

BYLAW 4/2020

A BYLAW OF THE VILLAGE OF DEBDEN RESPECTING INSTALLATION, MAINTENANCE AND MANAGEMENT OF ITS WATERWORKS AND SEWER SYSTEM

WHEREAS Council may provide for the regulation and operation of the Waterworks and Sanitary Sewer Systems of the Village as public access utility services;

AND WHEREAS Council may establish the terms under which a public utility service may be supplied;

AND WHEREAS the VILLAGE OF DEBDEN has established works for the collection, treatment, storage, supply and distribution of water and wastewater;

NOW THEREFORE The council of the Village of Debden in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be referred to as the "Water and Sewer Bylaw".

2. DEFINITIONS AND INTERPRETATIONS

2.1 In this bylaw:

- a) "Act" means *The Municipalities Act*, as amended from time to time;
- b) "Administrator" means the administrator of the municipality;
- c) "Applicant" means a person executing an application for, making use of or accepting the supply of water and sewer services;
- d) "AWWA Standards" means the current published standards of the American Waterworks Association as same may be amended, revised and replaced from time to time;
- e) "Curb Stop" means a device for the control of water flow from the water service connection to a premise where water is supplied;
- f) "Customer" is a property owner, tenant, occupant or person in charge or control of a premise, accepting and using any of the customary services provided or supplied by, or in connection with the Utility Services;
- g) "Meter" means a device capable of measuring volume of water, as approved by Foreman of Public Works, which is supplied by the Village of Debden and shall include all appliances attached to the meter, such as radio and transmitting device, if applicable;
- h) "Municipality and/or Village" means the Village of Debden;
- i) "Normal Working Hours" shall mean the hours of 9:00 a.m. to 4:00 p.m. on weekdays, not including statutory holidays;
- j) "Owner" means the owner of any land or building to which water and sewer services are supplied by the Village;
- k) "Premises" means a building or structure or any part thereof, which is connected to a utility service and which has a separate water supply;
- l) "Property Line" means the legal dividing line between the street and the lot to be served with water;
- m) "Service Connection/Service Line" means the lateral lines of the sewer works or waterworks that run from the main lines of the Village to a building or other place at the service address for the purpose of providing service to the service address, and includes the connection to the main line and couplings,

curb stop, meters and other apparatus inside the building or any other place at the service address for the provision of water service;

- n) "Utility Service" means the provision by the Village of a public potable water supply to a premises and the provision of a public sewage collection and disposal system from a premise;
- o) "Water and Sewer Rates Bylaw" means a bylaw, as amended from time to time, of the Village of Debden to fix the rates to be charged for the use and consumption of water, and to fix the rates to be charged by the way of service charge for the use of sewer. The Water and Sewer Rates bylaw is a companion bylaw to the Water & Sewer Bylaw.

2.2 Terms used but not defined in this Bylaw shall, except where the context requires otherwise, have the same meaning as in the *Act*.

3. ADMINISTRATION & FEES

3.1 The Works established pursuant to the Act:

- a) For the supply, collection, treatment, storage and distribution of water (the "Waterworks System"); and
- b) For the collection, treatment, storage and disposal of sanitary sewage (the "Sanitary Sewer System");

Are hereby continued as the Water and Sewer System and/or the Utility System.

3.2 The Utility shall be administered by the Administrator and/or such other persons as the Administrator or Council by resolution may appoint from time to time.

3.3 Subject to Subsection 3.2:

- a) The Waterworks System, the Sanitary Sewer System and its installation and construction and the operation, maintenance, and repair thereof, shall be under the general direction and control of the Foreman of Public Works.
- b) The Administrator or their designate shall keep full financial records of all matters related to the Utility, including but not limited to application for service, supply and consumption, Customer and Owner accounts, and capital and operating revenues and expenses.
- c) The Foreman of Public Works shall keep and maintain full descriptions and drawings of all works constructed and forming part of the Waterworks System and the Sewer System.
- d) Rates, service charges and other costs to be levied by the Village shall be set on a periodic basis by Council by way of the Water and Sewer Rates Bylaw.

3.4 Application for Services- Every customer who wishes to obtain water and services to any premises shall make an application to the Village Office as set out in *Appendix 1* and pay the Meter Deposit Fee (if applicable.) Accepting applications and connecting water services will only be done during Normal Working Hours. Signing the application signifies that the Customer acknowledges all applicable connection fees and rates as set out in the Water and Sewer Rates Bylaw.

3.5 If an owner of a premises leases, rents, sublets such premises to another user of water and sewer services as defined by this Bylaw, or permits any other party to occupy the premises, the owner will become liable for all fees, charges and outstanding amounts assessed by the Village in relation to the

provision of water and sewer services. All outstanding utility amounts on December 31 of each year will be applied to the tax roll.

