

TOWN OF LAFLECHE

BYLAW NO. 523-23

A BYLAW FOR THE USE, MAINTENANCE, MANAGEMENT & CONTROL OF THE WATER AND SEWER UTILITY SERVICES PROVIDED BY THE TOWN OF LAFLECHE.

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

SHORT TITLE

1. This Bylaw may be cited as the “Water and Sewer Utility Management Bylaw”.

DEFINITIONS/LEGISLATION

2. “Administrator” means the Administrator of the Municipality appointed pursuant to *The Municipalities Act*.
3. “Municipality” shall refer to the Town of Lafleche and its employees.
4. “Council” shall refer to the elected officials of the Town of Lafleche.
5. “Owner” means the registered owner of the land and/or improvements associated with the property.
6. “Property” shall refer to the parcel(s) of land located within the boundaries of the Town of Lafleche, commercial or residential, with or without improvements.
7. “Public Works Department” means all municipal employees who are responsible for the water and sewer operations, including the Town Foreman.
8. “the Act” shall refer to *The Municipalities Act*, Public Utilities Division, sections 23 to 32

PURPOSE

9. The purpose of this Bylaw is to govern the use, maintenance, management and control of the water and sewer utility services provided by the Town of Lafleche.

APPLICATION FOR SERVICES

10. The Municipality reserves the right to provide water and sewer utility services to the registered property owner only, whose property is assessable for tax purposes, including improvements constructed on a grade beam, constructed on a full basement or a mobile/modular home anchored to permanent cement pilings. All other improvements will require approval from Council with regards to water and sewer utility services being provided.
11. The property owner shall apply for water and sewer utility services at the Town Office by completing the prescribed form and paying the current application fee.
12. The owner also shall pay the current refundable, non-interest bearing, meter deposit upon application. This deposit will either be applied to the final utility billing or refunded, if the final utility bill is paid in full.

13. If the owner fails to pay the application fee and meter deposit, water services at the property may be disconnected until they are paid in full. Disconnection and reconnection fees will be charged.
14. Where more than one water meter is required or requested, the owner shall pay the application fee and meter deposit for each water meter.
15. The property owner will always be responsible for the utilities at the property. Tenants of a property may complete the prescribed form at the Town Office to request to receive a copy of the utility notices. The owner will continue to receive the utility notices. Utility fees and charges will not be prorated when tenants move in or out of a rental property.
16. The property owner may request a temporary or permanent disconnection or reconnection of the water services by completing the prescribed form at the Town Office. Disconnection or reconnection fees must be paid in advance of the water utility services being turned off or on.
17. Upon receiving a disconnection or reconnection request, the municipality will have 72 hours to arrange for the request to be completed. The property owner or tenant must be present when water utility services are turned on or off. The municipality assumes no responsibility for water damage inside the serviced building.
18. The Administrator is authorized to add to the utility account any disconnection or reconnection fees for which payment was not received beforehand.
19. The utility account will not be charged the monthly water and sewer base fees when services are disconnected.

WATER METERS

20. Water meters may only be installed or removed by a qualified plumber of the municipality's choosing.
21. Property owners must provide, at their own expense, an easily accessible location within their property to install a water meter. The location must be acceptable to the municipality.
22. Property owners must properly protect the water meter, service pipes and fixtures from frost or damage. Where the municipality considers a water meter to be insufficiently protected from frost or other potential damage, the water service may be disconnected until proper measures are taken to protect the water meter, service pipes and fixtures. Disconnection and reconnection fees will be charged.
23. Where the municipality must arrange to replace or repair a broken water meter, due to the property owner's negligence in properly protecting the meter, the cost for such replacement or repair will be the owner's responsibility.

UTILITY NOTICE INVOICING

24. Water and sewer utility rates, charges, tolls, rents, discounts and additional amounts or percentages to be charged for arrears thereof will be those identified in Bylaw No. 522-23 – Water & Sewer Rates.
25. For the purposes of utility billing, water meters will be electronically read by Municipality Staff around the 20th of every second month (February, April, June, August, October, December) and utility notices will be mailed out shortly thereafter.
26. Utility notice payments are due in full 30 days from the date of the utility notice.

