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*CONSOLIDATED COPY OF BYLAWS 13/93, 17/99, 10/2005, 16/2006, 29/2008,
37/2008, 13/2018, 26/2018*

**TOWN OF KAMSACK
BYLAW NO. 13/93**

A bylaw respecting the management and regulation of the Water Works System and establish the method of billing and collection for such service. This bylaw may be cited as the Water Works System Management Bylaw.

WHEREAS it is deemed advisable to make provisions for the management of the Towns Water Works System:

NOW THEREFORE, the Council of the Town of Kamsack in the Province of Saskatchewan enacts as follows:

1. GENERAL DIRECTIONS AND INTERPRETATION:

- a. The Town Water Works System shall be understood to include the Dam on the Assiniboine River, the Water Tower, the Water Treatment Plant, the Sewage Lift Station, the Lagoon System, and the distribution systems for both treated water and sewage. The Water Works System shall be under the general direction and control of the Utilities Committee of the Town Council.
- b. Definitions used within this Bylaw
 - “Director of Public Works” shall mean the Director of Public Works appointed by Council.
 - “Utilities Superintendent” shall mean the Utilities Superintendent appointed by Council.
 - “Water Meter” where it appears in the bylaw shall mean the actual meter and attached wires and remote devices.
 - “Water Utility Service” means those services provided by the Town as shown on the Utility Bills.
 - “Service Connection” means the water and sewer lines connecting the respective mains to the user’s premises.

2. CHARGE OF SYSTEM

The Utilities Superintendent shall be in charge of the Water and Sewage Works Systems, including the Dam, Water Tower and Lagoon, and all water meters within the distribution system.

The Director of Public Works shall be in charge of the Water and Sewage Distribution System, including connections prior to the water meter.

The Director of Public Works shall be in charge of flushing the Distribution mains annually, normally in the spring season, and shall also direct swabbing operations as required.

3. SYSTEM CONSTRUCTION:

The laying of water and sewer mains, service connections from the mains to the property line, service connections from the mains to the dwelling, setting of hydrants, and valves, etc., shall be under control of the Director of Public Works.

Water and sewer service connections from the mains to the dwelling or building shall not be less than $\frac{3}{4}$ inch diameter for water service connections and not less than 4 inch diameter for sewer service connections. Materials used shall conform to the Saskatchewan Plumbing and Drainage Regulations in effect at the time of installation.

4. APPLICATION FOR A NEW OR REPLACEMENT SERVICE CONNECTION

An application for a permanent water and/or sewer service connection or replacement shall be made on the approved application form, and signed by the property owner or his authorized agent. The application shall be accompanied by a prepayment as per Schedule 'A'.

a. Complete Service Connection

A complete service connection shall be from the mains to a point 25 feet inside the property line or to within 3 feet of the front wall of the building, whichever distance is less. The standard water and sewer service connection shall include all materials as outlined in article 3, and a curb stop, curb box and rod.

b. Partial Service Connection

A partial service connection shall be from the mains to the property line, and shall include all materials as outlined in article 3, and a curb stop, curb box and road. From the property line to the building will be the responsibility of the applicant and the installation shall be in compliance with article 3.

c. Non Standard Service Connection

Any service connection other than outlined in sections a or b may be supplied at the discretion of Town Council, subject to receiving written application outlining the type and nature of the required installation. Such installations shall be in compliance with article 3.

d. In the event of a duplex, triplex, or fourplex building fronting on any street is to be supplied with a service connection, a separate service to each unit from the mains shall be installed. Such installations shall be in compliance with article 3.

e. The service connection shall be placed at a depth of not less than the depth of the mains at all points between the mains and the building.

- f. There shall be a two year warranty period on defective materials and workmanship only on service connection work done by the Town of Kamsack. Work done by private contractor is the responsibility of the owner.
- g. Every water service connection shall have a stop and drain valve installed within the building prior to the meter. The stop valve shall be in accordance with article 3 of this bylaw and installation is the responsibility of the applicant.
- h. No branch service shall be taken by the applicant prior to the point where the water meter is installed.

