

## TOWN OF WADENA BYLAW NO. 2025-01

### A BYLAW TO REGULATE THE WATER & SEWER 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** shall mean a device or mechanism, other than that owned and operated by the Town, in or through which water or sewer is piped or used for a residential, agricultural, industrial, or commercial purpose.
- b. **Backflow** shall mean the flow of water in the direction opposite to normal flow.
- c. **Council** shall mean the legislated body of people formally elected to manage the affairs of the Town of Wadena.
- d. **Curb-Stop** shall mean the valve on a service pipe located on the street or lane at or near private property boundary.
- e. **Dripline** shall mean the device allowing water to constantly flow on a building or commercial tap of a private property.
- f. **Main** shall mean the water and sewer main pipeline located under the street.
- g. **Meter** shall mean 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.
- h. **Municipal Property** shall mean the lands registered to the Town of Wadena on title within Information Services Corporation (ISC).
- i. **Person** shall mean an applicant, property owner, consumer, tenant, corporation, occupant, 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.
- j. **Private Property** shall mean the lands registered to a property owner(s) on title within Information Services Corporation (ISC).
- k. **Property Owner** shall mean the person(s) of a private property registered on title within Information Services Corporation (ISC).
- l. **Service** shall mean the water and sewer service pipeline that is located from the mains in the street to the building or lands of a private property.
- m. **Sprinkler System** shall mean the application of water to lawns, gardens, or other landscaped areas, except for hand-watering and drip irrigation systems.
- n. **Temporary Water Service** shall mean a temporary supply of water to a person that is without water due to a frozen service, in which the water is provided through a garden hose by attachment to a faucet located on the outside of a building of a private property to a faucet located on the outside of a building of another private property.
- o. **Town** shall mean the Town of Wadena and its employees.
- p. **Water & Sewer System** shall mean the whole or any part of the equipment by which or through which the Town conveys water or sewer service 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 and lift stations, reservoirs, water and sewer 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. WATER & SEWER 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 a water service 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 and sewer shall be specified in the design guidelines for the Town's approval.
- 2.5 Only one (1) water connection and (1) sewer connection is permitted for each legal registered private 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 property owner for a water and sewer service requires a quantity or type of service in excess of that which can be supplied from the services, the Town may require the said property owner to pay for all or part of any works considered necessary to augment system capacity in order to meet the water and sewer requirements. All services required to be installed must be installed along the full frontage of the land being developed.
- 2.8 The property owner shall be responsible for the installation and maintenance of the water and sewer service from the main in the street to the building on the private property, except for the curb stop.
- 2.9 Before any property owner shall install or construct any services, that property owner 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.
- 2.10 Immediately after the completion of any services, and before such services or any part thereof has been covered or concealed, the Town shall be notified that such services are ready for inspection. The services shall not be covered until they have been inspected, tested under pressure, and accepted in writing by the Town.
- 2.11 The water service shall not be activated to a private property until all outstanding fees have been paid in full; and a water meter has been installed on the private property and has been inspected by the Town and found to be in compliance with this Bylaw.
- 2.12 No person except the Town shall open, shut, adjust, draw water from, or tamper with any of the water services.
- 2.13 When a property owner requests that any of the water or sewer services be moved or relocated, the entire cost of moving or relocating the said services shall be borne by the property owner unless other arrangements are agreed upon in writing by both the Town and the property owner. The property owner shall also be responsible for all costs associated with the creation of any new easement, including repealing the old easement.

- 2.14 A contractor, developer, or other group or corporation who requires a temporary water service for the purposes of construction, or for expansion of a development, or for another reason, must receive approval of the Town.
- 2.15 The area immediately around any hydrant, valve, curb-stop, or other fixture connected with the water service 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.

