

TOWN OF WILKIE

A BYLAW TO CONTROL AND REGULATE THE WATER AND WASTEWATER UTILITIES PROVIDED BY THE TOWN OF WILKIE.

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

SHORT TITLE

1. This Bylaw shall be cited as "The Utilities Management Bylaw".

PURPOSE

2. The purpose of this Bylaw is to set management regulations within the boundaries of the Town of Wilkie by identifying requirements and expectations including deposits and maintenance responsibilities with respect to water and wastewater utilities.

DEFINITIONS

3. In this bylaw:
 - (a) "Administrator" shall refer to the Town Administrator of the Town of Wilkie;
 - (b) "Council" shall refer to the Council of the Town of Wilkie;
 - (c) "Curb Stop" means a device for control of water flow through the water service connection to a service address;
 - (d) "Designated Officer" shall mean the person authorized to enter a private dwelling for maintaining, repairing or replacing town-owned water meters;
 - (e) "Dwelling Unit" shall be as defined in the Town of Wilkie Zoning Bylaw;
 - (f) "Meter" means a device capable of measuring volume of water, as approved by the Foreman of Public Works, and shall include all appliances attached to the meter, such as a radio and transmitting device;
 - (g) "Regular Working Hours" shall mean the hours of 8:00 a.m. to 4:00 p.m. on weekdays, not including statutory holidays and other days that the Town office is closed.
 - (h) "Municipality" shall refer to the Town of Wilkie;
 - (i) "Property" shall mean a parcel of land located within the boundaries of the Town of Wilkie and on which a building or buildings (industrial/commercial, residential, or agricultural) may or may not be situated, whether such buildings are occupied or unoccupied.

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 Municipality. 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. Properties that do not have access to the Municipal Sanitary system shall install a private on-site sanitary system in accordance with Saskatchewan Public Health requirements.

5. The Municipality is responsible for construction, maintenance, repair and replacement of the water and sewer main lines and the service connection from the water mainline to the curb stop or if there is no curb stop to the property line. Any contractors performing work on Municipal owned property or infrastructure must be approved by Town Council or Town Municipal staff.
6. The property owner is to pay all costs associated with the installation of water and sewer service lines to the curb stop located at the property line. The property owner shall also complete a new water line and sewer line agreement before any work proceeds. Any Development and Building permit required must be in place prior to work commencing; and any Town Employee who identifies work occurring shall report the work to the Town Office.
7. In the event a water or sewer service line has to be repaired or replaced, the Town shall be responsible for 100% of the costs from the main line to the curb stop at property line and the property owner shall be responsible for 100% of the costs of the service line on their property. The property owners shall hire a contractor to complete the work on their property. Municipal staff will inspect any lines before the trench is backfilled to ensure the work meets municipal specifications. The Municipality expects that the owner will immediately contact Town Municipal staff prior to any work being undertaken. If no contact is made with the Municipality prior to the contractor commencing work, the Municipality will not take on the responsibility for any of the payments relative to repair work that is done.
8. At the discretion of Council, a developer may be required to install all or a portion of the mainline to service a new development in instances where the water and/or wastewater main has not already been installed in an adjoining street or lane.
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 Municipality may require the contractor to reopen the trench to ensure proper connection.
10. Except as otherwise provided therein, 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.

NEW CONNECTION TO SERVICES

11. All requests to connect utility services shall be made to the Town Office to ensure municipal staff can schedule the connection subject to:
 - (a) The property owner or delegate must be at the residence when services are connected to ensure there are no problems (i.e.: broken pipes);
 - (a) Requests be made at least one day prior to the day the connection is required;
 - (b) All water and wastewater connection fees in the amount of \$60.00 are to be paid at the time of application unless other financing arrangements are entered into with the Municipality;

TENANTS

12. To ensure tenants are responsible for any outstanding invoices during their occupancy; and, landlords are responsible for any outstanding accounts during time when the property is vacant the following shall apply:
 - (a) Upon the completed Request for Rental Service attached as Schedule "A", the landlord/owner of the property will be added onto the water & sewer account of the rental property.

- (b) The landlord/owner and the tenant will each receive a copy of the water/sewer invoice.
 - (c) If the tenant does not complete the "Request for Rental Service" the water/sewer invoice will remain in the landlord/owner's name.
 - (d) Tenants are required to pay a water deposit equal to the minimum charge of one billing period which shall be paid prior to the water/sewer being changed into their name.
 - (e) At all times the water/sewer accounts are the responsibility of the landlord/owner and any unpaid accounts at December 31 of each year will be added to the tax roll account of the landlord/owner in accordance with *The Municipalities Act*.
13. Subject to section 14; All rates, costs or charges imposed by this Bylaw, that remain unpaid after 30 days or after December 31, in any year, may be transferred to the tax roll of the property owner, and may be collected in a like manner as municipal taxes.
14. (a) The municipality must provide notice by sending a registered letter to each the tenant and landowner at least 30 days before the amounts are to be added to the tax roll advising the following:
 - (i) The amount of the unpaid charges;
 - (ii) That failure to pay the outstanding amount in 14 days will result in the utilities being disconnected.
- (b) The municipality must apply any deposit provided by the tenant to the water usage charges with respect to the parcel of the unpaid charges if the tenant has vacated the property; and
 - (i) Subject to sub clause 14(a), discontinue the utility service to the parcel.
- (c) The costs incurred by clause 14(a) will be added to the utility account for which the notifications are being sent.

