

BYLAW NO. 2/24

A BYLAW OF THE RESORT VILLAGE OF SHIELDS TO REGULATE AND CONTROL THE USE AND CONSUMPTION OF WATER FROM THE MUNICIPALITY'S WATERWORKS SYSTEM

COUNCIL of the Resort Village of Shields, in the Province of Saskatchewan, enacts as follows:

1. Purpose:

This bylaw shall be stated as 'The Water Management Bylaw', and its purpose is to control the use and consumption of water from the municipalities waterworks system.

2. Authority:

Pursuant to the Municipalities Act, s 23 the Resort Village of Shields may by Bylaw, regulate utility management.

3. Definitions:

In this Bylaw, the following terms shall have the meanings ascribed below:

- (a) "Act" means The Municipalities Act, as amended, or replaced from time to time.
- (b) "Chief Administrative Officer" means the Chief Administrative Officer for the Resort Village of Shields or her/his designate(s) acting or authorized by the CAO, in the administration of the responsibilities under this bylaw.
- (c) "Connection" shall mean a single connection made to the water distribution system or to the sanitary sewer collection system owned by the Resort Village of Shields.
- (d) "Council" means the Resort Village of Shields Council.
- (e) "Curb Stop" means a device for the control of water flow through the water service connection to a service address.
- (f) "Meter" means a device capable of measuring volume of water as approved by the Operations Manager.
- (g) "Pad Reader" means a device that transmits the water meter consumption from the Meter to the reader that is on the exterior of the house.
- (h) "Subscriber" shall mean the assessed owner of a property for the purposes of taxation whom their names are on title with the municipality on the Tax Roll
- (i) "The Water and Sewer Rates Bylaw" shall mean Bylaw no 3/23.
- (j) "Village" shall mean the Resort Village of Shields.
- (k) "Utility" means the water and sewer utility established by the Resort Village of Shields
- (l) "Water Service" means all aspects of service supplied pursuant to this bylaw to subscribers and other persons. This includes all water supplied through the water works system.
- (m) "Waterworks System" means the whole or any part of the equipment by which or through which the Municipality conveys water. Its improvement, extension or replacement and not the limit the generality of the foregoing, includes pumps, sedimentation system, filtrations system, water treatment plant, reservoir, water mains, pipe valve connections, curb stops, hydrants, valves and other related works, meters and the treatment process by which water is treated before conveyance into the water mains.

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

4. Administrations of the Utility:

- (a) The CAO shall keep full financial records of all matters related to the utility, including but not limited to applications for service, service approvals, supply and consumption, subscriber accounts and capital and operating revenues and expenses.

- (b) The Operations Manager shall maintain full descriptions and drawings of all works constructed and forming part of the Waterworks System and Sewer System.
- (c) Rates, service charges, and other costs to be levied by the Municipality shall be set on a periodic basis by Council by way of the Water and Sewer Utility Rates and Fees Bylaw.