5. SCHEDULE A – INSTALLATION RATES

The Director of Public Works shall estimate the owners or his authorized agents cost of required work upon receipt of application. The estimate will for part of the memorandum of agreement and upon acceptance by both parties and receipt of prepayment of the estimate by the owner or his authorized agent work will be scheduled. Upon completion of the work should the actual cost be less than the original estimate the homeowner or his authorized agent shall be refunded any difference. The owner or his authorized agent shall not be held responsible for any costs in excess of the original estimate.

6. APPLICATION FOR WATER UTILITY SERVICE CONNECT:

- a. All water service connections within the municipal boundaries of the Town of Kamsack shall be metered, unless otherwise provided at the discretion of Town Council.
- b. Any person, corporation, company, or owner desiring utility service shall make written application on the approved application form. The application shall be accompanied with prepayment of a fee and a meter deposit as per schedule B.
- c. The Town of Kamsack will place a meter on the service within 24 hours or receipt of written application and fees excluding Saturday, Sunday, or Statutory Holidays. Connections required outside normal working hours will be subject to a surcharge as per schedule B.

NO CONNECTION SHALL BE MADE UNTIL THE APPLICATION AGREEMENT IS SIGNED BY THE OWNER, RENTER OR AGENT AND THE FEE AND DEPOSIT ARE RECEIVED, AND ANY PREVIOUSLY OWED BALANCE IS PAID IN FULL.

- d. The Town of Kamsack or its authorized representative shall have the authority to refuse utility service connection to any applicant that is considered to be in contravention of any article of this bylaw.
- e. Any service connection that requires metering at, or above ground level, shall require installation of an approved backflow prevention device to be installed before the water meter, such device shall be the applicant's responsibility, and said device shall be inspected and proven to be in satisfactory working order before a water meter is set.

- f. The water service will only be turned on to the premises when the building is open or accessible to the authorized employee of the Town of Kamsack and the plumbing is deemed to be in satisfactory condition. In the case of new or questionable connections, water utilities service will only be turned on after an inspection report in compliance with the Saskatchewan Plumbing and Drainage Regulations has been produced.

6A. TRANSFERS

Any person, corporation, company or owner desiring a transfer of utility service to another location shall be assessed a minimum charge in accordance with article 13, schedule D and upon receipt of final disconnect read from the original location; any adjustments will be either credited or debited to the new billing location at the time of the next regular billing period. The **seventy-five (\$75.00)**(Bylaw 13/2018)non-refundable fee will also be applied to transfers.

7. APPLICATION FOR WATER UTILITY SERVICE DISCONNECT

Any applicant intending to vacate a premise that is supplied with utilities services, or wishes to disconnect such services, shall make written application on the approved application form. The disconnect will be made in accordance with article 6(d) of this bylaw. The Utility service deposit will be refunded in accordance with article 8(c) of this bylaw.

8. SCHEDULE B UTILITY SERVICE PREPAYMENT AND DEPOSIT RATES

- a. A non refundable fee of **\$75.00** (Bylaw 13/2018)will be charged for all connections, reconnections, or transfers of utility services. After hours connection fee is \$100.00 (Bylaw 10-2005)

- b. A refundable deposit will be charged in accordance with the following schedule:

Owner, Corporation, or Company	Deposit A (Bylaw 29-20008)
Renter or Tenant	Deposit B- (Bylaw 16-2006)

<u>Meter Size</u>	<u>Deposit A</u>	<u>Deposit B</u>
5/8 & ¾ inch	\$150.00	\$150.00
1 inch	\$170.00	\$170.00
1 ½ inch	\$225.00	\$225.00
2 inch	\$300.00	\$300.00
over 2 inch	on application	

- c. The refundable deposit shall be returned to the applicant after the utility service has been disconnected by written application. All or any part of the deposit may be applied to the unpaid account and any balance left will then be refunded to the applicant.