3.6 Rates

WATER RATES- The charges to be paid by the Applicant and/or by the Customer whose water service has been connected shall be those set out in *Schedule A* of the Water and Sewer Rate Bylaw.

SEWER RATES- Persons whom own or occupy a premises drained into the sewer shall pay for services in accordance with *Schedule B* of the Water and Sewer Rate Bylaw.

CONNECTIONS/DISCONNECTIONS- Connection and Disconnections will be charged in accordance with *Schedule C* of the Water and Sewer Rate Bylaw.

INFRASTRUCTURE FEE- All customers shall pay an Infrastructure fee in accordance with *Schedule D* of the Water and Sewer Rate Bylaw.

METER FEES- All applicable customers will pay a deposit, where applicable, and if required repairs and testing fees in accordance with *Schedule D* of the Water & Sewer Rate Bylaw.

3.7 All bills, charges, and accounts are due and payable upon receipt.

3.8 Notice of non-payment and shut off will occur if payment is not received after sixty (60) days of being issued.

3.9 Where a deposit was collected, and a Customer ceases use of the utility and all water rates and charges are paid in full, the water meter deposit will be refunded.

3.10 Where a deposit was collected, and a customer ceases use of the utility and any charges remain unpaid, the Village has the right to apply the amount of the water meter deposit against the unpaid account, and the remaining balance will be refunded.

3.11 In the event that water has been disconnected due to default in payment, the Customer shall, in addition to payment of the overdue account, pay to the Village a flat rate fee charged (as noted in *Schedule C*) for turning the water service off. Prior to the Village returning to turn the water on, the Customer shall make suitable arrangements with the Village's Administrator. If it is requested that the water be reconnected after normal working hours, After Hour Re-connection rates will be charged.

3.12 If any rate or charge by an Owner or Customer of land or a building is in arrears after the Owner or Customer has vacated the premises and the meter deposit, if applicable, has been reversed against outstanding amounts, the balance of the outstanding rate or charge may be added to, and thereby form part of the taxes on the land or building of the owner with respect to which the water and sewer service was provided.

4. REPAIR OF SERVICE LINES

The Village of Debden is responsible for the maintenance of the water mains, the sewer mains and manholes which are located in maintained roads. Property owners are responsible for the maintenance of Service Connection Lines.

4.1 In the event that a Water service line is not functioning due to a broken, damaged, or collapsed pipe and requires replacement or repair, the cost of the replacement or repair shall relate specifically to the location of the damage or break. Should damage or break occur on a water service line at the curb stop or an individual's property side of the curb stop, they will be responsible for the repair. Should the damage or break occur on the Village side of the curb stop, the Village will be responsible for the repair.

In the event that a Sewer Service line is not functioning due to a broken, damaged, or collapsed pipe and requires replacement or repair, the cost of the replacement or repair shall relate specifically to the location of the damage or break. By authority given under Section 25(2) of the Municipalities Act, the property Owner is responsible for the cost of maintenance or repair of the sewer service line from the building structure right up to sewer main connection, including any blockages, breakages or collapses. The Village of Debden is responsible for a failure at the main line, which is owned by the Village of Debden.

In the even that there is no clear definition as to the location of the break, the cost will be shared on an equal basis by the Village and the Property Owner. The Village expects that the Owner will immediately contact Village Administration or Public Works staff prior to any work being undertaken. If no contact is made with the Village prior to the Contractor commencing work, the Village will not take any of the responsibility for any of the billing relative to repair work that is done. Any contractor hired to do work in the Village will need to be vetted by the Village prior to commencing work.

4.2 Notwithstanding Subsection 4.1, when a blockage or damage to the portion of the service connection on the Village's side of the property line arises as a result of any person on the premises served by the service connection failing to comply with the provisions of this Bylaw, or any other applicable Act, Regulation, Code or Bylaw, the Owner shall be responsible for all costs associated with clearing the blockage and repairing the damage. Tree roots, or any other impediments, originating on private property, which affect the pipe's integrity on Village-owned property, are the responsibility of the Owners.

4.3 For reason of making repairs, or extension of mains or services, the Village shall have the right to shut off water to any customer without notice for a period necessary to complete the repair or connection.

4.4 The Village or its employees shall not be liable for any damages resulting from the discontinuance of water supply, with or without notice, to any building, boiler or other apparatus deriving its supply from the Village's water system.

5. CONNECTION TO WATERWORKS SYSTEM

5.1 No person shall connect to the Waterworks System until such time as they are approved as a Customer as provided in the Water and Sewer Bylaw. And no person who is not a customer shall receive water supplied through a service connection.

