

**TOWN OF WADENA
BYLAW NO. 16-18**

**A BYLAW TO REGULATE THE MAINTENANCE AND
MANAGEMENT OF THE WATERWORKS SYSTEM**

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

1. DEFINITIONS

In this Bylaw, the words:

- (a) **Appliance** means a device or mechanism, other than that owned and operated by the Town, in or through which water is piped or used for a domestic, agricultural, or commercial purpose.
- (b) **Backflow** means the flow of water in the direction opposite to normal flow.
- (c) **Consumer** includes the owner, tenant, or occupant of any real property connected with or supplied with water through a water connection to the waterworks system of the Town.
- (d) **Curb-Stop** means the valve on a service pipe located on the street or lane at or near an owner's property boundary.
- (e) **Meter** means an apparatus for measuring and recording the quantity of water passing through it and shall include all accessory materials required for the installation and operation of the meter.
- (f) **Over-Watering** means watering in a manner that saturates the lawn, boulevard or landscaped area being watered and results in water spreading or pooling onto areas beyond them.
- (g) **Person** includes an applicant, consumer, corporation, landowner, occupant, owner, partnership or party and the personal or other legal representative of a person to whom the context can apply according to law and the singular includes the plural and the masculine includes the feminine, responsible for the payment of charges for water and sewer services.
- (h) **Sprinkling** shall mean the application of water to lawns, gardens, or other landscaped areas, except for hand-watering and drip irrigation systems.
- (i) **Town** means the Town of Wadena and its employees.
- (j) **Waterworks System** means the whole or any part of the equipment by which or through which the Town conveys water within the jurisdiction of the Town and, not to limit the generality of the foregoing, includes pumps, sedimentation system, filtration system, the Town's water treatment plant, reservoirs, water mains, pipe valve connections, hydrants, corporation stops, valves and other related works, curb-stops, meters and related appliances and all other appurtenances as are designed to form a part thereof.

2. SERVICE CONNECTIONS

- 2.1 No person shall permit the construction or the operation of a well, for the purpose of providing water for consumption, within the Town's boundaries.
- 2.2 Every person who requires water services shall make application for connection to the Town's waterworks system. Each application must be accompanied by a deposit which is regulated by additional bylaws and policies of the Town.
- 2.3 No person shall cause or allow water to flow onto or to be released on or to be used on the land which the person requires service, unless the water is being lawfully supplied to such land in accordance with the provisions of this Bylaw.
- 2.4 The type and size of service connections and the arrangement of valves and other appurtenances required to regulate the water shall be specified in the design guidelines for the Town's approval.
- 2.5 Only one (1) connection is permitted for each legal property unless approved by the Town.
- 2.6 The location of a new service connection will be at a location authorized by the Town.

- 2.7 Where an applicant for a water service requires a quantity or type of service in excess of that which can be supplied from the works, the Town may require the said applicant to pay for all or part of any works considered necessary to augment system capacity in order to meet the water requirements. All works required to be installed must be installed along the full frontage of the land being developed.
- 2.8 Before any person shall install or construct any works, that person shall apply to the Town in writing and obtain a written permit, and shall furnish a plan and specifications which shall show:
- (a) The purpose of the size of pipes and the number of outlets related or connected thereto;
 - (b) A description of the materials which the applicant proposes to use;
 - (c) The street address and complete legal description of the premises in which the installation or connection is to be made; and
 - (d) The number of individual units to be supplied.
- 2.9 Immediately after the completion of any works, and before such works or any part thereof has been covered or concealed, the Town shall be notified that such works are ready for inspection. The works shall not be covered until they have been inspected, tested under pressure, and accepted in writing by the Town.
- 2.10 The water service shall not be activated to a property until all outstanding fees have been paid in full; and a water meter has been installed on the property and has been inspected by the Town and found to be in compliance with this Bylaw.