9. MAINTENANCE OF WATER AND SEWER SERVICE CONNECTIONS

- a. For the purpose of this article “normal maintenance” shall comprise any action required to provide the use of the utilities service without physical adjustment, realignment, or replacement of same. The owner or occupant shall provide normal maintenance.

b. **Blocked Sewer Connection**

Blocked sewer complaints shall, during normal business hours be reported to the Municipal Offices of the Town of Kamsack. Depending on the availability of Municipal crew the owner may be requested to engage the services of a plumber. If the problem is deemed to be caused by tree roots anywhere in the service connection the cost of cleaning the sewer will be subsidized by the Town on a 50/50 basis to a maximum of \$50.00. Any other blockage problems will be the responsibility of the owner.

The municipal rate for sewer cleaning shall be \$50.00 per hour per man plus \$55.00 per hour for the sewer cleaning machine (Bylaw 26/2018).

Work done by Municipal crews will be billed to the owner. If the problem is deemed to be caused by roots the Town will subsidize the costs in accordance with the aforementioned terms.

Work done by licensed plumbers will be billed to the owner for all sewer cleaning services. If the problem is deemed to be caused by roots, the owner shall apply to the Town for compensation in accordance with the aforementioned terms.

- c. Charges for sewer cleaning shall be paid within 30 days of billing. Any amount unpaid by December 31 following the date the work was completed shall be added to, and will form part of the taxes on the property affected.
- d. Where the repair or maintenance of a service connection necessitates the entering on to private property, the owner of the property agrees to protect the Town against claims for property damages incurred due to necessary access for the repair of the service.

10. UTILITIES SERVICES MAINTENANCE

- a. All meters and remote attachments are the property of the Town of Kamsack. All work required on meters including changing of location, meter replacement, relocation of remote devices, and repairs due to negligence on the part of the applicant shall only be done by authorized employees of the Town of Kamsack.
- b. All curb stops, main valves, and hydrants, with the exception of the curb stops at the Trailer Court, are the property of the Town of Kamsack and all work and or operation of the above devices, shall only be done by authorized employees of the Town of Kamsack.
- c. Anyone found to be in contravention of sections (a) or (b) of this article is subject to prosecution under article 15 of this bylaw.
- d. Normal relocation of remote reading devices and or meter relocation requested by the applicant shall be provided at no charge, at the discretion of the Utilities Superintendent.
- e. Repairs for physical damages to meters or remote devices due to negligence or abuse

by the applicant shall be the responsibility of the applicant in accordance with schedule 'C'.

- f. Bills for repairs will normally be added to Utility bills unless otherwise requested by the applicant.

11. SCHEDULE C – METER REPAIR RATES

SERVICE CALLS:

During normal work hours	\$30.00
After hours or weekends	\$60.00

LABOUR RATE: (1 hour minimum)

During normal work hours	\$16.00 per hour
After hours or weekends	\$24.00 per hour

MATERIALS AND PARTS: cost plus 20%

12. UTILITIES SERVICE COMPLAINTS

a. An applicant who has a water complaint concerning quality, excessive consumption, or other related matter shall make written application to the Town stating the nature of the complaint. All complaints will be handled as soon as possible depending on the nature of the complaint. The following procedure will be applied:

1. Arrangements will be made with the applicant to meet and discuss the problem, and an investigation as to the source of the problem will be carried out.
2. In the case of clerical error on behalf of the Town, a credit will be made to the applicant, for one previous billing period.
3. At all remote read installations the actual reading on the meter will be deemed to be the correct reading.
4. An applicant with an excessive consumption complaint, who considers the water meter to be defective, and demands the meter be changed, shall pay a fee of \$75.00 before such meter is changed. If, after testing, the meter is found to be in accordance with or below the current standards outlined by The American Water Works Association, and National Plumbing Codes the fee shall be retained and a service call and labour fee as outlined in article 11 will be further applied. Should the questioned meter prove to be defective the applicant will be credited in accordance with article 12 section (a) 2.
5. In a case where a complaint relating to water consumption cannot be resolved

between the applicant and the Utilities Superintendent, the applicant may make written application to Town Council for consideration of the complaint.

6. In the case where a complaint relating to water quality cannot be resolved between the applicant and the Utilities Superintendent the applicant may make application to the Department of Environment, Monitoring and Technical Assistance Division, Regina for consideration of the complaint.