5.2 Connections to the Waterworks System shall be made, transferred and terminated in accordance with the provisions of the Water and Sewer Bylaw.

5.3 Where the customer or any other person occupying a service address owns or operates hot water boilers or heating, cooling or other such equipment connected to the service connection, the customer shall ensure that suitable and sufficient devices are utilized to prevent damage to such equipment and to remove danger from collapse, explosion or otherwise if water services are interrupted, terminated or there is any variance in pressure.

5.4 Water meters and related seals, unions, couplings and flanges must be supplied by the Village and notwithstanding any degree of affixation to any land, remain the property of the Village. Damages to a meter caused by the owner or renters will be the responsibility of the owner. No person shall install, remove, repair adjust, alter or tamper with a water meter, curb stop or any part of a water service connection. The Village shall be notified immediately whenever a water meter is not operating, is damaged or if a seal has been broken. In the event that the Village Office is not notified of the malfunction, the Village shall, in addition to any other penalties set out in this Bylaw, estimate the quantity of water consumed and charge the customer for the water in accordance with the Water and Sewer Rate Bylaw. The Village retains all rights, including but not limited to those of entry and repair granted to it by Sections 26 through 28 of *The Municipalities Act*.

5.5 Curb stops must be supplied by the Village and remain the property of the Village. Every Owner shall ensure the curb stop for their connection remains accessible and undamaged. No person shall install, remove, repair, adjust, alter or tamper with a curb stop or any part of a water service connection. Any costs incurred for damages or incurred in order for the Village to access a curb stop that has been paved over or otherwise made inaccessible will be the responsibility of the Owner.

5.6 Village Council may enter into an agreement with customers for the provision of water services to properties located outside the Village limits. Such agreements shall provide for the appropriate rates and any other charges deemed appropriate. In addition, all costs connecting the utilities and maintaining connection will be paid by the customer.

5.7 No person shall use any alternate source of water supply other than the Village water system without first obtaining written consent of the Village. Private wells within the Village are not permitted. The Village may consent to the use of an alternate supply subject to the terms and conditions deemed necessary and may set a limit on the time period it may be used. Where a property is connected to the Waterworks system, the owner shall ensure that no other water source or system present on the property shall be connected in any way to the Waterworks system or any fixture, pipe, conduit which is also connected to the Waterworks system.

5.8 All swimming pools, water tanks, or other storage vessels that will have non-potable or contaminated water, and which are connected to the utility service, shall have a water back flow preventer installed so as to prevent contaminated water from siphoning back into the water utility service. Furthermore, any owner who owns premises containing a water heater which is located above ground level shall install a back flow preventer ahead of the water heater intake, so as to prevent damage to the water heater in the event of pressure failure.

5.9 Where the Foreman of Public Works shall determine that a service connection or any part thereof requires

repair or maintenance, they shall give written notice thereof to the owner. The owner shall repair or remediate the service connection to the satisfaction of the Foreman of Public Works within the time specified in the notice. In the event that the owner does not repair or remediate the service connection within a specified time:

- a) The Foreman of Public Works and any person designated by them may enter upon the owners land at the service address and complete the necessary work; and
- b) The owner shall be liable to pay all costs associated therewith.

5.10 Frozen Water Connection

- a) When a water connection or line freezes, the Customer or the Owner of the service is required to call a licensed plumber to thaw the line, at their own expense. The Village is not liable for any frozen lines to any premises.
- b) Heat tapes and all piping in the hook-up culverts for trailers are considered part of the property's internal plumbing and are the responsibility of the Owner. It is the Owner's responsibility to ensure proper access to the meter valve under the trailer for the Village's representative.

6. WATER METERS

6.1 Except as otherwise provided herein, or as otherwise directed by Council, all new service connections shall have water meters installed as per subsection 7.6.

6.2 Each dwelling unit or other structure to which water is supplied (including apartments, duplexes, and garages) must have an individual water meter and curb stop to facilitate individual billing.

6.3 Every owner shall provide at their expense, inside the premise of the service address, a space that a water meter may be installed and that the site provided for the meter shall:

- a) Permit the meter to be installed in a horizontal position with a clear space of at least 50 centimetres around the meter;
- b) Permit convenient access to the meter at all times;
- c) Permit for the Owner to protect the meter, and the service line and fixtures leading to the meter from frost or any other damage;
- d) In all single-family dwellings, be located in the basement utility area at or near the entrance point for electrical power and gas services, at a location otherwise approved by the Foreman of Public Works.

6.4 Where an owner desires a larger meter than that which the Foreman of Public Works considers sufficient, the owner may apply to the Village Office for approval. Upon approval, the Village shall supply a larger water meter, with the Owner to pay all associated rates and fees as provided for in the Water & Sewer Rates Bylaw.

