wiring for an outside read. Only one (1) meter shall be supplied for each connection to the water system, however, the Town may, at their discretion, supply such additional meters as they may deem necessary. Water meters will remain the property of the Town. A water meter deposit will be collected at the time of install at the rate set out in "**Schedule "A" to Bylaw 8-2019**".
  - I. To prevent freeze-up, the Town may authorize the consumer to connect a "bleeder" line or open a tap. The additional gallonage of water consumed is to be estimated and deducted from the charges made to the consumer during the period the water is permitted to run. This section applies only where the Town is satisfied the service pipes outside the private property are not a sufficient depth below the surface of the ground to prevent freeze-up.
5. For the purpose of making repairs to the meter(s) or for connecting or repairing service pipe or constructing extensions or new work or any other work, the Town shall have the right to shut off the water from any consumer without notice and to keep it shut off as long as may be necessary to enable work to be completed. Whenever possible, the consumers affected by these situations shall be notified by the Town of the impending shut off to enable the consumers to prepare for the lack of service.
6. The Town shall be entitled to read the water meters regularly and/or estimate the water usage. The Town must have a minimum of one reading that is not an estimate per year.
7. Every person connecting their premises to the waterworks system shall install a gate valve in the line before the meter to allow for shutting off the water to the premises. No line or pipe shall be placed before the water meter or in such a manner as to alter the amount of water registered by the meter.
8. No service will be given and any existing service may be discontinued without notice where no meter has been installed.
9. Where a consumer permits a water meter to freeze up, and damage to the meter results, repairs or the cost of a new meter shall be added to the consumers account.
10. The Town may, with or without any request of any person or shall upon request by any consumer, remove any meter placed under the provisions of this bylaw that is suspected of not correctly measuring the quantity of water delivered through the same and have the meter tested or replaced. If the meter is found to register less than three percent over or under the actual quantity, it shall be deemed to be correct. In the event that a meter, when checked, 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 the same as the corresponding period in the preceding year.

11. The charges to be paid by water consumers whose water service has been turned on shall be those presently set forth in "**Schedule B**" of **Bylaw 8-2019**.
12. Renters:
  - I. Renters of premises serviced by the Town water system pay the meter deposit as set out in "**Schedule A**" of **Bylaw 8-2019** prior to taking possession of the premises. The meter deposit less any outstanding accounts due shall be refunded when notification is received from the renter that his/her service is to be discontinued.
  - II. The property owner shall be notified that his renters have requested that the service be discontinued. Should the property owner request that the water service not be discontinued, the service from then on will be billed directly to the owner of the property until further notice.
  - III. In the case that the renter does not pay his bills, the amount will be the responsibility of the owner of the premises to pay.
13. Consumers moving from one location to another within the Town must immediately notify the Town Office of the move, or the liable for the total billing applicable to the former location for the billing period within which the move was made.
14. Users of water who intend to be absent for 3 or more months must notify the Town Office in writing that they wish their service temporarily discontinued, otherwise the normal quarterly billing will apply. They shall be requested to turn off the main valve in the inside of the building before leaving, otherwise the normal quarterly billing will apply.
15. No person shall turn water on at the curb stop except an employee of the Town or a person who has been authorized by the Town. When water has been turned off for nonpayment of rates or for failure to protect meter or pipes to the satisfaction of the Town or for any other necessary or proper reason, no person shall turn it on again who is not duly authorized to do so.
16. No person shall willfully or maliciously discharge water so that it is wasted.
17. No person shall willfully open, close, or obstruct any water hydrant.
18. No person shall construct or dig a well on any property which can be serviced from the Town's waterworks system or abuts on a water main.
19. The Town 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.

