

VILLAGE OF CLAVET
BYLAW 2016-02
A BYLAW TO CONTROL AND REGULATE THE WATER AND WASTEWATER
UTILITIES PROVIDED BY THE VILLAGE OF CLAVET

The Council of the Village of Clavet, in the Province of Saskatchewan, enacts as follows:

PART I - SHORT TITLE

1. This Bylaw may be cited as the Village of Clavet Utilities Management Bylaw

PART II – DEFINITIONS

2. In this Bylaw:

- a) **“Bare Land Condominium”** shall mean a condominium divided into bare land units as defined within *The Condominium Property Act, 1993*.
- b) **“Bare Land Unit”** shall mean a bare land unit as defined within *The Condominium Property Act, 1993*.
- c) **“CAO”** or **“Administrator”** shall refer to the Chief Administrative Officer of the Village of Clavet
- d) **“Council”** shall refer to the Council of the Village of Clavet
- e) **“Designated Officer”** shall mean the person authorized to enter a private dwelling for maintaining, repairing or replacing Village -owned meters;
- f) **“Dwelling Unit”** shall be as defined in the Village of Clavet Official Community Plan and/or Zoning Bylaw
- g) **“Municipality”** shall refer to the Village of Clavet
- h) **“Out of Village Subscribers”** shall mean individuals/businesses who:
 - i own a structure located outside of the corporate limits of the Village of Clavet
 - ii receive either water or sewer service from the Village of Clavet
 - iii do not pay taxes to the Village of Clavet on a structure referenced in 2 above.
- i) **“Property”** shall mean a parcel of land located within the boundaries of the Village of Clavet and on which a building or buildings (commercial or residential) may or may not be situated, whether such buildings are occupied or unoccupied.

PART III – PURPOSE

3. The purpose of this Bylaw is to set out management policies with respect to utilities within the boundaries, or connected to infrastructure within the Village of Clavet by identifying requirements, expectations, deposits, maintenance responsibilities and general services.

PART IV – REQUIREMENT TO CONNECT TO WATER AND SEWER

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 sewer main has been laid are required to connect the principal building(s) to the system of water and sewer mains constructed and owned by the Village. 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, sewer) line(s) to

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be installed from the mainline to the property line before any additional development will be allowed on the property.

5. As part of the Servicing Agreement, a developer may be required to install all or a portion of the mainline to service development in instances where the water and/or sewer main has not already been installed in an adjoining street or lane.
6. Each dwelling unit or other structure to which water is supplied (including apartments, duplexes, semi-detached dwellings, condominiums and garages) must have an individual water meter to facilitate individual billing. Meters can only be installed where a plumbing permit has been issued and the installation is to be done by a qualified plumber.
7. Each dwelling unit, as set out in this bylaw, must have a separate curb-stop to facilitate water disconnection for vacancy or non-payment with the following exceptions:
 - a. If the billing is being paid by an Association/Condominium with a shared service line from the curb and there is a need for disconnection for vacancy or non-payment the main service valve to the Association/Condominium group will be turned off; and,
 - b. In instances where existing multi-unit buildings do not have individual curb-stops for each unit, the owner will be required to install same at his/her own expense or must agree to have the entire water billing rendered in his/her name.
8. All contractors working on connections to water and sewer mains within Village limits must be approved by the municipality and must have a Village of Clavet Business License.
9. All connections made to the main water and sewer 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 Village may require the contractor to reopen the trench to ensure proper connection at the property owner's or contractor's cost.
10. A Connection fee of \$ 10,000.00 shall be charged each property owner prior to connection to the water and sewer system of the Village of Clavet and this fee shall be paid in full prior to actual connection to the said Village sewer and water system. Notwithstanding the connection fee requirement no such fee shall be charged on lots where a developer has either:
 - i. paid a fee to the Village to cover costs of infrastructure existing in area being newly developed
 - ii. paid outright the cost of developing infrastructure to service said lots at no cost to the Village.

PART V – APPLICATION TO RECEIVE UTILITY SERVICE

11. Persons who wish to own property in the municipality or operate a business from a building within the corporate limits of the municipality; and/or persons who wish to own property or operate a business from a building that is connected to infrastructure, must be supplied with water from the municipal system and must also conform to the requirements contained in the Municipality's Bylaws relating to waste management. An application to the Municipality in a form as set out in Schedule "A" to this Bylaw shall be completed.