6.5 Where an Owner requires an over-sized meter in place of the current meter, the Owner shall make written application to the Village for the provision of such a meter and the replacement of such. Such meters shall be supplied by the Village as made available by the Supplier. The Owner shall pay the Village a deposit in referenced *Schedule D* and shall, upon the amount being ascertained, be liable to pay the full cost of the meter deposit, shipping charges, administration and installation charges as set forth in the Water & Sewer Rates Bylaw.

6.6 Upon installation of a water meter, the meter and any pipes or accessories as may be considered appropriate shall be sealed in a form satisfactory to, and under the supervision of, the Foreman of Public Works. No person other than the Foreman, or any person designated by them in writing, shall install, remove, replace, repair, seal or break the seal placed on any water meter, pipe or accessory.

6.7 If a seal should be found to be broken or a meter appears to be damaged or frozen or it appears that the

meter has been tampered with:

- a) The Foreman of Public Works or their designate may inspect the meter and may, in their sole discretion determine that the meter requires inspection or repair, and where that determination is made, shall remove the meter for that purpose. Public Works will determine if it is a defective meter or if it has been intentionally or accidentally damaged;
- b) The Foreman shall, where necessary, disconnect and reconnect and/or replace the meter and shall re-seal the meter;
- c) If the meter was determined to be defective, it will be replaced free of charge;
- d) If the meter was found to be damaged, the initial attendance of the Foreman or their designate shall be deemed to be an initial call out for the purposes of a disconnection, and any subsequent attendance shall be deemed a subsequent call out; and
- e) The owner shall be liable to pay to the Village:
 - i. All costs associated with the inspection or repair of the meter, which shall be deemed to be damaged for the purpose of this and any other Bylaw; and
 - ii. Disconnect and reconnect fees as specified in the Water & Sewer Rates Bylaw.

6.8 Where the meter's frost plate is corroded due to condensation and the owner has requested replacement, the Foreman shall:

- a) Obtain a licensed plumber's opinion to determine whether or not there is a risk that may create a liability issue; and
- b) If satisfied that there is risk, the Village shall replace the meter at no cost to the owner. Otherwise, replacement shall be at the cost of the Owner.

6.9 Where an Owner/Customer shall desire that a meter's accuracy be tested, the subscriber shall make written application and deposit the sum specified in the Water & Sewer Rates Bylaw. Following receipt thereof, the Village shall cause such meter to be removed and tested.

6.10 Where the Foreman or the Village shall desire that a meter's accuracy be tested, the Village shall notify the Owner and shall cause such meter to be removed and tested.

6.11 Except as provided otherwise in this Bylaw, where a meter is removed and tested pursuant to Section 6.9 or 6.10:

- a) If the meter registers within the limits set out in the AWWA Standards for water meter accuracy, the meter shall be deemed to be measuring accurately and in the case of a deposit by the Owner/Customer, the deposit shall be forfeited to the Village. The attendance of the Foreman and/or designate for the purposes of removal and replacement of the meter shall be deemed an initial call out for the purposes of disconnecting utility service, and the Owner/Customer shall be responsible for the payment of the rates and fees associated therewith and all other costs arising from the removal and replacement of the meter.
- b) If the volume of water registered by the meter was more than 3% above or below the volume actually passing through the meter, the meter shall be deemed to be measuring inaccurately and in the case of a deposit by the Owner/Customer, the deposit shall be returned and there shall be no charge for the removal and replacement of the meter.
- c) Where a meter is deemed to be measuring inaccurately, the account for the service address at which the meter was located shall be adjusted by the Administrator as follows:
 - i. Where the meter was indicating more water consumed than that actually passing through the meter ("over-registering"), the Administrator shall deduct from the account for the service address a percentage of the cost equal to the percentage by which the meter was over-registering; and
 - ii. Where the meter was indicating less water consumed than that actually passing through the meter ("under-registering"), the Administrator shall add to the account for the service address a percentage of the consumption charge equal to the percentage by

which the meter was under-registering.

- d) Where the Administrator shall adjust an account pursuant to 6.10 (c), the adjustment shall be limited to the billing period in which the meter shall have been removed, and the previous billing period, and the Administrators determination of the adjustment shall be final.

6.12 Where the Foreman of Public Works should reasonably determine that an inaccurate meter is over-registering by reason of tampering, no adjustment shall be made pursuant to Section 6.10.

6.13 The Village Foreman, or a representative designated on his behalf, may at any time enter upon any premises and properties of any consumer to examine the pipes, meters, and fixtures to ascertain the quantity and quality of water consumed, the manners of its use, conducting water use surveys, sampling, pressure testing, installing or repairing meters, and related equipment or for any other related purpose in accordance with the provisions of this Bylaw.