### **III. SANITARY SEWER SYSTEM**

1. Persons who own or occupy premises are required by bylaw to drain into the Town's sewer system and shall pay for such services a monthly service charge in accordance to "**Schedule B**" of **Bylaw 8-2019**.
2. Serviced lots that are sold by the Town of Southey, the homeowner is responsible for installing sanitary sewer service from the lot line to their residence. Lots that are sold as being not serviced, the purchaser will be responsible to service the lot from the main line to the residence.
3. The property owner shall be responsible for the removal of blockages in the sewer connection from the main to his building. If repairs are needed to the service line due to failure of line, the Town will be responsible to repair the line from the main line to the lot line, including repairs to the pavement. The homeowner will be responsible for repair to the line from the property line to their residence.
4. If tree roots invade and damage the sewer lines the cost will be borne by the property owner.
5. Rates for services imposed by this Bylaw shall commence at and from the time the sewer outlet is open to receive drainage, irrespective as to when the plumbing fixtures are installed.
6. All premises to be connected to the sanitary sewer system from the date of this Bylaw shall install a backflow prevention valve, in accordance with *The Public Health Act*, to eliminate sewer back-up.

7. The Town shall not be liable for damage due to back-up of sewage. It shall be the responsibility of the consumer to install anti-backflow valves and covers for floor drains and it is the owner's responsibility to ensure proper use and operation of these safety valves.
8. Every owner or occupant shall take every precaution not to cause a blockage in the sewer service line between the building and the sanitary sewer main. All expenses for the cleaning or clearing of blocked sewer service connections shall be the responsibility of the owner or occupant of the property regardless of whether the problem occurs on Town or private property.
9. Every owner or operator of a restaurant or other commercial, industrial, and institutional premises where food is cooked, processed or prepared, for which the premises are connected directly or indirectly to the Town's sanitary sewer system, shall take all necessary measures, including procuring and utilizing a mandatory grease bin or grease interceptor, to ensure that oil and grease are prevented from entering the sanitary sewer system in excess of the provisions of this Bylaw.
10. Every owner or operator of a vehicle or equipment service station, repair shop or garage or of a commercial, industrial, or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to the Town's sanitary sewer system shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing to the sanitary sewer system in excess of the limits in this Bylaw.
11. All plumbing regulations shall apply to and govern all plumbing and drainage within the Town. Application for a plumbing permit for sanitary sewer system connection and fixtures shall be completed by a plumber or plumbing contractor on a prescribed form supplied by the Regina Health Region.

#### **IV SERVICE CONNECTION**

1. The Town shall determine the location of the water and sewer connection at or near the boundary of the property.
2. The Town shall be responsible for ensuring the construction, maintenance, repair and or replacement of the water and sewer connections from the Town's main line to the boundary of the owner's property meets municipal standards and may enter any land for that purpose.
3. The owner of the property shall be responsible for construction, maintenance, repair and or replacement of the water and sewer service connection from the boundary of the property to anywhere on, under, or above their property.
4. The waterworks and sanitary sewer service connection shall be approved and inspected by an Authorized Person of the Town, with the service connection work to be done in accordance with Plumbing Regulations.
5. If any owner of a property fails to comply with the requirements of number 4, or the Town is not satisfied with the construction, maintenance, repair, or replacement of a service connection by any owner of a property, the Town may order the owner to construct, maintain, repair, or replace the service connection of the waterworks and sanitary sewer in accordance with the instructions of the Town within a specified time.
6. If any owner does not comply with any order of the Town that may be made to the satisfaction of the Town within the specified time, or in an emergency, an Authorized Person of the Town may enter any land or building, including the owner's property and buildings, to construct, maintain, repair, or replace the service connection and shall within a reasonable period of time and to the extent reasonably possible restore any property entered for that purpose to the same condition as existed prior to the Town's entry.
7. At the time of new development, if there is pre-existing waterworks and sanitary sewer service to the property, the property owner shall be responsible for the waterworks and sanitary sewer connection from their building to the property line.
8. At the time of new development, if there is no pre-existing waterworks and sanitary sewer connection to the property, the property owner will be responsible for the waterworks and sanitary services from the main to the property line to the building.