5. Connection and Application:

- (a) All properties within the municipality with a dwelling unit shall be connected to the municipal waterworks.
- (b) Any assessed owner may apply for a residential water service from the municipality by making arrangements with the Administrator.
- (c) It is the responsibility of the subscriber to contract with a professional plumber for connections and disconnections of water meters on private property.
- (d) It is the responsibility of the Owner or Agent to verify with Operations Manager, Administration or designated Officers that work on private property is complete, so the Municipality can proceed with turning the water utility curb stop.
- (e) No person shall connect or receive service from the Waterworks System or the Sanitary Sewer System without approval as a Subscriber.
- (f) No subscriber shall convey, sell, dispose of or give away or permit water to be carried or taken away or use it or supply it for the use or benefit of others.
- (g) Every new construct residential or commercial water and/or sewer connection to the main within the municipal boundaries shall pay a one-time Water Meter Assembly fee as outlined in Appendix A when connecting to existing infrastructure and/or in existing subdivisions.
- (h) Every new construct residential or commercial water and/or sewer connection to the main within the municipal boundaries shall install a Pad Reader system before the connection to the system is activated.
- (i) The water and sewer connection levy is due in full before connection to the main.
- (j) No subscriber may assign or transfer the benefit of utility service, nor resell utility service to another person. No subscriber shall provide water supplied by the Municipality nor accept sewage for transmittal into the Sanitary Sewer System to or from any person not a tenant at the service address.
- (k) A subscriber shall remain liable for the payment of all rates, service fees and charges until and shall remain liable as a subscriber until:
 - i. The CAO has approved the disconnection of the service address in accordance with the provisions of this Bylaw; or
 - ii. A Saskatchewan Assessment Management Agency Change of Ownership document has been received.
- (l) Voluntary water service disconnection will only be approved for unoccupied premises or for temporary or plumbing service work.
- (m) Disconnections of water services does not stop charges of all other utility related services including sewer, utility delivery and infrastructure fees.
- (n) Connections to the Waterworks system shall be made, transferred, and terminated in accordance with the provisions of the Utility Management Bylaw.
- (o) No person who is not a subscriber shall turn on a curb stop and/or receive or consume water supplied through a service connection.

6. Service Connections:

- (a) A subscriber is responsible for the satisfactory repair and maintenance of that portion of a service connection lying between on, in or under the subscriber's property.
- (b) A subscriber is responsible for ensuring at their own expense that:
 - i. That portion of the service connection lying within the subscriber's land is properly protected against damage from tampering, frost, or other source of damage.
 - ii. Each service connection shall be equipped with a proper backflow preventer to prevent the conveyance of water being forced backwards into the water distribution system.

- (c) Where the Operations Manager shall determine that a service connection or any portion thereof requires repair or maintenance, they shall give notice to a subscriber, the subscriber must repair or remediate the service connection to the satisfaction of the Operations Manager within the time specified in the notice. If the subscriber does not repair or remediate the service connection within the specified time:
 - i. The Operations Manager and any person designated by them may enter upon the subscriber's land at the service address and complete the necessary work; and
 - ii. The subscriber shall be liable to pay all costs associated.
- (d) Nothing in this section 6 authorizes any person other than the Operations Manager or any person designated by them in writing to install, remove, repair, replace or adjust a water meter.
- (e) Except as authorized in writing the Operations Manager, no subscriber shall suffer or permit a pipe to be connected to a service connection in a position capable of receiving water from the water service connection before the water has been measured by the meter.

7. Water Meters:

- (a) Except as otherwise provided, or as may otherwise be directed by Council, no person shall consume water supplied through the Waterworks System except where the consumption is measured by a water meter.
- (b) All meters unions, couplings, and flanges shall be supplied by the Municipality and, notwithstanding any degree of affixation to any land, shall remain the property of the Municipality.
- (c) Subject to this or any other Bylaw, the number, location, physical arrangement, and type of meters used to measure water consumption shall be as determined by the Operations Manager.
- (d) Where the Operations Manager shall desire that a meter's accuracy be tested, the Municipality shall notify the subscriber and shall cause such meter to be removed and tested.
- (e) Where a meter requires replacement due to damage, being frozen, or for any other reason, the subscriber shall pay to the Municipality an amount equal to the cost of the meter invoiced to the Municipality, shipping charges any other fees deemed payable for the replacement.
- (f) All Subscribers with interior water meters are required to have a pad reader installed on the exterior of their property that the Operations Manager or any person acting upon his instructions can reasonably access.
- (g) All Subscribers who do not have a pad reader installed, connected and operational by June 10th 2024, are subject to an additional charge added to each utility bill moving forward, as outlined in Appendix A.