6.14 If a remote readout has been installed in addition to the existing meter and there is a discrepancy between the readings, the meter shall be the official reading.

7. CONSTRUCTION OF SERVICE CONNECTION

7.1 Any work conducted on Village property with respect to water and sewer service lines will be done by or under the direction of the Village Foreman.

7.2 The owner of each premises is responsible for any and all construction work done to connect to or to disconnect from the Utility (excluding installation of a water meter), as provided for in this Bylaw. This includes, but is not limited to, new installation, upgrading or relocating water or sewer lines. Such responsibility shall extend to and include obtaining the necessary permits and authorizations, the supervision of any contractors and ensuring that any work meets the specifications and requirements of the Municipality. It is the responsibility of the homeowner to ensure that the curb stop is not restricted by landscaping, driveways or other material.

7.3 No owner shall install a service connection without first obtaining a service connection construction permit (as set out in *Appendix 2*) prior to the start of any installation of a service connection. Fees for such a permit are set out in *Schedule C* of the Water and Sewer Rates Bylaw.

7.4 Where a building has been demolished and a new structure at that location is to be supplied with water or sewer services, it is recommended that the owner ensures that the lines are in good condition through camera inspection and that there has been no history of sewer blockages.

7.5 The normal work period for installation or replacement of service connections is from May 1-November 1, except in emergency situations. A cold weather premium of \$2,500 as identified in *Schedule C* will be applied to any service connection installed outside the timeframe identified in this section.

7.6 All newly constructed premises will be required to have a water meter installed, supplied by the Village of Debden. Where applicable, deposit fee may be collected as per *Schedule D* of the Water and Sewer Rates Bylaw. Each meter shall include an isolation valve meeting the requirements of *The Plumbing and Drainage Regulations* and *The Plumbing Regulations* of Saskatchewan on both sides of the meter, being the inlet or upstream side and the outlet or downstream side. It is expected that a "remote" reader be installed and that this be placed on the front or side of the building to ensure municipal staff does not need to access the back or side yard.

7.7 Each service connection shall be equipped with a proper backflow preventer to prevent the conveyance of

water being forced backwards into the distribution system.

7.8 Each owner shall regularly test the isolating valves and backflow preventer and shall be responsible to keep each in an operable condition.

7.9 No service connection shall be installed:

- a) By any contractor not approved in writing by the Village in advance of construction;
- b) Until the owner shall have paid to the Village the fees set out in Schedule C of the Water and Sewer Rates Bylaw.
- c) Without obtaining a Provincial Permit.

8. SANITARY SEWER SYTEM

8.1 No person shall discharge into any drain, sewer, or sewage system operated by the Municipality any of the following waters, liquids or wastes:

- a) anything of a harmful matter, substance, or thing whether liquid or solid, that would be injurious to health, life, or property or that would injure, pollute or damage any stream, watercourse, drain, sewage system or sewage treatment plant, including but not limited to gasoline, fuel or other flammable solid, liquids or gas;
- b) Solid or viscous substances capable of causing obstructions to the flow in sewers or interference with proper operation of the sewage collection system, including but not limited to disposable wipes labelled as "flushable wipes" or any other type of wipes;
- c) Storm water and surface ground water.

8.2 No owner, without first having obtained Provincial permits as well as approval from the Village, will make connection with any of the public sewer lines or mains. The owner will be fully liable for any damage caused while making such connection and will also provide adequate safety provisions during the connection.

8.3 Connection of a sewer service line will commence at the street main, working from there towards the building, thereby ensuring proper grade level.

8.4 No owner will make or cause to be made any connection with any Village sewer or house drain, or appurtenance thereof for the purpose of conveying or which may convey, into the same, storm water from roof drainage, cistern, sump pump or tank overflow, weeping tiles, condensing or cooling water. Sump pumps and weeping tiles shall be pumped to the surface in a location that drains towards the front of the street or back lane without negatively affecting adjacent properties.

8.5 No owner, except duly authorized employees, consultants, or contractors of the Village, will turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of the Village sewer. Furthermore, no owner will cut, break, pierce, or tap any Village sewer or appurtenance thereof, or introduce any pipe, conduit or tube, through any Village sewer.

8.6 No owner will interfere with the free discharge of any Village sewer, or part thereof, or do any act or thing, which may impede, obstruct the flow of or clog up any Village sewer or appurtenance thereof. Grease traps of sufficient size and approved design must be placed on the waste pipe from all hotel/motels, restaurants and food service providers, laundromats, multi-use or multi residential buildings and such other places as the Village may direct.