9. At the time of new development, if there is pre-existing waterworks and sanitary sewer service to the property for one service connection, and two or more are required, the property owner will pay 100% of the costs associated with putting in new waterworks and sanitary sewer service lines for the extra connections from the main line to the building, including repairs to the pavement, except the curb stop which the Town will be responsible to supply and pay for.
10. All property owners shall provide the Town with drawings and specifications on mechanical drawings to include service connections from the Town's main line to building.
11. For every multi-unit building that has separate, registered titles of ownership for each unit, there shall be one (1) sewer and one (1) water connection per unit. The sewer line shall be no smaller than six (4) inches, and the water line shall be no smaller than two (3/4) inches.
12. For every multi-unit building (under 16 units) that does not have separate, registered titles of ownership for each unit, there shall be one (1) sewer line no smaller than six (6) inches, and one (1) water line no smaller than two (2) inches.
13. For every multi-unit building over (over 16 units) that does not have separate, registered titles of ownership for each unit, there shall be a minimum of two (2) six (6) inch sewer lines and two (2) two (2) inch water lines.
14. In the case of water and sewer services for a Condominium, *The Condominium Property Act* and *The Condominium Property Regulations*, will be adhered to.
15. The Town of Southey shall not be responsible if the water line/sewer line is not efficient to service the premises. The home owner shall be responsible to install larger services from the main to their premises.
16. All domestic water and sewer lines shall meet the requirements of the Provincial Health Code.

#### **V. FINANCIAL**

1. The collection of revenue derived from the waterworks and sanitary sewer system and the payment of all disbursements connected therewith, and the supervision and control of all records and accounts shall be under the direction and control of the Town Administrator.
2. All monies collected under the provisions of this Bylaw for waterworks and sanitary sewer services shall be recorded as revenue for the waterworks and sanitary sewer service and shall be used solely for payment of capital and operations costs for the water and sanitary sewer service.
3. The owner of the property receiving the provision of a waterworks and sanitary sewer service is responsible for payment of all rates and charges applicable to the service.
4. Every person receiving water service shall deposit with the Town a utility deposit, as set out in **Schedule "A"** of this Bylaw. The person who paid the said utility deposit shall be entitled to a return of the deposit when service is discontinued for which the said deposit was paid, less any outstanding amounts due at the time of discontinuing service.
5. Water service will not be turned on until the deposit is paid in full. In instances when the Town has not turned off water service prior to the applicant occupying the property, the deposit must be paid within 10 days. If not paid, the services will be cut off and shall not be resumed until payment is received together with a re-connection fee as set out in Schedule "A" of this Bylaw.
6. All monies collected for utility deposits under the provisions of this Bylaw shall be credited to the "Utility Deposit" liability account.
7. If a utility deposit cannot be returned to the owner of the property, and all reasonable attempts have been made to return the money to the owner but with no success, the utility deposit money shall be transferred into a general water revenue account.
8. If a consumer discontinues use of the water and sewer services and any rates and charges remain unpaid after application of the deposit, the amount outstanding may be added to and thereby form part of the taxes on the property with respect to which the water and sewer service was provided, as per Section 369 of *The Municipalities Act*.

**VI. ENFORCEMENT**

1. No person shall:
  - a. Fail to comply with an order made by the Town pursuant to this Bylaw;
  - b. Obstruct or interfere with any Authorized Person or any other person acting under the authority of this Bylaw;
  - c. Fail to comply with any other provision of this Bylaw.
2. Where a contravention of any provision of this Bylaw shall be of a continuing or ongoing nature, the Town may terminate the water and /or sewer service from the property after providing reasonable notice to the owner or occupant of the property.
3. Where any expenses and costs incurred by the Town in remedying a contravention of the Bylaw shall be and are deemed amounts owing to the Town by the owner of the property, unless otherwise determined by the Town. Such expenses and costs may be recovered from the owner of the property by the Town by any of the following:
  - a. Adding the amount to the tax roll of the property on which the work is done in accordance with Section 369 of *The Municipalities Act*, and/or
  - b. Any other means or methods authorized pursuant to the *Municipalities Act* or any other legislation.
4. A person who contravenes any provision of this Bylaw or neglects or refuses to comply therewith shall be guilty of an offence and liable upon summary conviction to a fine as described in the Town's General Penalty Bylaw of not less than \$100.00 and not more than \$1,000.00.