8. Equipment Deposit

- (a) Each subscriber supplied with water from the municipal system shall provide a Water Meter Deposit in the amount outlined in Appendix A.
- (b) Where a deposit for equipment is to be paid by a subscriber or any other person under this Bylaw, or any other Bylaw respecting utility service, such deposit shall be paid in advance of equipment being ordered, work being undertaken, or service being provide.
- (c) Once paid, a deposit shall be held by the Municipality as security for the financial obligations of the person receiving service.
- (d) Where a deposit is made for the purposes of securing the cost of work, the cost of equipment or the cost of testing or repair of equipment, such as a water meter, upon receipt of the deposit, the Municipality shall hold the deposit until the cost to be charged to the subscriber is ascertained.
- (e) Where a deposit does not cover the entirety of amount for which it has been taken as security, the depositor shall pay any deficiency upon being invoiced by the Municipality. Where a deposit is to secure the cost of equipment or the repair of equipment requiring removal, such deficiency shall be paid before return of the equipment or installation.
- (f) Where, after application of a deposit, a surplus remains, the Municipality shall refund the surplus within a reasonable time thereafter.

- (g) The water meter deposit shall be refunded upon service being discontinued at the request of the subscriber, upon confirmation of sale of the property, provided all water usage charges have been paid in full. This does not apply to seasonal users who require annual on and off service.

9. Termination, Disconnection and Interruption of Service

- (a) The Municipality 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:
 - i. By reason of works undertaken by the Municipality.
 - ii. By reason of lack of supply.
 - iii. Where the Operations Manager is of the opinion that, the public interest may so require.
 - iv. In the discretion of the Operation Manager where the circumstances are such that, in his opinion, any meter is insufficiently protected from frost or other source of damage; or
 - v. As otherwise directed by Council by resolution.
- (b) When service is interrupted pursuant to subsection 9(a)(i) the Operations Manager shall provide notice to affected subscribers in such manner as may be determined to be reasonable in the 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.
- (c) If the Operations Manager or any person acting upon his instructions has reasonable grounds to believe that a meter has been bypassed, tampered with whether resulting in the meter failing to accurately measure water consumption or not, the Operations Manager shall proceed in accordance to have service discontinued until all charges payable have been paid to the Municipality in full.
- (d) Where any subscriber shall be found guilty of an offence pursuant to this Bylaw or the Act, service may be discontinued until any fine is paid in full.
- (e) If a subscriber for any reason other than a scheduled seasonal connect/disconnect, wishes to discontinue receiving water service, he/she shall apply to the administrator who will attempt to ensure physical disconnection if possible. A fee will be charged as listed in Appendix A for each on/off service.
- (f) If the meter is required to be removed and stored, a fee will be charged as listed in Appendix A for each removal/installation (Curbstop on/off included).
- (g) If additional time is required by the Operations Manager because a curbstop is not easily detected, the applicable call out fee listed in the Municipalities policy manual will apply.
- (h) No person shall attempt to disconnect/reconnect his own meter assembly or attempt to turn his own Curbstop on or off.

10. Continuous Flow

- (a) Where, to prevent damage from frost occurring to the Waterworks System, or a service connection the Operations Manager shall consider it advisable, they may require that a subscriber ensure that that water continuously flow through the service. Where such direction is given, the Utility shall charge the subscriber 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 CAO as to the amount of such charge shall be final and binding.

11. Interference or Alteration

- (a) Except as otherwise authorized by this Bylaw:
 - i. No person other than the Operations Manager, the Fire Chief, or a person designated by the Operations Manager and acting in the course of his duties shall operate, enable, disable, manipulate or open or close any valve, any curbstop, any hydrant or any other equipment or portion of the Waterworks System.
 - ii. No person shall obstruct access or tamper with any hydrant;
 - iii. Cover, uncover, tamper with, damage, connect, disconnect, or repair any pipe, equipment or other portion of the Waterworks System;