3. TURN OFF AND TURN ON

- 3.1 The Town may order the water supply to be discontinued without notice for violation of any of the provisions of this Bylaw or any other bylaw or policy regulating rates charges for water and/or sewer services including the non-payment of rates, fees or charges when due, for refusing to provide for the proper installation of a meter or backflow device, for failure to maintain the water service and private system in good condition without any leaks, or for a failed backflow assembly.
- 3.2 Persons who request to have their water service discontinued or reconnected shall give the Town at least one (1) business days' notice, unless in the event of an emergency; the conditions and regulations and fees to be charged shall be regulated by any other bylaw or policy of the Town.

4. TOWN'S RIGHT OF ACCESS

- 4.1 The owner of every parcel of land and the occupier of every premise shall at all reasonable times allow, suffer and permit the Town or authorized representative to enter into or upon the lands and premises for the purpose of inspecting or testing any works, fittings or appliances related to the use of water, or for the purpose of installing, removing, repairing, reading or inspecting meters in order to ascertain whether or not the provisions of this Bylaw are being complied with.
- 4.2 No person shall obstruct or prevent the Town from carrying out any of the provisions of this Bylaw.

5. WATERWORKS SYSTEM

- 5.1 No person except the Town shall open, shut, adjust, draw water from, or tamper with any of the waterworks system.
- 5.2 When a landowner requests that any of the waterworks system be moved or relocated, the entire cost of moving or relocating the said works shall be borne by the landowner unless other arrangements are agreed upon in writing by both parties. The landowner shall also be responsible for all costs associated with the creation of any new easement, including repealing the old easement.
- 5.3 A contractor, developer, or other group or corporation who requires temporary water service for the purposes of construction, or for expansion of a development, or for another reason, must receive approval of the Town.
- 5.4 The area immediately around any hydrant, valve, curb-stop, or other fixture connected with the waterworks system shall be clear of any obstruction within a radius of one (1) meter. Should any person obstruct said access to any said fixture by allowing accumulation of surface water or snow around it or by placing thereon, or near thereto, any structure, landscaping, or material, the Town may remove such obstruction at the expense of the offending person.

6. WORKS ON PRIVATE PROPERTY

- 6.1 No person to whose premises water is supplied shall make, or permit to be made, any additional connection to his service of either temporary or permanent nature, for the purpose of supplying water to another building, or mobile home on his, or any other property without permission of the Town.
- 6.2 No person shall interconnect any portion of works on private property which are supplied by the Town with an external source of water.
- 6.3 No change or addition to the number or type of fixtures on a premise, for the purpose of expanding a commercial or industrial enterprise, shall be made until notice thereof has been given in writing to the Town and written permission therefore obtained. Any extra charges or higher rates payable due to the change or addition shall be paid at the time the change or addition is completed and prior to release by the Town.
- 6.4 No person shall use or permit the use of any pump or other device for the purpose of, or having the effect of, increasing the pressure in any pipe without the written permission of the Town, whether such pipe forms part of the waterworks system or of the works on the said person's premises. The Town may, without notice, discontinue services to any person employing such pump or other device.
- 6.5 No device designed to introduce another substance into the water in the connection between the building and the water supply main shall be installed without written permission of the Town; and the device shall be so designed and installed that such substance cannot be introduced into the waterworks system.
- 6.6 The property owner shall be responsible for the safekeeping, maintenance, repair and replacement of all service pipes and plumbing systems from the outlet of the Town's curb-stop at his property line and shall protect them from frost or other damage, and shall promptly repair frozen, leaky, or imperfect pipes or fixtures.
- 6.7 Any underground sprinkler system installed in the Town is subject to installation of a timing device designed to shut off flow to the system automatically and a Town-approved Dual Check Valve to be installed in a manner that will allow for easy maintenance and testing.
- 6.8 Placement of sprinkler systems adjacent to Town property must be installed at least twelve (12) inches from the sidewalk. The Town will not replace or be responsible for sprinkler heads damaged by the Town's equipment if the sprinkler heads are installed closer than twelve (12) inches from the sidewalk. Underground sprinkler lines and heads are not permitted on Town property unless duly authorized, installed and maintained by the Town.