### **3. WATER & SEWER SERVICES - BREAK, BLOCKAGES, REPAIRS**

- 3.1 In the event of a water service break, the Town will cost share with the property owner 50% of the cost for the portion of the repair located from the private property boundary to the water mains in the street.
- 3.2 In the event of a sewer service blockage/break located on private property, the property owner shall be responsible for 100% of the cost of the cleaning, the camera, related costs for problem diagnosis, and damage to the related infrastructure. If it is determined that the blockage or break is the result of inappropriate use (such as damage, or any items flushed other than defecation, urine, toilet paper), the property owner shall be responsible for 100% of the cost of the cleaning, the camera, related costs for problem diagnosis, and damage to the related infrastructure whether the blockage or break is located on private property or municipal property, unless substantial proof is provided that the blockage or break is a result of work being done by the Town on municipal property. The property owner shall hire a contractor to complete the repair of the blockage or break of the sewer service on private property. The Town shall inspect the repair before the trench is backfilled to ensure the repair meets town specifications. If no contact is made with the Town prior to the contractor commencing work, and if the contractor hired to perform work is not vetted by the Town prior to commencing the work, the Town shall not take on the responsibility for any of the invoicing costs relative to the repair work that is done on the sewer service.
- 3.3 It is the responsibility of the property owner to contact the plumber and the Town to ensure both are present at the time of the repair to ensure location of the blockage or break is clearly defined.
- 3.4 Replacement or repair of curb stops shall be performed by the Town at no cost to the property owner.
- 3.5 The Town will bear the expenses associated with the cleaning of the sewer main, except in instances where exploratory digging is required to identify the cause of a blockage or break on an individual property.
- 3.6 If the property owner requests a camera be used on the sewer service, the cost of cleaning and the camera shall be the responsibility of the property owner.
- 3.7 If the Town decides to camera a sewer service, the cost of cleaning and the camera shall be the responsibility of the property owner.
- 3.8 If in the event the property owner requires a sewer service cleaning or water service repair, the property owner shall contact a certified plumber and shall be responsible for payment of the related invoiced costs.
- 3.9 In cases of emergency such as making repairs to the street mains, or in constructing new service, or in connecting or repairing service connections, the Town shall have the right to shut off water from the private property 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 private property affected shall be notified by Town of the impending shut-off.

#### **4. WATER AND SEWER SERVICES ON PRIVATE PROPERTY**

- 4.1 No person to whose private property water and sewer is supplied shall make, or permit to be made, any additional connection to their private property service of either temporary or permanent nature, for the purpose of supplying water or sewer to another private property, without permission of the Town.
- 4.2 No person shall interconnect any portion of services on private property which are supplied by the Town with an external source of water.
- 4.3 No change or addition to the number or type of fixtures on a private property, 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.
- 4.4 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 service without the written permission of the Town, whether such service forms part of the water and sewer system or of the services on the said person's private property. The Town may, without notice, discontinue services to any person employing such pump or other device.
- 4.5 No person shall design or install a device to introduce another substance into the water in the connection between the building of the private property and the water main without written permission of the Town; and the device shall be so designed and installed that such substance cannot be introduced into the water system.
- 4.6 The property owner shall be responsible for the safekeeping, maintenance, repair and replacement of all water and sewer services and plumbing systems from the outlet of the Town's curb-stop extending onto the private property and shall protect the services from frost or other damage, and shall promptly repair frozen, leaky, or imperfect services or fixtures.

#### **5. FROZEN WATER AND SEWER SERVICES**

- 5.1 Water and sewer services from the lateral main to the building of private property and the related expenses incurred for thawing is the responsibility of the property owner.
- 5.2 Frozen service requests received by the Town will be prioritized in the order they are received, except for vulnerable properties who will be placed at the top of the priority list. Upon receipt of a service request, the Town shall initiate response within twenty-four (24) hours, where feasible.
- 5.3 If the Town is unable to respond within the timeframe required by the property owner, the property owner may hire a contractor at their own expense, even if the frozen service is found to be on municipal property.
- 5.4 The use of welders and torches are strictly prohibited for thawing water and sewer services.
- 5.5 When water and sewer services are determined to have frozen on private property, the property owner will be responsible for all costs associated with the thawing process as set out in the Town's Fees and Charges Bylaw. When water and sewer services are determined to have frozen on municipal property, or when the origin of the frozen service cannot be determined, the Town shall be responsible for all costs associated with the thawing process. In the case where the Town is unable to thaw the frozen water service or provide a temporary water service to the private property, the Town shall replace the curb stop at the Town's expense.
- 5.6 The property owner(s) supplying and receiving a temporary water service, approved in accordance with this Bylaw, shall be invoiced the average of the last two (2) billing periods.
- 5.7 All running water requests must be approved by the Town. A property owner advised to let their water run but do not follow the instructions provided by the Town or turns off the water for any period, are responsible for all costs incurred if the water service freezes. The property owner shall be responsible for any damage

caused to the municipal property caused by negligence. Running water is turned off at the discretion of the Town in accordance with the Town's Water and Sewer Rates Bylaw.

