

**TOWN OF BRUNO
WATER & SEWER MANAGEMENT BYLAW
BYLAW NO 06/2022**

**A BYLAW TO MANAGE THE CONSTRUCTION, INSTALLATION, REPAIR, USE,
CONSUMPTION AND DISCHARGE OF A WATER AND SEWER PUBLIC UTILITY**

This bylaw shall be referred to as the "Water & Sewer Management Bylaw".

PURPOSE

1. The purpose of this Bylaw is to make clear the Property Owner's responsibility concerning Public Service Utilities and establish the Town of Bruno's legislative regulations, rights and responsibility regarding Public Service Utilities.

DEFINITIONS

2. For the purpose of this policy, the following terms and words shall have the following meanings:
 - a) "Authorized Person" shall mean an employee of the Municipality or an individual or business appointed by The Municipality;
 - b) "Boundary" shall mean the perimeter of the Property Owner's lot;
 - c) "Commercial Building" shall mean any principal business, trade, profession, industry, occupation, or employment carried on and any premises from which goods and services are provided; and shall include and not limited to any public building such as a school, hospital, church, etc.;
 - d) "Council" shall mean the elected officials of the Town of Bruno;
 - e) "Municipality" shall mean the Town of Bruno;
 - f) "Occupant" shall mean:
 - i. A person residing on a Parcel of Land or in a Building on a Parcel of Land;
 - ii. A person entitled to the possession of a Parcel of Land or a Building on a Parcel of Land if there is no person residing on it;
 - iii. A Leaseholder of a Parcel of Land;
 - g) "Owner" shall mean a person who has the right, title, estate, or interest in the land or the improvements other than that of a mere tenant, occupant, or mortgagee;
 - h) "Parcel of Land" as interpreted by The Municipalities Act, shall mean for this Bylaw includes properties within the Municipality and to properties neighboring the Municipality in the R.M. of Bayne #371;
 - i. All or part of any parcel as defined in the Land Titles Act, on an approved plan;
 - ii. A number of Parcels as defined in the Land Titles Act, that are assessed together, or;
 - iii. Any area of land used for a single assessment;
 - iv. And includes all Buildings or Other Structures located on the Parcel of Land;
 - i) "Plumbing Regulations" shall mean the Saskatchewan Plumbing Regulations and amendments thereto;
 - j) "Public Utility" shall mean a system or works operated by the Municipality and used to provide one or more of the following for public consumption, benefit, convenience or use: Water, Sewage Disposal, Drainage & Waste Management;
 - k) "Raw Water" shall mean water that is not supplied by a Public Utility;

Adopted by resolution on Sept 29, 2022



Administrator

- l) "Residential Building" shall mean the premises on a Parcel of Land containing a residential dwelling unit and includes, but not limited to, a house used for business or residential purposes and a mobile home dwelling;
- m) "Residential Multi Unit" shall mean a building comprised of two or more dwelling units located in a Parcel Land;
- n) "Service Connection" shall mean the parts of the system or works of a Public Utility that runs from the Main Lines of the Public Utility to a building or other place on a Parcel of Land for the purpose of providing the Utility Service to the Parcel and includes the connections to the Main line and Couplings, stopcocks, meters, and other apparatus as required located inside the building or other place for the provision of the Public Utility.

PUBLIC UTILITY SERVICE CONNECTION AT OR NEAR THE BOUNDARY

- 3. A Public Utility Service Connection shall be installed at or near the Boundary on all Parcels of Land with a residential, commercial or residential multi unit building.
- 4. A Public Utility Service Connection may be installed on a vacant Parcel of Land upon request by the Owner of the vacant parcel of Land.
- 5. The Municipality shall determine the location of the Public Service Connection at or near the Boundary of the Parcel of Land.
- 6. The Municipality shall be responsible to construct, maintain, repair and replace a Public Utility Service Connection from the Main Line of the Public Utility to the Boundary of the Parcel of Land.
- 7. The Owner of the Parcel of Land shall be responsible to maintain and repair the Public Service Connection from the Boundary of the Parcel up to and inside of any building on the Parcel of Land.
- 8. The Municipality may enter any land for the purpose of constructing, maintaining, repairing or replacing a service connection and may if necessary, hire a contractor for the abovementioned purposes.
- 9. The Municipality shall, to a reasonable extent determined by The Municipality, restore any Parcel of Land to its previous condition after carrying out any construction, maintenance, repairs or replacement of the Service Connection.
- 10. The Municipality may, at its discretion, make the Owner of the Parcel of Land responsible for the costs of the construction, maintenance, repair or replacement of the portion of the service connection from the main line to the Boundary up to and inside of the Building, if the Municipality has supplied services as set out in section 7 of this Bylaw.
- 11. The costs and expenses associated with and noted in section 7 and section 10 of this Bylaw shall be and are deemed an amount owing to The Municipality by the Owner of the Parcel of Land.
- 12. Any costs and expenses relating to the Public Service Connection referenced in this Bylaw may be recovered from the Owner of the Parcel of Land by The Municipality by any of the following:
 - a) A Civil action for debt in a court as legislated in The Municipalities Act Section 368;
 - b) Adding the amount to the Tax Roll of the Parcel of Land on which the work is done in accordance with The Municipalities Act Section 369;
 - c) Any other methods authorized pursuant to the Municipalities Act or any other legislation.