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12. Application for utility service shall be made by the property owner. Owners will be requested to leave the utility billing in their name as property owner in order to ensure they have control over the payment of the utility billing. A deposit of \$100 must always be retained in the name of the Owner if renters are involved.

In instances where there is not individual curb-stops in a multi-unit dwelling, apartment or condominium, the utility billing must remain in the owner's name or in the instance of an Association/Condominium, the Condo Association's name.

13. Each application by the owner of the property shall be accompanied by the payment of a utility deposit in the amount of \$100 for a 5/8 or 3/4 inch meters. All other meter size deposits are to be determined at the time of connection based on purchase price of the meter.
14. The utility deposit set out in this Bylaw shall be refunded or applied to the final billing upon service being disconnected due to a change in ownership or vacating of the premises. If the account is disconnected due to non-payment, the deposit will be applied to the account prior to disconnection, and will be required again prior to reconnection of services.

PART VI – METER READINGS & BILLING PROCEDURES

15. Water meters shall be read (or if unable to access the premises, estimated) and billings issued bi-monthly. Such reading shall be completed by the 6th day of the month and the billing to be issued not later than the 10th day of the month.
16. In the event a meter or remote reader is inaccessible for whatever reason, the designated officer shall leave a note indicating the need for a reading. If a reading cannot be obtained an estimate will be used for billing purposes.

Owners are welcome to provide readings on the understanding that such readings shall be done on the last day of the month and submitted by phone, email or in person to the Municipal office by the first working day of the month.

The designated officer is required to ensure that all Village owned meters are read inside the premises not less than once (1) a year by an employee of the Municipality other than the owner of the property.

17. Accounts shall be paid by the last day of the month in which they are rendered. A penalty in the amount of Two (2%) percent shall be added to unpaid accounts at the beginning of the following month.
18. If the arrears on an account are not paid in full within ten (10) days of the billing in which they are identified as arrears and which contains a message about disconnection, the water service may be disconnected without further notice.

PART VII – 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 an account or failure to complete an accurate written application for service and/or failure to provide payment of deposit as set out in Part V #11 and #12 ;

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- b) Non-payment of the Village of Clavet 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
20. 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 \$50. to cover expenses and a new meter deposit in place. Should the designated officer be required to turn on the said water outside of the employee's regular working hours, a fee of \$100. shall be charged to cover the cost of call out.
21. In instances where an emergency requires the temporary disconnection of water to a property, there will be no charge to the occupant.
22. In instances where an occupant requests a temporary disconnect due to vacation time out of the country, consideration will be given to accommodate the request if the period is three (3) months or more. This will apply to all utilities.
- Due to the manner in which the Village is billed for solid waste disposal, temporary discontinuance of waste only will not be allowed. Infrastructure fees will continue to be billed monthly. A disconnect/reconnect fee of \$50. is paid prior to any disconnection.
23. During the winter months, to avoid the potential of broken water lines, unpaid utility amounts owed by the owner of the property may be added to the tax roll rather than proceeding with water disconnection.
- At any time during the year, the Council may, by resolution, (in accordance with section 369(1) (b) of *The Municipalities Act*) direct that unpaid utility amounts be added to the tax roll. Administration will ensure due process is followed with respect to adding arrears to taxes.
- At December 31 of each year, any Utility Billings in Arrears, will have the Arrears amount owing transferred to the Property owners Tax Account.
24. If the water supply to a dwelling unit is disconnected for infringement of the provisions of the bylaw, the same shall not be reconnected until all penalties, fees, rates, charges and arrears have been paid or arrangements have been made for full repayment of same.

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PART VIII – NEW CONSTRUCTION AND
INSTALLATION OF WATER METERS AND REMOTE READERS

25. The municipality will not be responsible for the installation of a new meter in a newly constructed building. This must be done by a qualified journeyman plumber.
26. At the time of new construction it is expected that a 'remote' reader be installed and that this be placed on the front or side of the building to ensure the municipal staff does not need to access the back or side yard of the property or an area within a fenced/locked location.
27. If a remote reader is already located on the side yard or rear of a building, the Municipality will take as much care as possible, but will not be responsible for any damage done to flower beds, gates, fences and the like and cannot guarantee that gates will always be secured following the reading of the remote. Further, if said remote is inaccessible due to the gate being locked, family pets being allowed to run at large within the fenced area, or other reasons beyond the control of the Municipality, the owner may be requested to move the remote to an accessible location that is not within the fenced area.
28. If a remote meter reading device is installed in addition to the existing meter, the meter shall be the official reading.
29. 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.
30. At the time of new construction it is the responsibility of the owner to ensure that the curb stop (cc) is not restricted by landscaping, driveways or other material.
31. It is the responsibility of the property owner to ensure that the curb stop (cc) 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.