8.7 The Village or any of its employees will not be liable for any damage whatsoever in nature caused either directly or indirectly by such sewer connection. The owner of any premises connected to a street main by a sewer service line, will be required to keep said sewer service line, from the premises to the main, in operational condition at all times, and is fully responsible for the operation of the said sewer service line.

8.8 The Village may revoke or cancel permission that may have been granted to connect with the Village sewer system if it finds that any of the work is not being done in accordance with the provisions of this Bylaw. The owner making such connection will have no right to demand or claim any damages in consequence of such permission being revoked or cancelled.

8.9 It shall be the responsibility of the consumer to install anti-backflow valves. It is the Owner's responsibility to ensure proper use of and operation of these safety devices. The Village shall not be liable for damages due to wastewater back-up.

9. TERMINATION OR INTERRUPTION OF SERVICE

9.1 The Village may limit or discontinue the provision of water services, refuse to supply water at any location or limit the hours during which any person may use water from the Waterworks System:

- a) By reason of works undertaken by the Village;
- b) For failure to open an account;
- c) For non-payment of a bill;
- d) For excess leakage or waste of water;
- e) For theft of water or tampering with the meter or seal;
- f) By reason of lack of supply;
- g) In circumstances where a new water service connection is required to be made;
- h) Where the Foreman of Public Works is of the opinion that the public interest may so require;
- i) In the discretion of the Foreman of Public Works where the circumstances are such that, in his opinion, any meter is insufficiently protected from frost or other sources of damage; or
- j) As otherwise directed by Council by resolution.

9.2 During any period in which the Village has imposed restrictions on the use or the consumption of water, pursuant to Subsection 9.1, no person shall use or consume water contrary to such restrictions.

9.3 Whenever practical, when service is interrupted pursuant to Subsection 9.1 (a), the Foreman shall provide notice to affected customers in such a manner as may be determined to be reasonable in circumstances. Except as otherwise provided in this Bylaw, in any other case, the termination or interruption of water services may be affected or may occur without notice.

9.4 When service is interrupted pursuant to Subsection 9.1(e) it shall not be resumed until such means have been adopted for the protection of the meter as the Foreman may require. Where disconnection and re-connection is required, the Owner shall be liable to pay the rates and fees provided for in the Water & Sewer Rates Bylaw.

9.5 Where service is interrupted by reasons unknown or freezing affecting a service connection, and where:

- a) The Foreman determines that the place of failure is between the water main and the property line at the street abutting the service address, they shall take such action as they deem reasonably necessary to remedy the failure or interruption. Should such action require installation of an automatic device requiring a power supply, it shall be a condition of continued supply of water to the affected service address that the power supply be provided without cost to the Village;
- b) The Foreman determines that the place of failure is between the property line at the street abutting the service address and the meter, the Foreman may, if they consider it appropriate, shut off or disconnect service until the failure is rectified.

9.6 If the Foreman, or any person acting on his behalf, has reasonable grounds to believe that a meter has been bypassed, tampered with, or a seal broken, resulting in a meter failing to accurately measure water consumption or not, the Foreman shall proceed in accordance with Section 6.10 and Service may be

discontinued until all charges payable pursuant to that section have been paid to the Village in full.

9.7 A Customer intending to vacate a premise supplied with water and wishing to disconnect water service, must fill out a Water Application form (Appendix A) and submit it to the Village Office.

9.8 Whenever a premise supplied by water is vacated, the Owner will turn off the isolation valve on the inside of the building.

10. CONTINUOUS FLOW

10.1 Where, to prevent damage from frost occurring to the Waterworks System, or a service connection the Foreman shall consider it advisable, they may require that a customer ensure that the water continuously flow through the service. Where such direction is given, the Utility shall charge the Customer for consumption during the designated period on basis of the water consumed during a reasonably comparable previous period, notwithstanding that the reading of the meter shows a higher consumption. The decision of the Administrator as to the amount of such charge shall be final and binding.

11. WATER CONSERVATION

All outside watering including, but not limited to, lawns, flower beds, trees and gardens, effective from May 1st to September 30th of each year shall be permitted as follows:

- a) Properties on the East Side of Main Street shall be permitted to water on Mondays, Wednesdays and Fridays;
- b) Properties on the West Side of Main Street shall be permitted to water on Tuesdays, Thursdays and Saturdays;
- c) There shall be no outside watering on Sundays;
- d) Outside watering shall only take place between the hours of 6:00 a.m. to 9:00 a.m. and 6:00 p.m. to 9:00 p.m.
- e) Any person who contravenes Section 11 of this Bylaw shall be guilty of an offense and liable to a fine of \$50.00 for the first offense, \$100.00 for the second offense and \$200.00 for the third offense and for each offense thereafter.