PUBLIC UTILITY WATER SERVICE CONNECTION FROM THE BOUNDARY OF THE PARCEL TO A RESIDENTIAL, COMMERCIAL OR MULTIT UNIT BUILDING

13. The Owner of a Parcel of Land with a Residential, Commercial or Residential Multi Unit building on it shall connect to the Public Utility water service provided by The Municipality, shall use the Public Utility water service for all inside water and Wastewater use, and shall be responsible for the costs and expenses related to the construction, maintenance, repair and replacement of the Public Service connection located above, on or under the Owner's Parcel of Land from the Boundary of the Parcel to and including inside the Residential, Commercial or Residential Multi Unit building, unless otherwise determined by The Municipality.
14. The Service Connection referred to in section 13 above shall be approved and inspected by an Authorized Person of The Municipality, with the Service Connection work to be done in accordance with Provincial Plumbing Regulations.
15. If any Owner of a Parcel of Land fails to comply with the requirements of section 13 & 14 above, or the Municipality is not satisfied with the construction, maintenance, repair or replacement of a service connection by any Owner of a Parcel of Land, the Municipality may order the Owner to construct, maintain, repair or replace the Service Connection of the Public Utility in accordance with the instructions of the Municipality within a specified time. In that regard, the Municipality shall serve the Owner with a written order in accordance to The Municipalities Act Section 364.
16. If an owner does not comply with any order served by The Municipality, to the satisfaction of The Municipality within the specified time, or in an emergency, an Authorized Person of The Municipality may enter any land or building, including the Owner's Parcel of Land and buildings, in order to construct, maintain, repair or replace the Service Connection to the Municipalities satisfaction and The Municipality shall, to a reasonable extent determined by The Municipality, restore any Parcel of Land to its previous condition after carrying out any construction, maintenance, repairs or replacement of the Service Connection.
17. The costs and expenses associated with and noted in section 16 shall be and are deemed an amount owing to The Municipality by the Owner of the Parcel of Land.
18. Any costs and expenses relating to the Public Service Connection referenced in this Bylaw may be recovered from the Owner of the Parcel of Land by The Municipality by any of the following:
 - d) A Civil action for debt in a court as legislated in The Municipalities Act Section 368;
 - e) Adding the amount to the Tax Roll of the Parcel of Land on which the work is done in accordance with The Municipalities Act Section 369;
 - f) Any other methods authorized pursuant to the Municipalities Act or any other legislation.

WATER PUBLIC UTILITY – METERS AND ACCESS

19. Water meters shall be installed in every Residential, Commercial and Residential Multi Unit building where the Public Utility Water Service is supplied to a Parcel of Land.
20. At the discretion of the Municipality, common or individual metering and shuts-offs may be required for Residential Multi Unit dwellings.
21. The water meter location shall provide sufficient space for installation and convenient access.