- (b) No person shall, without the written authorization of the Operations Manager:
 - i. Turn on or turn off or attempt to turn on or turn off water supply through a service connection;
 - ii. Tamper with any water meter;
 - iii. 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;
 - iv. Connect or cause the connection to the Waterworks System of any pipe or fixture capable of supplying water services except in accordance with this Bylaw;
 - v. Install or cause the installation of a pump to increase water pressure acting on a service connection other than with the express approval of the Operations Manager;
 - vi. Hinder, obstruct or interfere with the Operations Manager or the CAO or persons acting under the instructions of either in the lawful exercise of their duties under this Bylaw or the Act;
 - vii. Represent themselves as a person designated or authorized by the Operations Manager or the CAO pursuant to this Bylaw when not so authorized;
 - viii. Operate a fire hydrant without the consent of the Operations Manager; or
 - ix. Without the presence or authorization of the Operations Manager, enter or be found within the Water Treatment Plant Building, or the facilities or grounds thereof.

12. Enforcement of Penalties and Arrears

- (a) If a user of utility services fails to pay amounts charged as set out in this bylaw or any other utility rate bylaw or fails to pay any other charges, fees, rents or amounts levied by the municipality in relation to the provision of water and sewer services, the Municipality may, in addition to any other remedies available to it for the non-payment of charges, fees, rents or amounts levied, discontinue the provision of water and sewer services to the subscriber upon giving a 14 day final notice its intention to do so to the subscriber. The Municipality or its employees shall not be liable for any damages resulting from the discontinuance of water supply to any building, boiler or other apparatus deriving its supply from the municipal water system.
- (b) Any arrears on a utility account regardless of the service to which the arrears may occur from may result in the water to the property being disconnected until all arrears are paid including disconnection and reconnection fees.
- (c) An attempt to collect any rates, charges or rents pursuant to this bylaw or any other utility rate bylaw does not in any way invalidate any lien the municipality is entitled to on land, buildings, or goods and chattels by virtue of this section.
- (d) As per Section 31 of The Municipalities Act, if any rate, charge or rent owed by an owner or tenant of land or a building is in arrears, the rate, charge or rent may be added to, and thereby form part of the taxes on the land or buildings of the owner with respect to which the water and sewer service was provided.
- (e) Where any rate, charge or rent in arrears remain unpaid by over 90 days, that they may be added to and thereby form part of the taxes on the land or building(s) with respect to which the service was provided.

13. General

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

14. Contravention:

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

15. Bylaw Effect Date:

The rates, charges, tolls or rents contained in this bylaw shall come into force and take effect on the day that this bylaw is adopted.

16. Repealed Bylaws:

Bylaws No. 6/07 'Water User Bylaw and amendments No. 4/12, No. 8/16 and No. 11/16 are repealed, the date bylaw 2/24 comes into force.

Mayor _____
Mayor Angela Larson

Administrator _____
Administrator Jessica Arguin

(S E A L)

Introduced and read a first time on March 20th, 2024.
Read a second time on March 20th, 2024.
Read a third time and hereby adopted on March 20th, 2024.

Certified a true copy of Bylaw #2/24.
Adopted by resolution of Council.
On the 20 day of March, 2024.

Administrator

APPENDIX "A"
TO BYLAW NO. 2/24

Description	Cost	Reason
Water Meter Deposit Fee	\$350.00	Charged to every new subscriber/ Registered owner.
Water Meter Assembly Fee	\$350.00	Charged to any new builds constructed.
Replacement of Meter Assembly	Listed cost of replacement parts	Charged to any subscriber deemed at fault for damage.
Curbstop On/Off	\$30	Charged to any subscriber who requires it.
No Pad Reader Fee	\$25/ Utility Bill	Charged to any subscriber as outlined in Section 7 (g).
Seasonal On/Off Fee	\$75	Charged to any seasonal resident who requires it.
Curbstop shutoff and meter Storage	\$75	Charged to any subscriber who requires it.
Operations Call Out Fee	Listed in Shields Policy Manual	Charged to any resident who calls out Operations after hours, and work is due to subscriber issue/error.