27. At the time when utility notices are generated, all accounts with an outstanding balance will be charged a flat fee.
28. In the event a water meter reading fails to register, an estimated meter reading will be used based upon previous meter readings.
29. If a water meter reading doesn't seem accurate, municipal staff may conduct a subsequent meter reading to produce reports that may assist in determining the accuracy of the meter.
30. When a water meter is suspected to not be working correctly, the property owner may provide the municipality with a written request to have the water meter removed and tested for consumption accuracy.
 - a. If the meter is found to be registering the correct consumption, the property owner will be responsible for the cost of the test, the replacement water meter and installation costs.
 - b. If the water meter is found to be registering incorrect consumption, the municipality will be responsible for the cost of the test, the replacement water meter and installation costs and all necessary adjustments will be made to the utility account.
31. Council may authorize, by resolution, the transfer of outstanding utility account balances to the property's tax roll.

WATER & SEWER MAINS

32. All contractors working on water and/or sewer connections to the mains within the municipality must be approved by the municipal staff.
33. When water services have been disconnected, for any reason, no person shall open the curb valve to turn the water back on who is not duly authorized by the municipality to do so.
34. For the purpose of making repairs to the water mains, connecting or repairing service pipe, constructing extensions, or any other work, the municipality shall have the right to shut off the water from any and all properties without notice and keep shut off as long as necessary to complete work. Notice will be given out when reasonably possible to do so and where the work will last for longer than six hours at a time. Notice will be posted at the municipal office, post office and on all available social media outlets.
35. Pursuant to Section 25(2) of *The Municipalities Act*, the municipality will be responsible for all costs to repair and replace water lines from the water main to the curb valve.
36. Property owners are responsible for their water line from their property to the curb valve, the municipality requires an inspection prior to the water being turned on or the lines being buried. Where the municipality has not inspected the line and/or connection, the contractor may have to reopen the trench to ensure inspection takes place.
37. In the event that there is no clear definition as to the location of the break in a water line, the cost will be shared on an equal basis by the municipality and the property owner. The property owner is required to contact the Administrator prior to any work being done. If the Administrator is not contacted prior to the owner's contractor commencing work, the municipality will not take responsibility for sharing any of the costs relative to the repair work that was completed.
38. It is the responsibility of the property owner to ensure that the curb valve is not restricted by landscaping, driveways, etc.

39. Pursuant to Section 28(1) of *The Municipalities Act*, the owner will be responsible for all costs to construct, maintain, repair and replace sewer line from the sewer main to the point of service connection on the property. The municipality requires an inspection prior to the lines being buried. Where the municipality has not inspected the line and/or connection, the contractor may have to reopen the trench to ensure inspection takes place.
40. All costs incurred for cleaning or clearing blocked sewer lines will be the responsibility of the property owner from the point of service connection to the sewer main.
41. The municipality will jet the sewer lines annually on a three-year cycle, breaking up the municipality by east, central and west. Where there is a blockage reported and upon inspection, the municipality may require jetting of the sewer mains in addition to the annual cycle.

SUMP PUMP REQUIREMENTS

42. Sump pumps and weeping tile drainage shall not be directed in to the municipality's sewer.
43. A sump pump may be pumped to the street surface where a storm sewer drain is in effect and does not negatively affect adjacent properties.

GENERAL PROVISIONS

44. The municipality may, by resolution, ration or limit the amount of water to any property, should circumstances deem to warrant such action.
45. No person, other than the municipal staff or a member of the Lafleche Wood River Fire Department, shall open, close or interfere with any hydrant or valve connected with the waterworks system.

FORCE AND EFFECT

46. Bylaw No. 443-09 and Bylaw No. 510-20 are hereby repealed.

Read a first time this _____ day of _____, 2023.

Read a second time this _____ day of _____, 2023.

Read a third time and adopted this _____ day of _____, 2023.

MAYOR

(S E A L)

ADMINISTRATOR