22. Water meters shall remain the property of the Municipality and shall require a deposit before installation.
23. The Municipality shall be entitled to read the water meters quarterly and/or estimate the water usage each quarter.
24. Any Authorized Person is entitled to free access at any reasonable times to all parts of any parcel of land to which the Water Utility is connected for the purpose of:
 - a) Reading and/or inspecting a meter;
 - b) After making reasonable efforts to notify the Owner or Occupant, or in an emergency, for the purpose of directing and installing or sealing a meter or other related appliance and removing, altering, or repairing such meter as circumstances require, conducting sampling tests, inspecting any service connection or maintenance or repair.
25. Any person who obstructs or refuses to admit Authorized Persons to have free access to all parts of a Parcel of Land on which the Water Public Utility is delivered, for the purposes identified in section 24 above shall be deemed guilty of an infraction of this Bylaw.
26. Where, in the opinion of the Authorized Person, any water meter, fixture, or pipe is insufficiently protected from extreme temperature or other elements, the Municipality may terminate the supply of water after serving written notice to the Owner of the Parcel of Land of its intent to do so.
27. No person or party, other than a Town of Bruno Authorized Person, is authorized to open or close a valve in the waterworks, including private mains. No person shall tamper with, remove, alter or bypass or otherwise interfere with any valve, meter, structure or water service in the Town of Bruno. To do so may result in service disconnection and penalty shall be imposed as per section 50 of this Bylaw.
28. The costs and expense incurred by The Municipality for the purpose of directing and installing or sealing water meters or related appliances, and removing, altering, or repairing such water meters as circumstances require, conducting and sampling tests, inspecting any service connection or maintenance and repair of water meter or other related appliances shall be and are deemed to be an amount owing to the Municipality by the Owner of the Parcel of Land, unless otherwise determined by the Municipality.
29. Any costs and expenses relating to the Public Service Connection referenced in this Bylaw may be recovered from the Owner of the Parcel of Land by The Municipality by any of the following:
 - a. A Civil action for debt in a court as legislated in The Municipalities Act Section 368;
 - b. Adding the amount to the Tax Roll of the Parcel of Land on which the work is done in accordance with The Municipalities Act Section 369;
 - c. Any other methods authorized pursuant to the Municipalities Act or any other legislation.

PUBLIC UTILITY MANAGEMENT AND CONTROL

WATER PUBLIC UTILITY

30. The use of existing raw water cistern or water tank for yard irrigation within the Municipality shall be permitted **ONLY** if the cistern or tank is not connected to the water supply of the residence or to the Municipal water supply in any way. All plumbing must isolated (cut and capped) from the cistern or tank to the residence.
31. The Municipality shall have the right to impose the rationing of water, and otherwise limit the amount of Public Utility water to be furnished to any Parcel of Land, as circumstances warrant, and whenever possible, give at least 24 hours notice of the aforementioned; the Municipality shall not be liable for any damages for imposing such limits or rationing.

32. No person shall vend, sell, dispose or in any way convey or permit Public Utility Waters to be carried or taken away from the Parcel of Land, or use the Public Utility service for any purpose other than is authorized by the Council of Municipality or an Authorized person.
33. No person shall introduce into the Public Utility Water System any harmful matter, substance, or any thing whether liquid or solid, that would be injurious to health, life or property or that may injure, pollute or damage any stream, water course, drain, sewer system, and/or water treatment plant.
34. No person shall:
 - a. Willfully or maliciously hinder or interrupt the Municipality or Authorized Person in the exercise of any of the powers conferred with respect to the provision of the Public Utility Water Service;
 - b. Willfully or maliciously discharge water so that it is wasted;
 - c. Willfully or maliciously open, close or obstruct any water hydrant or service connection;
 - d. Attach any pipe or line to the Public Service Utility Water Service except for normal use.
35. Application for plumbing permits shall be completed by a plumber directly through TSASK.
36. All new houses shall, before being connected to the Public Utility Water Service, submit a clearance letter along with a written service request.

SEWER PUBLIC UTILITY

37. Any owner of a Parcel of Land who wishes to be supplied with Sewer Service from the Sewer Public Utility must make request along with a clearance letter, to the Municipality.
38. In an Emergency, and after making reasonable efforts to notify the Owner or Occupant of a Parcel of Land, any Authorized person or contractor hired by the Municipality is entitle to free access at all reasonable times to all parts of any Parcel of Land to which the Sewer Public Utility is connected for the purpose of:
 - a. Inspecting any sewer connection;
 - b. Constructing, maintaining, repairing or replacing any sewer connection.
39. No person shall discharge into any drain, sewer, or sewage system operated by the Municipality any harmful matter, substance, or thing, whether liquid, that would be injurious to health, life or property or that may injure, pollute or damage any stream, water course, drain, sewer, sewage system, lift station and/or the sewage treatment plant.
40. Any costs and expenses relating to the Public Service Connection referenced in this Bylaw may be recovered from the Owner of the Parcel of Land by The Municipality by any of the following:
 - a. A Civil action for debt in a court as legislated in The Municipalities Act Section 368;
 - b. Adding the amount to the Tax Roll of the Parcel of Land on which the work is done in accordance with The Municipalities Act Section 369;
 - c. Any other methods authorized pursuant to the Municipalities Act or any other legislation.