- 5.8 The Town shall keep record of all private properties that have had frozen water and sewer services.
- 5.9 Any unpaid invoices as of December 31st of the year the work was completed shall be transferred to the property owner's tax card.

## **6. DRIPLINES**

- 6.1 Water and sewer services from the curb-stop main to the building of private property and the related expenses incurred for the installation of a dripline is the responsibility of the property owner.
- 6.2 All dripline requests must be approved by the Town, prior to the dripline being installed and a custom work order must be completed.
- 6.3 Driplines of a maximum size of a 1/8 inch line must be installed by a certified plumber before the water meter at the property owner's expense. The costs of all contractor's expenses for installation and material of the dripline shall be invoiced directly to the property owner by the contractor. The dripline will be inspected by the Town after installation to ensure compliance. For any existing driplines that have been installed after the water meter, those private properties shall be eligible for the special water billing (average of the last two (2) water billing periods).
- 6.4 Where a dripline cannot be installed, it may be recommended by the Town to run a constant stream of cold water from a tap in the building. The stream of water should be approximately the size of a drinking straw (0.5 cm or ¼ inches in diameter). It is the property owner's responsibility to ensure that water is run in accordance with the guidelines set out in dripline/running water waiver form. Customers will be invoiced in accordance with the Town's Water and Sewer Rates Bylaw.
- 6.5 A dripline/running water waiver form shall be completed by the property owner annually, including an actual meter read taken at time of connection, and signed by the property owner and the Town employee turning on the dripline. Property owners that fail to sign the waiver shall be invoiced according to actual consumption.
- 6.6 Driplines and running water shall be turned on no later than January 1<sup>st</sup> each year, or earlier if the frost line reaches 1.2 m (4 ft) in depth, at the discretion of the Town.
- 6.7 Driplines are turned off at the discretion of the Town in accordance with the Town's Water and Sewer Rates Bylaw.
- 6.8 Any unpaid invoices as of December 31st of the year the work was completed shall be transferred to the property owner's tax card.
- 6.9 Maintenance and associated costs of all driplines installed will be the responsibility of the property owner.

## **7. SPRINKLER SYSTEMS**

- 7.1 Placement of sprinkler systems adjacent to municipal 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 municipal property unless duly authorized, installed, and maintained by the Town.

## **8. TURN OFF AND TURN ON – WATER SERVICE**

- 8.1 The Town may order the water service 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 in good condition without any leaks, or for a failed backflow assembly.

- 8.2 A person who requests 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 as set out in the Town's Fees and Charges Bylaw.
- 8.3 In cases of emergency such as making repairs to the street mains, or in constructing new service, or in connecting or repairing service connections, the Town shall have the right to shut off water from a private property 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 private property affected shall be notified by Town of the impending shut-off.
- 8.4 It shall be unlawful for a person, whose water has been turned off pursuant to this section, to turn such water on again, or to take any water from the water system until such time as the Town authorizes the service to be restored.

#### **9. TOWN'S RIGHT OF ACCESS**

- 9.1 The property owner and the person occupying the private property shall at all reasonable times allow, suffer and permit the Town or authorized representative to enter into or upon the private property for the purpose of inspecting or testing any services, 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.
- 9.2 No person shall obstruct or prevent the Town from carrying out any of the provisions of this Bylaw.

#### **10. WATER USE POLICY**

- 10.1 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 water service 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 person concerned.
- 10.2 No person of a private property 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 person(s) or private property.
- 10.3 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 service 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.
- 10.4 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.
- 10.5 Council may limit or restrict completely the amount of water supplied to any private property should circumstances warrant such action.

- 10.6 A property owner may be granted an exemption from the provisions of this Bylaw for the purpose of watering a newly planted lawn. An application for the exemption is to be made to the Town stating the reason for the application, civic address of the private property to be affected and date of commencement of the exemption. Exemption shall only be granted for a period of 30 days.