PART IX – GENERAL PROVISIONS

32. The Village Foreman or Assistant shall be the designated officer with respect to repair, replacement or maintenance of Village-owned meters. The Municipality will be responsible for the meter only, not parts connected to the meter or for any plumbing that may be required in replacement of a meter.
33. The municipality reserves the right to disconnect the water service from any customer, without notice, and to 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.
34. The Village Foreman or Assistant may enter the premises in which a customer has water service, for the purpose of removing any meters or other property of the Village if the water supply has been discontinued.

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35. In the event of a water break on a service line or damage to a service line, the cost of repair shall relate specifically to the location of the damage or break. Should the damage or break occur on an individual's property they will be responsible for the cost of repair. Should the damage or break occur on Village property the Village will be responsible for the repair. In the event 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 our 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 on 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 or the Village will not take responsibility for any of the billing.

36. Out of Village subscribers do not pay taxes to the Village for the structure being serviced and service must be fair and equitable to other residents of the Village who are supporting the utility through the taxes they pay on their land and improvements within Village limits. Accordingly out of Village subscribers will be subject to the following provisions:
- a. They will pay for water usage at the same rate as other users of the utility;
 - b. Any repair to any waterline lying between the last service connection within the Village, and the out of Village subscriber will be the responsibility of that subscriber, regardless of whether it lies within or beyond Village boundaries. Any such costs will be incurred reasonably, and will be invoiced to the user, to be paid within 30 days;
 - c. Where an invoice (b above) is not paid within 90 days, service will be suspended until the account is current. Thereafter, the municipality will not undertake any repair to the said waterline until such time as the costs have been estimated, and the subscribers have deposited that amount with the Village on account of the anticipated costs;
 - d. Where there is a lengthy distance between the last municipal service connection and the out of Village subscriber it is the recommendation of the municipality that the out of Village subscriber ensure a tap is running, at their own expense, during periods of extreme cold (winter months).

37. In the event of a sewer blockage on a service line, the cost of repair shall relate specifically to the location of the blockage. It is anticipated that a blockage on a service line is the result of inappropriate use of the service line and the cost will be that of the home owner unless there is substantive proof that the blockage is as a result of work being done on Village property. The Village expects that the owner will contact our Administration or Public Works staff prior to any work being undertaken. If no contact is made with the Village, the Village will not take on the responsibility of the billing for any work that is done.

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**Water and Sewer Account Application
Schedule A**

PART 1 (Part 1 is required to set up a new account – it is critical that we have a contact number and email address as part of *title* your application.) *(Please note: Your account name should appear as shown on your property)*

****Principle Account Holder:** _____

Secondary Account Holder: _____

Street Address: _____

****Billing Address:**

*****Home Ph. #:** _____ **Work Ph. #:** _____ **Cell Ph. #** _____

****Email:** _____ **Possession Date:** _____

The following is applicable to renters only: Please note that we are required to report delinquent accounts to the property owner. Please initial to indicate that you have read and understand that the Landlord will receive copies of correspondence regarding your account.

Tenant's initials _____

PART 2

The following is information that is useful to us with regards to keeping track of our population and demographic stats. We assure you it will be held in confidence unless you give us signed permission to use it. Please indicate your wishes with regards to using your personal information for the following:

Do we have your permission to include your name, address, and/or phone number to our
Emergency Manual? Yes _____ No _____

How many people are in your household? _____

Please indicate how many are within each age bracket: 0 – 19 _____ 20 – 54 _____ 55 + _____

Signature: _____ Date: _____

****REQUIRED information ***A minimum of one working telephone number is REQUIRED**

For office use only: Deposit Amount: _____

Receipt No. _____

(\$100 for owners; \$100 for renters) Date Received: _____

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PART X – RESTRICTIONS

38. The municipality shall have the right, by resolution of Council, to limit the amount of water furnished to Consumers should circumstances warrant such action.

39. Bylaw 1988-15 and 1999-02 is hereby repealed.

PART X1 INTO FORCE AND EFFECT

40. This Bylaw shall come into force upon adoption by Council.

Read a third time and adopted July 18, 2016

Mayor _____

Administrator/CAO _____