**VII REPEAL OF BYLAWS:**

1. Bylaw No 5-1998 a Bylaw to provide for maintenance and management of the water supply system and sanitary sewer system is hereby repealed.
2. Bylaw No 9-1998 a Bylaw to regulate plumbing and drainage and the disposal of sewage within the Town of Southey is hereby repealed.
3. Bylaw No 1-2007 a Bylaw to fix the rates to be charges for the use and consumption of water and to fix the rates to be charges by way of rent or service charge for use of the sewer is hereby repealed.
4. Bylaw No. 1-2009 a bylaw to amend Bylaw No. 1-2009a bylaw to amend bylaw No. 1-2007.

**SCHEDULE "A" TO Bylaw 8-2019****Utility Deposits:**

- a) Every person desirous to receive or to continue to receive water and/or sewer service shall deposit with the Town the following utility fee:
  - \$150.00 for property owners
  - \$150.00 for renters of premises
- b) If a premise is used for rental purposes, both the owner and the renter are required to pay a utility deposit.

**Re- Connection Fees**

- a) Disconnection from failure to pay utility deposit or utility bill - \$50.00
- b) Disconnection at Owner's request (sale or vacating for travel) - \$50.00
- c) Disconnection at Owner's request for Repairs - \$25.00

This SCHEDULE "A" TO Bylaw 8-2019 shall come into force and take effect on the day of approval.

X


X


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Martin Linqebach  
 Mayor
   
 Ferne Senft  
 Administrator

**Certified a true copy of "Schedule A" to Bylaw 8-2019  
 Adopted by resolution of Council on the 12th  
 Day of November, 2019.**



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Ferne Senft  
 Administrator

**SCHEDULE "B" TO BYLAW 8-2019**

**1. MONTHLY WATER RATES:**

3,000 Gallons or less	Minimum	<u>\$16.50</u>
3,001 Gallons or more	(per 1,000 gallons or Part thereof)	<u>\$ 5.00</u>

**2. MONTHLY SEWER SERVICE CHARGES:**

Apartment Block (4 suites)	\$25.00
Barber Shop	\$11.00
Beauty Parlors	\$11.00
Butcher Shop	\$25.00

Car Wash and Laundry	\$25.00
Senior Lodging complexes	\$50.00
Churches	\$11.00
Fast Food Burger outlets	\$11.00
Grain Elevators	\$11.00
Health Centre	\$25.00
Hotel	\$25.00
Housing Authority	\$50.00
Others	\$11.00
Post Office	\$11.00
RCMP	\$25.00
Residences	\$11.00
Restaurants (with living quarters)	\$25.00
School	\$50.00
Service Stations and Garages	\$11.00
Farm Implement Dealerships	\$25.00
Stores	\$11.00

### 3. SEWER INFRASTRUCTURE FEE:

Persons who own or occupy premises drained or that by bylaw are required to be drained into the sewer system shall pay a sewer infrastructure fee in the amount of \$10.00 (ten dollars) per month or part thereof.

### 4. REGULATE PLUMBING AND DRAINAGE FEE:

The regulations of the Regina Health District governing plumbing and drainage shall apply to and govern all plumbing and drainage in the Town of Southey.

Application for a plumbing permit shall be made by the plumbing contractor on a prescribed form and accompanied by the required fee to the Administrator of the Town of Southey. The fee for a permit shall be set by the Health Region.