ENFORCEMENT OF BYLAW

41. Inspection
 - a. The Inspection of any Parcel of Land by an Authorized Person of the Municipality to determine if any provision of the Bylaw is being contravened is hereby authorized.
 - b. Inspections under this Bylaw shall be carried out in accordance with The Municipalities Act Section 362.
 - c. No person shall obstruct an Authorized Person from carrying out an inspection under this Bylaw.

42. Order to Remedy Contravention

- a. If any Authorized Person has reason to believe that any Owner or Occupant of a Parcel of Land is in contravention of this Bylaw, the Authorized person or the Municipality may, by written order, require the Owner or Occupant to remedy the contravention in accordance with the Municipalities Act Section 364.
- b. If an Order to Remedy is issued pursuant to sub section 45 a) above, the Municipality may, in accordance with the Municipalities Act, give notice of the existence of the order by registering an interest against the title to the Parcel of Land that is the subject of the order.
- c. A person may appeal an order referenced in sub section 45 a) above, in accordance with The Municipalities Act Section 365.
- d. The Municipality may, in accordance with the Municipalities Act Section 366, take whatever actions or measures are necessary to remedy a contravention of this Bylaw.
- e. In an emergency, The Municipality may take whatever actions or measures are deemed necessary to eliminate the emergency in accordance with The Municipalities Act Section 367.

43. Recovery of Expenses and Costs

Any costs and expenses incurred by the Municipality in remedying a contravention of this Bylaw shall be and are deemed amounts owing to the Municipality by the Owner of the Parcel of Land, unless otherwise determined by the Municipality. Such costs and expenses may be recovered from the Owner of the Parcel of Land by The Municipality by any of the following:

- a. A Civil action for debt in a court as legislated in The Municipalities Act Section 368;
- b. Adding the amount to the Tax Roll of the Parcel of Land on which the work is done in accordance with The Municipalities Act Section 369;
- c. Any other methods authorized pursuant to the Municipalities Act or any other legislation.

LIABILITY

44. By the Authority given through The Municipalities Act, the Municipality and any of its Authorized Persons are not liable for any action or inaction, operation or non-operation of any equipment or any failure of any Public Utility Service or Service Connection, and therefore will not assume any liability for any damages, loss, or clean-up resulting from any circumstance as listed, but not limited to, the forementioned unless negligence on the part of the Municipality can be determined.

OFFENSES AND PENALTIES

45. No Person shall:

- a. Fail to comply with an order made by the Municipality pursuant to this Bylaw;
- b. Obstruct or interfere with any Authorized Person or any Person acting under the authority of this Bylaw;
or
- c. Fail to comply with any other provision of the Bylaw.


46. Except as otherwise provided for in the Bylaw, every person who contravenes any provision of this Bylaw shall be guilty of an offence and liable for summary conviction to the Following penalties:

- a. First Offence \$1,000.00;
- b. Second Offence \$3,000.00;
- c. Third and subsequent Offences \$5,000.00;
Plus in the case of tampering
- d. Water Charges in the amount equal to an average historical years average usage.


- 47. If a Person is found guilty of an offence, contravention or infraction pursuant to this Bylaw, the court may, in addition to any other penalty imposed, order the person to comply with this Bylaw.
- 48. Notwithstanding any penalties or payments imposed pursuant to this Bylaw, Where a contravention shall be of a continuing or ongoing nature, the Municipality may terminate the Water and/or Sewer Public Utility from the Parcel of Land after providing the Owner of Occupant notice by registered mail.
- 49. Nothing in this Bylaw limits or restricts any other remedies the Municipality has available by law.
- 50. The Plumbing Regulations shall apply to and govern all plumbing and drainage within the Municipality.
- 51. Service supply rates for the Provision of Water and Sewer services are found within the Water & Sewer Rates Bylaw.
- 52. Bylaw No. 04/2019 is hereby repealed.
- 53. Effective date - This Bylaw shall take effect on the date it is given third and final reading.

{Seal}





Mayor – Dale Glessman



CAO – Colette Radcliffe

Read a third time and adopted
 this 20th day of Sept, 2022

 _____ CAO – Colette Radcliffe