12. NO INTERFERENCE OR ALTERATION

12.1 Except as otherwise authorized by this Bylaw:

- a) No person other than the Foreman, the Fire Chief, or a person designated by the Foreman and acting in the course of his duties shall operate, enable, disable, manipulate or open or close any valve, any curb stop, any hydrant or any other equipment or portion of the Waterworks System.
- b) No person shall obstruct access or tamper with any hydrant;
- c) No person shall cover, uncover, tamper with, damage, connect, disconnect or repair any pipe, equipment or other portion of the Waterworks System;
- d) No person shall wilfully or maliciously hinder or interrupt the Village, its contractors, employees or agents in the exercise of any of the powers and duties related to the water utility and authorization contained in this Bylaw.

12.2 Without limiting the generality of Section 9.1, no person shall, without the written authorization of the Foreman:

- a) Turn on or turn off or attempt to turn on or turn off water supply through a service connection;
- b) Break, cause or suffer or permit the breaking of any seal on any meter, pipe, valve or other equipment connected to the Waterworks System;
- c) Tamper with any water meter;
- d) Fail to notify the Village of a broken seal on a meter, pipe or accessory thereto;
- e) Remove or cause the removal of ground cover above any part of the Waterworks System or a service connection which reduces coverage to less than 3 meters from the grade;
- f) Connects or causes the connection to the Waterworks System of any pipe or fixture capable of

- supplying water services except in accordance with this Bylaw;
- g) Install or cause the installation of a pump to increase water pressure acting on a service connection other than with the approval of the Foreman;
 - h) Hinder, obstruct or interfere with the Foreman or the Administrator or persons acting under the instructions of either in the lawful exercise of their duties under this Bylaw or Act;
 - i) Represent themselves as a person designated or authorized by the Foreman or the Administrator pursuant to this Bylaw when not so authorized;
 - j) Operate a fire hydrant without the consent of the Foreman or the Fire Chief;
 - k) Without the Consent of the Foreman, enter or be found within the Water Treatment Plant Building, or the facilities or grounds thereof, located on 2nd Street East.

13. AMALGAMATION

The Village of Debden must be satisfied that special circumstances make it appropriate to have two separate parcels of land amalgamated to be combined into one table parcel. In the event that Council approves Amalgamation of parcels of land for valid reason the following are in order:

13.1 The property Owner is responsible to have the water service discontinued and capped off at the main parcel that will not be serviced with water once the amalgamation is completed through ISC and bears the responsibility of all costs associated with the service disconnect;

13.2 If a request to amalgamate parcels of land is approved by Council, a refundable deposit set out in *Schedule C* of the Water and Sewer Rates bylaw is to be paid to the Village of Debden. Once the water service to the parcel of land which will no longer be serviced with water is capped off the main, the deposit will be refunded.

14. GENERAL

14.1 The Waterworks Utilities of the Village will be under general direction and control of the Saskatchewan Water Authority who may establish standards, guidelines and specifications for the design, construction and maintenance of the water system.

14.2 It shall be as offense for any person to jeopardize the potable water quality or safety.

14.3 *The Plumbing and Drainage Regulations*, and *The Plumbing Regulations*, as amended from time to time, shall apply to and govern all plumbing and drainage in the Village of Debden, except as may be altered or revised hereinafter. All service connection materials and installation practices shall conform to these regulations. The Plumbing Inspector shall be a Public Health Officer of the Saskatchewan Health Authority.

14.4 Owners shall keep the utility connection accessible and properly protected against damage from tampering, frost or other source of damage.

14.5 If any section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any court or competent jurisdiction, that portion shall be deemed to be a separate, distinct and independent provision, and the holding of court shall not affect the validity of the remaining portions of the Bylaw.

14.6 Any reference in this Bylaw to a statute or another Bylaw, shall be read as a reference to any such statute or Bylaw as amended from time to time and any statute or Bylaw enacted to replace the statute or Bylaw referenced.

15. LIMITATION OF LIABILITY

15.1 The Village does not guarantee quantity, quality, pressure, or uninterrupted supply of the water and the Owner undertakes to hold the Village harmless from all claims, losses and damages therefrom.

15.2 Any water supplied by the Village from the Waterworks system to a Customer shall only be supplied on the condition that the Customer shall make no claim against the Village, its officials, employees or agents except with respect to damage caused by negligence of the Village, its officials, employees or agents acting within the scope of their employment, as the case may be. It is further a condition of supply that the Customer 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, neither the Village, its officials, employees nor agents shall be liable for:

- a) Actions based on nuisance;
- b) Actions in respect of personal injury, death or property damage related to the presence of any substance or material in the water or waterworks system; or
- c) Actions in respect of damages related to the interruption or termination of water services, for any reason whatsoever, whether or not notice was provided.