**This SCHEDULE "B" TO Bylaw 8-2019 shall come into force and take effect on the day of approval .**

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Martin Linzelbach  
Mayor

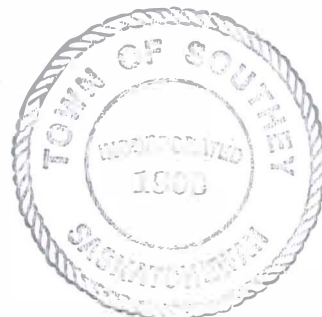
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Ferne Senft  
Administrator

**Certified a true copy of "Schedule B" to Bylaw 8-2019  
Adopted by resolution of Council on the 12th  
Day of November, 2019.**

X

Ferne Senft  
Administrator





INTER-MUNICIPAL AGREEMENT  
BETWEEN

TOWN OF SOUTHEY  
AND  
VILLAGE OF MARKINCH

The Agreement is as follows:

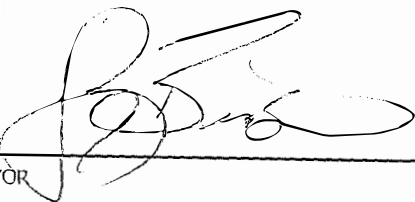
Whereas the Town of Southey has agreed to provide the services of a certified operator to oversee the Village of Markinch's sewer works:


NOW THEREFORE the parties hereto agree as follows:

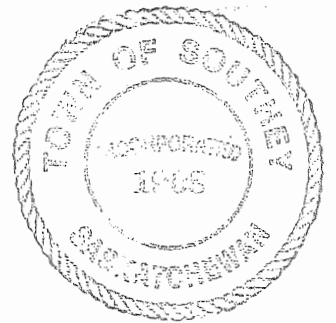
- (1) The Town of Southey operator will go to the Village of Markinch minimum of 2 visits a year to oversee that the lagoon is operating properly.
- (2) The Town of Southey operator will be available by phone to answer any questions and to attend any meeting with the Village of Markinch to address any problems.
- (3) The Town of Southey will be reimbursed by the Village of Markinch at the rate of \$ 30.00 per hour and mileage at the rate of 45 cents per km. Hourly rate changes will be reviewed yearly and possibly changed.
- (4) This Agreement shall enure to the benefit of and be binding upon the parties and their respective heirs, successors, administrators and assigns.
- (5) This agreement shall become binding upon the passing of a Bylaw by the Village of Markinch expressly ratifying the same. It is agreed that upon passing of such Bylaw, a certified copy of the same shall be provided by the Village of Markinch to the Administrator of the Town of Southey. J

TOWN OF SOUTHEY

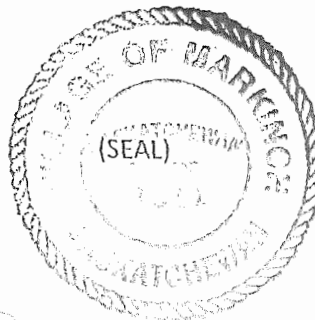
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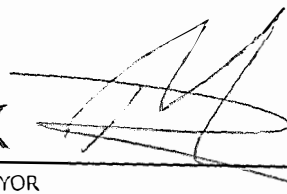
X   
MAYOR

X   
ADMINISTRATOR



VILLAGE OF MARKINCH



X   
MAYOR

X   
ADMINISTRATOR

INTER-MUNICIPAL AGREEMENT  
BETWEEN  
THE TOWN OF SOUTHEY AND THE VILLAGE OF EARL GREY

Whereas the Town of Southey and the Village of Earl Grey have agreed to provide the services of a Certified Waterworks Operator to each other in the event that some of the named municipalities is without a Certified Waterworks Operator, due to sickness or any other reason:

NOW THEREFORE the parties agree to the following:

1. The municipality will do the required water testing every day;
2. The certified waterworks operator will travel to the municipality requiring the service as requested for testing, and any other times that may be required at a rate of \$50.00 per trip;
3. The municipality shall still be required to submit the samples to the Provincial laboratory as required by law;
4. This agreement remains in effect until such time one of the parties gives 60 days notice to the other party of their intent to cancel the agreement.


Town of Southey

  
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Mayor

SEAL

  
\_\_\_\_\_  
Administrator

Village of Earl Grey

  
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Mayor



  
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Administrator