#### **11. WATER METERS**

- 11.1 A property owner who wishes to receive a service of water from the water system shall have installed a Town-approved water meter on the private property in compliance with the provisions of this Bylaw provided the applicable account deposits and all other applicable fees and charges as set out in the Town's Fees and Charges Bylaw are paid and all applicable permits/applications for water service have been approved.
- 11.2 Only one (1) water meter shall be installed for each service connection on a private property. The water meter shall remain the property of the Town.
- 11.3 The type and size of water meters for each type of private property and use must be approved by the Town and determined by considering the estimate of water consumption and other factors considered relevant.
- 11.4 Every water meter shall be installed by the Town or certified plumber retained by the property owner of the private property and approved by the Town.
- 11.5 Where water services a single building on a private property, the water meter shall be located in the building of the private property 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.
- 11.6 Where a multiple-unit housing or commercial, industrial or institutional private property receives a water service, the water meter must be located within a meter room or some other location approved by the Town.
- 11.7 No person shall remove or in any way disturb a water meter except under the direction of the Town.
- 11.8 The property owner shall provide adequate protection for the water meter against freezing, heat, and other severe conditions which might damage the water meter.
- 11.9 Where a person 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 invoiced to the property owner.
- 11.10 If any breakage, stoppage, or other irregularity in a water meter is observed by the person, the property owner shall notify the town immediately.
- 11.11 Where damage to the meter results from tampering, any repairs including materials, labour, and/or replacement shall be at the cost of property owner.
- 11.12 If a water meter installed on a property is destroyed, lost, or damaged in any way, the property owner shall repair or replace the water meter at their sole cost.
- 11.13 The property owner or person shall, at all reasonable times, provide adequate, convenient, and unobstructed access to the Town for inspecting and reading the water meter.

#### **12. WATER METER TESTING**

- 12.1 If the Town or property owner questions the accuracy of the record of a water meter, the Town shall have the town employee remove and/or test the device.
- 12.2 If the test performed under Section 12.1 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 the town employee's custom work hours. If the test performed under Section 12.1 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.

- 12.3 When the test performed under Section 12.1 discloses that the water meter is less than 98% accurate in recording the water passing through the water meter, the Town shall adjust the person'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 person of the property.

### **13. LIABILITY OF THE TOWN**

- 13.1 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 service of water to any private property or person deriving its service from the Town's water system either with or without notice; or
  - ii. the person's connection or use of the Town's water system.

### **14. PENALTIES**

- 14.1 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.
- 14.2 Conviction of a person for a breach of any provision of this Bylaw does not relieve that person from compliance with the Bylaw.

### **15. REPEALING PREVIOUS BYLAW**

- 15.1 Bylaw No. 2023-01 is hereby repealed.

### **16. COMING INTO FORCE**

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



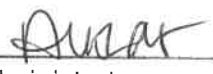
  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

Read a third time and adopted  
this 17<sup>th</sup> day of March, 2025

  
\_\_\_\_\_  
Chief Administrative Officer

Certified a true copy of Bylaw # 2025-01  
adopted by resolution of Council on Mar 17/2025

  
\_\_\_\_\_  
Administrator





**Schedule No. 1**

**Water and Sewer Acknowledgment Form**

Please read and sign the form below to acknowledge that you are responsible for all costs related to water and sewer breaks, blockages, related costs for problem diagnosis, and repairs.

**FULL NAME**

--	--

First Name

Last Name

**PROPERTY ADDRESS**

--

Street Address

**MAILING ADDRESS**

--

PO Box Number

--	--	--

Town

Province

Postal Code

**EMAIL ADDRESS**

--

example@example.com

**PHONE NUMBER**

--

**ACKNOWLEDGEMENT STATEMENT**

I, the undersigned, hereby acknowledge that I am responsible for paying all costs related to water and sewer breaks, blockages, related costs for problem diagnosis, and repairs associated with my property for this singular occurrence. I understand that failure to address these issues shall result in additional fees, fees added to my tax card (as per section 369 of The Municipalities Act) or legal action.

**SIGNATURE**

--

**SIGNATURE DATE**

--

**OCCURRENCE DATE**

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*700 90*