13. UTILITIES SERVICE BILLING PROCEDURES

a. Schedule D – Billing Frequency

<u>User Type</u>	<u>Frequency</u>
Residential (R)	
Owners	bi-monthly
Renters	monthly
Commercial (C)	bi-monthly
Industrial (I)	monthly
Special (S) & (G)	bi-monthly

b. Prorating on minimum water and sewer service charges

Where utilities services is provided after the beginning of a billing period minimum charges shall be prorated in accordance with the number of days remaining in the billing period. Consumption charges will be calculated in accordance with the current rate schedule bylaw. Other charges included on the utilities bill will be calculated in the same manner.

c. The utilities bill for any user shall be paid no later than 30 days from date of billing. Utilities bills remaining unpaid after 30 days shall be subject to the following:

1. (Deleted – Bylaw 17/99)
2. The utilities service may be disconnected at any time after the 30 days without any notice.
3. If the utilities service is disconnected a surcharge of \$50.00, in addition to the normal connect fee of **\$75.00**(Bylaw 13/2108) together with full payment of the unpaid bill including interest will be required before service is reinstated.
4. A further surcharge, at the discretion of Town Council, may be added to the utilities deposit.

14. SPECIAL LIMITATIONS AND CONDITIONS

a. Defective Plumbing

If upon inspection, the existing plumbing system in any building is found to be faulty, the administrative authority may by written order, require the owner to make such repairs as required under article 6 (f) of this bylaw.

b. Protection of Water Meters

Every owner, tenant, or occupant shall give every facility for water meters and shall protect them from frost or damage.

- c. **Authorized Access**
Every owner, tenant, or occupant shall provide, at their own expense, access to authorized personnel to inspect, read, or maintain any installed meter.
- d. **Agent or Owner**
Any plumber employed by the owner in installing or repairing a water service or installation will be considered as the agent of the owner while the work is in progress, however, the Town, or any of its personnel, shall not be responsible for the acts of the plumber.
- e. **Fouling of Water**
Subject to the regulations of the Water Resources Act, no person or persons shall place or deposit any injurious, noisome or offensive matter at any point within 300 yards of the water supply on the Assiniboine River.
- No person or persons engaged in aerial spraying of chemical shall fly within 300 yards of the off stream storage reservoir.
- No owner, tenant or occupant shall place any device or appliance on their plumbing system that is capable of overcoming the municipal pressure within the water mains unless an approved back flow prevention device is installed within the system just after the water meter.
- f. **Unauthorized Connection**
No person other than authorized town personnel shall tap or make any connection with any public or private water pipes or mains before the water meter.
- g. **Sprinkling and Limiting Consumption**
The right is reserved by the Town of Kamsack to discontinue furnishing or water for fountains, jets, hoses or sprinklers, or to further limit hours for usage of same. Such limitations shall be at the discretion of Council.
- The Town of Kamsack shall have the right to limit the amount of water furnished to any consumer, should circumstances warrant such action.
The Town of Kamsack shall not be held liable for any damages caused as a result of limiting consumption of water services.
- h. **Extensions and Repairs to Water and Sewer Services**
In the case of making repairs to street mains or in the construction of new works, the Town shall have the right to shut off the water or sewer service to any consumer, without notice, and keep the service off as long as necessary to perform the required work. Notwithstanding the above the Town will endeavor where possible to notify consumers affected, however, the Town will not be held liable or responsible for any damages resulting from disconnecting the water or sewer service.
- i. **Private Use Only**
That no person being an occupant, owner or tenant, or otherwise in charge of any

building serviced with water shall lend, sell, give away, or permit water to be used for other than his or her own private purposes.

That no person shall allow the usage of his or her sewer services for other than his or her own purposes.

15. PENALTY FOR NON COMPLIANCE

That any person, company, or corporation committing a breach of this bylaw shall be liable, on summary conviction as follows:

- a. To fine and or imprisonment as assessed by any court in the Province of Saskatchewan.
- b. Said person shall be liable for any costs incurred by the Town of Kamsack, due to breach of any provision of this bylaw.