7. WATER USE POLICY

- 7.1 Where, in the opinion of the Town, the quantity of water being used or the rate at which it is being used from time to time through any service is in excess of that contracted for or otherwise considered adequate, the Town may take such measures as are considered necessary to limit the supply to said service. The Town may limit the amount of water used by any service in the interests of efficient operation of the waterworks system and equitable distribution of water. These measures may include partially closing the controlling curb-stop and regulating the rate and time at which water may be used. The cost of any measures deemed necessary by the Town under this section shall be paid by the owner or owners concerned.
- 7.2 No owner or occupant of any premises supplied with water by the Town shall sell, dispose of, or give away water, or permit the same to be taken away or applied for the benefit of other persons or premises.
- 7.3 No person shall waste water by using more water than is required to provide a service, produce a product, or complete a task, including but not limited to:
- (a) allowing a tap or hose to run water unnecessarily;
 - (b) over-watering plants or lawns;
 - (c) using an unattended open pipe or hose for sprinkling purposes;
 - (d) allowing the deterioration of any appliance;
 - (e) allowing water outside of property, either pooling or running onto adjacent lands such as roadways, sidewalks, and driveways.
 - (f) damaging or allowing the deterioration of any appliance so as to result in a waste of water.

7.4 The Town may, at any time, introduce regulations amending the use of water for sprinkling or any other purpose. Upon receiving due notice of such regulations, no person shall use water for the purposes forbidden by, or in excess of the limits imposed by, such regulations. Due notice of regulations shall be given either by publication in a newspaper circulating within the Town, Internet, or by mail.

7.5 The Town may order the running of water in a premise to prevent freezing, in which case the consumer shall be charged rates set out in this Bylaw or any other bylaw or policy regulating rates charges for water and/or sewer services.

* **Amended #2019-03 - added 7.6 and replaced 8.**

8. LIABILITY OF THE TOWN

8.1 The Town does not guarantee a specific pressure or a continuous supply of water quality to meet the special requirements of individual users. The Town reserves the right to interrupt water services at any time for the purpose of making repairs or alterations to the waterworks system.

8.2 In case the supply of water shall fail, whether from natural causes or accident in any way, the Town shall not be liable for damage by reason of such failure, whether same arises from the negligence of any person in the employ of the Town, or from any other cause whatsoever, nor shall the Town be liable in any event for damage to person or property, arising, accruing or resulting from the use of water from the works.

9. WATER METERS

9.1 Every person who wishes to receive a supply of water from the waterworks system shall have installed a Town-approved water meter on his property in compliance with the provisions of this Bylaw provided the applicable account deposits and all other applicable fees and charges are paid and all applicable permits/applications for water service have been approved.

9.2 Only one water meter shall be installed for each service connection on a property.

9.3 The type and size of water meters for each type of property and use must be approved by the Town, and determined by considering the estimate of water consumption and other factors considered relevant.

9.4 Every water meter shall be installed by the Town or qualified contractor retained by the owner of the parcel and approved by the Town.

9.5 Where water services a single building on private property, the water meter shall be located in the building as close as possible to the entrance point of the water connection into the building and before any appliance, unless otherwise approved by the Town.

9.6 Where water services a multiple-unit housing or commercial, industrial or institutional property, the water meter must be located within a meter room or some other location approved by the Town.

9.7 No person shall remove or in any way disturb a water meter except under the direction of the Town.

9.8 The consumer shall provide adequate protection for the water meter against freezing, heat, and other severe conditions which might damage the water meter.

9.9 Where a consumer permits a water meter to freeze up, and damage to the meter results, the repairs or replacement shall be made by the Town and the cost of replacement and/or of materials and labour shall be billed to the consumer.

9.10 If any breakage, stoppage, or other irregularity in a water meter is observed by the consumer, the consumer shall notify the Town immediately.

9.11 Where damage to the meter results from tampering, any repairs including materials, labour, and/or replacement shall be at the cost of consumer.

9.12 If a water meter installed on a property is destroyed, lost, or damaged in any way, the owner shall repair or replace the water meter at their sole cost.

9.13 A consumer must, at all reasonable times, provide adequate, convenient, and unobstructed access to the Town for inspecting and reading the water meter.