15.3 Water services shall only be supplied on the condition that the Customer shall indemnify and save harmless the Village, its officials, employees and agents from and against all claims arising by reason of the supply of water services, excepting those claims caused by negligence. Not to limit the generality of the foregoing, as a condition of service, the applicant shall indemnify and save harmless the Village, its officials, employees, and agents from and against claims for personal injury, death or other types of claims whatsoever brought by the Customer or any third party arising directly or indirectly from:

- a) The use by any person of the Customer's water services;
- b) The provision of water services at any premises owned or occupied by the Customer or any person to whom the customer is an agent;
- c) The failure of the Waterworks System, the water services connection, the meter, or any part of such service, system, or meter or any appurtenance thereto affecting the applicants water service; or
- d) From the failure or impairment of the Sanitary Sewer System, the service connection or any facility or equipment accessory thereto or
- e) The interruption or termination of water services or the failure or refusal to provide services to the customer for any reason whatsoever, whether or not notice was provided.

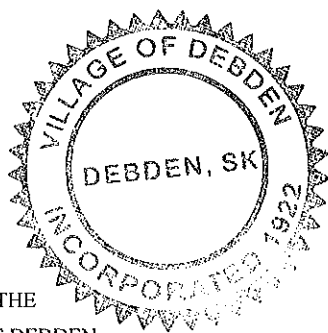
16. CONTRAVENTION


16.1 Any person who breaches any provision of this Bylaw, unless stated otherwise, is guilty of an offense punishable on summary conviction:

- a) \$2,000.00 in the case of an individual; or
- b) \$5,000.00 in the case of a corporation.

17. COMING INTO FORCE AND REPEAL

17.1 This Bylaw shall come into force and take effect on, from and after the final passing thereof.





 Mayor



 Administrator

APPENDIX 1

Village of Debden – Public Works Department

Application for Water Services

Date: _____ Account # _____

Civic Municipal Address: _____

Customer's Name: _____

Mailing Address: _____ Telephone No. _____

Customer present at time of "turn off" or "turn on" YES _____ NO _____

(if no) Disclaimer: Property owner/representative accepts full responsibility for damages if he/she is not present at time of "turn off" or "turn on". Any work done after normal working hours will be billed at actual costs (Except in the event of an emergency).

Signature

You are hereby requested to turn the water supply **ON OFF (ON/OFF SAME DAY)**

On the following date: _____ time: _____

For the following reasons:

- | | | |
|---|---|--|
| <input type="checkbox"/> Technical Disconnect | <input type="checkbox"/> Emergency Repair | <input type="checkbox"/> New Connect/Change of Ownership |
| <input type="checkbox"/> Vacant House | <input type="checkbox"/> Customer Request | <input type="checkbox"/> Non Emergency Repairs |
| <input type="checkbox"/> Non Payment of Water Levy | <input type="checkbox"/> Property Management Representative Request | |
| <input type="checkbox"/> Other (State Reason) _____ | | |

I acknowledge the fees for Connection/Disconnection/Reconnection/Water and Sewer Rates as Per the Village of Debden's Water and Sewer Rates Bylaw.

Signature of Acknowledgement _____

To Public Works Foreman:

Message relayed by: Phone Fax Form

When work is completed, please sign and return this form to Administration Office.

Foreman Signature

Date

Administration Office:	
New Bill Issued YES NO	# of Days _____
Cancellation Processed YES NO	Water _____
Date processed _____	Sewer _____

Meter Reading: Start _____	Meter Reading: Final _____
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APPENDIX 2

Village of Debden – Public Works Department
Application to Construct Utility Service Connection

Date: _____

Plan of Building Service Connection:

Civic Municipal Address: _____

Applicant's Name: _____

Mailing Address: _____ Telephone No. _____

Date of Installation: _____

Water Line Size, Type: _____

Sewer Line Size, Type: _____

Meter Size: _____

Contractor/Plumber and Phone Number: _____

Contractor shall be covered by WCB and show proof of liability insurance (min \$1,000,000)

Plumbing Permit Number _____

Deposit Included with Application { } Connection Fees Included with Application { }

I have read and understand the Village of Debden's Water and Sewer Bylaw. I have read and acknowledge the fees for Connection/Disconnection/Reconnection/Water and Sewer Rates as Per the Village of Debden's Water and Sewer Rates Bylaw.

Signature of Acknowledgement _____

I hereby authorize connection of the above property to the water and sewer system of the Village of Debden.

Date: _____ Administrator: _____

Administration Office:	
New Bill Issued YES NO	Connection Fees Paid YES NO
Meter Deposit Received YES NO	Meter Serial Number _____

Date processed _____

Meter Reading Start _____