16. WATER RATE ANNUAL REVIEW

The water rates and service charges shall be in accordance with the Water Utility Rates Bylaw, and shall be reviewed annually.

17. Bylaw number 12/89 is hereby repealed.

18. This Bylaw shall come into force and take effect on July 1, 1993 thereof.

Mayor

Administrator

Read a third time and adopted, this _____ day
Of _____, 20__.

Bylaw 37-2008 Appendix A deleted

APPENDIX A

~~Civic addresses of properties know to have partial sewer replacement jobs between 1982 and 1993, and qualify to be exempted from charges for sewer cleaning due to tree roots:~~

155 Taylor Street	821 East Avenue	316 Fort Pelly
203 Railway Street	305 Fort Pelly	810 East Avenue
146 Sask. Street	203 3rd Ave. N.	202 Maxwell Street
618 West Avenue	148 Second Street	142 Wall Avenue
419 Cotter Street	577 2nd Street	511 East Ave.
428 Cotter Street	416 3rd Street	343 4th Street
214 West Avenue	422 3rd Street	147 Q.E. Boulevard
223 Windsor Ave.	138 Avenue Road	349 Cotter Street
216 Wallace Street	159 Q.E. Boulevard	137 Q.E. Boulevard
119 Wall Avenue	147 Windsor Ave.	

~~142 2nd Street~~

~~147 Hudson Bay Avenue~~

~~707 East Avenue~~

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APPLICATION FOR WATER AND SEWER SERVICE CONNECTION

In accordance with the Provincial Regulations and the Bylaws of the Town of Kamsack regulating the management of the Water Works System:

I/We _____

the registered owner(s) of the property legally described as Lot(s) _____, Block _____,

Plan _____ which civic address is _____

_____, in the Town of Kamsack, **Hereby** make

Application to have a water and sewer service connection made to the aforementioned

Property.

Dated at the Town of Kamsack, in the Province of Saskatchewan, this _____ day of

_____, 20_____.

MEMORANDUM OF AGREEMENT

BETWEEN: **Town of Kamsack**
 (Hereinafter referred to as the "Town")

AND: _____

(Hereinafter referred to as the "Applicant")

WHEREAS the Applicant has applied for a water and sewer service connection as evidenced by the attached Application for Water and Sewer Service Connection;

AND WHEREAS the Applicant is the registered owner of the property described in the said Application;

NOW THEREFORE THE PARTIES HERETO COVENANT AND AGREE TOGETHER AS FOLLOWS:

1. The Town shall proceed to provide a water and sewer service connection on the Applicant’s property described in his Application, hereunto annexed.
2. The Town and its employees shall have the right of entry on to the hereinbefore described property at such times as deemed appropriate by the Town.
3. The method of construction shall be at the sole discretion of the Town. Furthermore, the work shall be machine excavated and machine back-filled.
4. The town shall not be responsible for any trench settlement of surface restoration or for any damage to landscaped private property, as a result of the said water and sewer service connection.
5. The Town shall not be responsible for any flooding of the Applicant’s premises by water entering through the trench area.
6. The Town will not excavate any closer than three (3) feet from the foundation of the building to be serviced.
7. The Applicant shall be responsible for the employment of and payment of his own Journeyman plumber to facilitate completion of the said connection.
8. The Applicant shall, prior to the commencement of the work, deposit with the Town the sum of \$ _____ in accordance with the estimate calculated by the Director of Public Works as the cost for the water and sewer installation from the curb stop to a point 25 feet inside the property line or to within 3 feet of the front wall of the building, whichever distance is less.

9. The size of the sewer connection, size of the water connection, and length of the connection, shall be in accordance with the following specifications:

Size of sewer connection _____

Size of water connection _____

Length of connection _____

Name of Plumber _____

10. The service connections between the house and the water/sewer mains are owned by the applicant, who is responsible for their maintenance.

SIGNED the day and year first written above.

Town of Kamsack – Town Administrator

Applicant

Witness

Applicant