10. WATER METER TESTING

10.1 If the Town or consumer questions the accuracy of the record of a water meter, the Town shall designate a qualified professional to remove and test the device.

10.2 If the test performed under Section 10.1 discloses that the water meter is not less than 98% accurate in recording the water passing through the water meter, the

party questioning the accuracy of the water meter shall pay the entire cost of testing the meter including Town staff time. If the test performed under Section 10.1 discloses that the water meter is less than 98% accurate in recording the water passing through the water meter, the cost of the test shall be borne by the Town.

10.3 If the test performed under Section 10.1 discloses that the water meter is less than 98% accurate in recording the water passing through the water meter, the Town shall adjust the consumer's water bill by the amount of the inaccuracy for a period not exceeding two (2) months. The adjustments shall only apply to the person who overpaid and not to any subsequent occupant of the property.

11. PENALTIES

11.1 The Town may turn off the supply of water to any person in default of the requirements of this or any other Bylaw or policy regulating water rates or services. The person in default will be required to follow the procedures in place under this or any other bylaw or policy regulating water service and accounts before any water service may be restored. It shall be unlawful for any person, whose water has been turned off pursuant to this section, to turn such water on again, or to take any water from the waterworks system until such time as the Town authorizes the service to be restored.

11.2 Any person who breaches any provision of this Bylaw is guilty of an offence and liable, on summary conviction, of a fine to a maximum of \$10,000.00 for an individual and \$25,000.00 for a corporation and is also liable to an action at law, at the suit of the Town to make good any damage done.

11.3 Conviction of a person for a breach of any provision of this Bylaw does not relieve that person from compliance with the Bylaw.

12. REPEALING PREVIOUS BYLAW

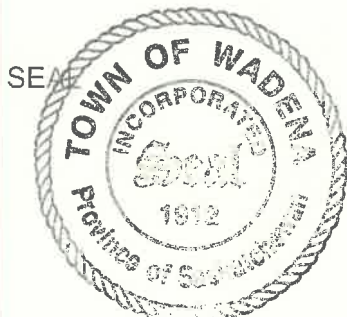
12.1 Bylaw No. 2013-7 is hereby repealed.

13. COMING INTO FORCE

13.1 This Bylaw shall come into force and take effect immediately when passed.

Mayor

Administrator



Certified a true copy of Bylaw #16-18 adopted by resolution of Council on August 13, 2018.

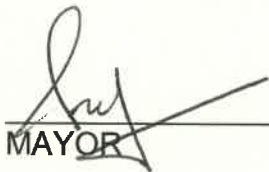
Administrator

**TOWN OF WADENA
PROVINCE OF SASKATCHEWAN
BYLAW NO. 2019-03**

**A BYLAW TO AMEND BYLAW NO. 2018-16,
A BYLAW TO REGULATE THE MAINTENANCE AND MANAGEMENT OF THE
WATERWORKS SYSTEM**

The council for the Town of Wadena, in the province of Saskatchewan enacts, as follows:

1. Bylaw No. 2018-16 is amended as follows:
 - a. Section 7 is amended by adding the following section:
 - 7.6 In cases of emergency such as making repairs to the street mains, or in constructing new work, or in connecting or repairing service connections, the Town shall have the right to shut off water from the consumers and keep it shut off as long as may be necessary. In cases of extreme emergency such as shortage of water in any water storage reservoir, breakdown of filtering equipment or other causes, the Town may, upon approval by Council, entirely shut off or to ration the use of any designated purposes or such other uses as may be determined by the Council. Wherever possible, the consumers affected shall be notified by Town of the impending shut-off.
 - b. Section 8 be replaced with the following:
 - 8 LIABILITY
 - 8.1 Neither the Town, its servants nor its employees shall be held liable for any loss or damages resulting from (i) the termination, interruption, failure or restriction of the supply of water to any premises or customer deriving its supply from the Town's Waterworks System either with or without notice or (ii) the consumer's connection or use of the Town's Waterworks System.
2. This Bylaw shall come into force and take effect on the date of final passing thereof.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