TENANT DEPOSITS

15. (a) Water deposits shall be refunded to the tenant upon service being discontinued at their request, provided that all water usage charges and fees are paid in full.
- (b) In the event water usage charges and fees are not paid in full:
 - (i) The water deposit or a portion thereof will be applied to the water usage charges and fees of the tenant/landlord; and
 - (ii) Any remaining balance will be refunded to the tenant.

UNPAID CHARGES

16. When an account is 30 days in arrears, the property owner will be notified in writing that if their account is not brought current within 14 days, the utility services will be discontinued.
17. (a) Subject to subsection 17(b); All rates, costs or charges imposed by this Bylaw, that remain unpaid after 30 days or after December 31 in any year, may be transferred to the tax roll of the property owner, and may be collected in a like manner as municipal taxes.
- (b) The municipality must provide notice by sending a letter by regular mail to the property owner at least 30 days before the outstanding amounts are to be added to the tax roll.

18. 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 \$60.00 to cover the expenses of turning off the water and for turning it on again (\$160.00 if after regular working hours). If the water supply to a property is disconnected for infringement of the provisions of this bylaw, the same shall not be reconnected until all penalties, fees, rates, charges and arrears have been paid.

WATER DISCONNECTION

19. The municipality reserves the right to shut off the supply of water for any of the following reasons:
- (a) Failure to open a utility account;
 - (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.

And furthermore; The municipality may disconnect the water service from any property, without notice, and 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.

20. All requests for disconnections shall be done by making arrangements through the Town Office at least one day prior to the day the disconnection is required. Upon receiving notification to disconnect a service, municipal staff shall ensure that someone will be at the residence at the time the service is disconnected. A check will be completed to ensure that the water line is off before leaving the residence.

21. If a property owner or tenant needs to have their water disconnected for repair purposes, a charge of \$60.00 will be added to the current utility account (\$160.00 if outside of regular working hours). If equipment is needed to locate the shut off (i.e.: backhoe to remove snow) the owner will be charged a minimum of one hour for the equipment used. Overtime rates will not be charged.

20. When a new water service is opened into a residence, the old connection shall be shut off at the curb stop by municipal staff and the property owner is responsible to cap the old service connection off inside the residence. Municipal staff are required to ensure the old service connection has been capped off.

WATER METERS AND CURB STOPS

21. Each dwelling or other structure must have an individual water meter and curb stop to allow for individual billing.

22. In a multi-unit building, as set out in this bylaw (including duplexes, semi-detached dwellings and condominiums), each dwelling unit must have a separate curb stop to facilitate water disconnection for vacancy or non-payment with the following exception:

- (a) If the billing is being paid by a Condominium Association with a shared service line from the curb.

And furthermore; If there is a need for disconnection for vacancy or non-payment, the main service valve to the condominium group will be turned off.

23. Where an existing multi-unit building does not have individual curb stops for each unit, the following applies:

- (a) The owner will be required to install individual curb stops at his or her own expense; or,
- (b) The property owner must agree to have the entire water billing rendered in his or her name.

24. The property owner of each dwelling or other structure to which water is supplied is responsible for the following:
- (a) Ensure that the curb stop is not restricted by landscaping, driveways or other material at the time of new construction;
 - (b) 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;
 - (c) The property owner may call the Town Office for a valve locate whenever work is being performed in their front yard to ensure the valves are not buried or damaged by the work being completed.

And the following associated costs:

- (c) The cost of a new meter or parts required to fix a meter plus shipping charges and taxes if applicable if a meter requires repairs or replacement due to damage from the property owner (including being frozen).
- (d) The cost of all parts connected to the meter and all plumbing that may be required in replacement of a meter.

25. (a) New water meter installations must be done by a licensed journeyman plumber. The Municipality will supply the water meter.

- (b) Replacing an existing broken or damaged water meter are to be completed by Town of Wilkie staff.

26. The Municipality and municipal staff are responsible for the following:

- (a) Supplying water meters;
- (b) Entering the premises in which a customer has water service, for the purpose of removing any meters or other property of the Municipality if the water supply has been discontinued;
- (c) Performing valve locates at no cost to the property owner when required.

27. 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. Any damaged meters are to be reported to the Town Office.

SUMP PUMP REQUIREMENTS

28. Sump pumps and sump pits are required for all new construction when dictated by building codes.

WATER CONSERVATION/RESTRICTIONS

29. All outside watering of lawns, flower beds, trees and gardens between May 1st and September 30th of each year shall be permitted during the hours of 6:00 p.m. to 11:00 a.m. each day.

30. Any person who contravenes this section of the bylaw by watering outside of the hours stated shall be guilty of an offence and is liable for the following fines:

- (a) \$50.00 for the first offence,
- (b) \$100.00 for the second offence; and
- (c) \$200.00 each offence thereafter.

31. The municipality shall have the right to limit the amount of water furnished to consumers should circumstances warrant such action.

GENERAL PROVISIONS

31. (a) No person other than a municipal employee in the course of his/her duties shall fill, or allow another person to fill, a water tank larger than 100-gallon capacity from that property's water service at any location within the Town of Wilkie.
- (b) Section 31(a) does not apply to:
- (i) 306-2nd Avenue East, Lots 8-10, Block 7, Plan C1321 (Fire Hall)
 - (ii) 703 – 8th Street West, Parcel C, Plan 64-S-08946 (Rack Petroleum)
 - (iii) A property using a back flow prevention device which will prevent contamination of the municipalities water system.
32. No person shall discharge into any drain, sewer or sewer system operated by the municipality a substance, whether liquid or solid, that would be injurious to health, life or property or that would injure, pollute, or damage any watercourse, drain, sewer, sewage system or sewage treatment plant.
37. In the event of a wastewater blockage on a service line, the costs of cleaning or unplugging the service line shall be that of the property owners, and;
- (a) If the same blockage occurs three times in a twelve-month period, the sewer camera will be used to determine the extent of the blockage at no cost to the property owner;
- (b) If the service line requires repairs or replacements, work will be completed as per section 7;
- (c) If the blockage is determined to be on the property owner's side and they do not fix or repair the service line, they will be required to contact a plumber to clear any future obstructions;
- (d) The owner shall contact Town Municipal staff prior to any work being undertaken. If no contact is made with the Municipality, the Municipality will not take on responsibility for the payment of any work that is done.
38. The Municipality is responsible for costs associated with repairs due to the following:
- (a) Trees located on municipal property which have roots that grow into the connection or line;
 - (b) Problems related to the installation of other utilities by the Municipality within the right-of-way;
 - (c) Other reasons as determined by Town Council.
39. The Municipality shall not be liable for damages due to wastewater back-up. It shall be the responsibility of the property owner to install backflow prevention devices. Plumbing regulations require anti-backflow valves and covers for the floor drains to be part of the original installation. It is the owner's responsibility to ensure proper use of an operations of these safety devices.
40. It is the responsibility of the property owner and tenant to notify the Municipality of any changes to the billing of their utility service.

PENALTIES

43. Any person who contravenes any provision of this bylaw shall be guilty of an offence and liable upon summary conviction to penalties provided under the General Penalty Bylaw of the municipality.

REPEAL

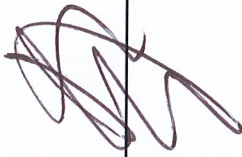
44. Bylaw No. 2024-01 of the Town of Wilkie is hereby repealed.

COMING INTO FORCE


45. This bylaw shall come into force and take effect on the day it is approved by the Council of the Town of Wilkie.



(SEAL)



Mayor



Administrator

Read a third time and hereby adopted by the Council of the Town of Wilkie this **26th** day of August, 2024.

SCHEDULE "A"

Request for Rental Service
Application Form

1. To ensure your application can be processed, please complete all sections of this form.
2. Questions can be directed to the Town of Wilkie by phone at (306) 843-2692 or email: wilkieoffice@sasktel.net

A refundable deposit equal to one quarter water billing (3 months) in the amount of \$227.00 is due at this time. This deposit will be returned to you at the time the account is closed as long as the account is paid in full.

Customer Information:

First Name	
Last Name	
Mailing Address	

Town of Wilkie Service Location Information:

Street Address	
House Number	
Effective ON Date	

Contact Information:

Telephone	
Cell Phone	
Email	

Landlord Information:

Last Name, First Name	
Telephone	
Email	

Please initial to approve disclosure of your account information to the individual identified as the landlord contact.

Applicant's Declaration:

1. In signing this form, you are declaring this information to be true and complete to the best of your knowledge.
2. In signing this form, the tenant hereby agrees to approve disclosure of your account information to the individual identified as the landlord contact.

Signature of Applicant _____

_____ Date

SCHEDULE "B"

Landlord's Acknowledgment

Civic Address: _____

- I, _____, acknowledge that any utility arrears resulting from the rental of the property listed below from any tenant, current or future, are the responsibility of myself, the landlord. If the Town of Wilkie is not able to collect the arrears within 30 days of being overdue or past December 31 annually; The outstanding amount will be transferred to the tax roll of said property as per *The Municipalities Act Section 369(1)*.
1. This document will remain in effect until such time that at least one of the following conditions is met:
 - a) The Town of Wilkie receives a document signed by, the landlord stating that the property of interest will no longer be used as a rental property.
 - b) The property of interest has sold and is no longer in the landlord's name.
 2. If condition (a) above has been met and, at a later date, the property is to be considered again as a rental property, a new Landlord's Acknowledgment is to be signed.
 3. Two copies are to be sent to, and signed by, the landlord who will return one to the Town of Wilkie.

Signature of Landlord

Date