

CITY OF PRINCE ALBERT BYLAW NO. 30 OF 2006

A Bylaw of The City of Prince Albert respecting the management of the Waterworks System, the terms and charges made for the supply of water.

WHEREAS Council may provide for the regulation and operation of the Waterworks System of the City as a public utility service;

AND WHEREAS Council may establish the terms under which a public utility service may be supplied and provide for rates to be paid in connection therewith;

AND WHEREAS The City of Prince Albert has established works for the collection, treatment, storage, supply and distribution of water;

NOW THEREFORE THE COUNCIL OF THE CITY OF PRINCE ALBERT IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the "Water Services Bylaw."

DEFINITIONS

2. In this Bylaw:
 - a. 'Act' means The Cities Act, 2002.
 - b. "applicant" means a person executing an application for, making use of or accepting the supply of water services.
 - c. "AWWA Standards" means the current published standards of the American Waterworks Association as same may be amended, revised and replaced from time to time.

- d. "City" means The City of Prince Albert.
- e. "Director of Public Works" means the Director of Public Works for the City and anyone acting or authorized by the City Manager or Director of Public Works to act on behalf of the Director of Public Works in the administration of the responsibilities under this Bylaw.
- f. "Connections Bylaw" means the Connections Bylaw of the City of Prince Albert, being Bylaw No. 12 of 1995, or such *Bylaw* or *Bylaws* as may be substituted therefor from time to time.
- g. "corporation stop" means a device for control of water flow from the City's water main to a water service connection.
- h. "Council" means the Council of the City.
- i. "Custom Work Order Policy" means the estimation of the value of work performed by City forces or on behalf of the City that is calculated by the Director of Public Works to constitute the standard charge for all work of a similar nature which is deemed to reflect the actual cost to the City of labour, equipment, material used, all applicable taxes, plus an administration fee equal to 15 percent of the value of the cost, the invoicing for the work performed on the basis of the standard charge, crediting any deposit which the Director of Public Works may have required to be paid and the requirement of the person making the deposit to pay any balance owing.
- j. "curb stop" means a device for the control of water flow from the water service connection to a premises where water is supplied.
- k. "Director of Financial Services" means the City Treasurer or the Director of Financial Services for the City and anyone acting or authorized by the City Manager, the City Treasurer or the Director of Financial Services to act on behalf of the Director of Financial Services.
- l. "Fire Chief" means the Fire Chief for the City and anyone acting or authorized by the City Manager or Fire Chief to act on behalf of the Fire Chief.
- m. "meter" means a device capable of measuring volume of water, approved as to specification by the Director of Public Works.
- n. "normal working hours" means between 8:00 a.m. and 4:45 p.m. on weekdays other than holidays and earned days off for employees of The City of Prince Albert.
- o. "premises" means any real property or building.

- p. *"Sanitary Sewer Bylaw"* means Bylaw No. 10 of 1995 of The City of Prince Albert or such Bylaw or Bylaws as may be substituted therefor from time to time.
- q. *"valve"* means a device for control of water flow in or from the City's water main or a water service connection.
- r. *"water crane"* means a facility of the City for the provision of water from the Waterworks System to persons hauling water.
- s. *"water service connection"* means the pipes and all related appurtenances for the conveyance of water from the Waterworks System to provide water services to premises.
- t. *"water services"* means all aspects of service supplied pursuant to this Bylaw to applicants, owners and persons hauling water from the water crane and includes the water supplied from the Waterworks System.
- u. *"Waterworks System"* means the whole or any part of the equipment by which or through which the City conveys water, its improvement, extension or replacement and, not to limit the generality of the foregoing, includes pumps, sedimentation system, filtration system, Water Treatment Plant, reservoirs, water mains, pipe valve connections, corporation stops, hydrants, valves, and other related works, curb stops, meters and related appliances, all other appurtenances as are designed to form a part thereof and the treatment processes by which water is treated before conveyance into the water mains.

INTERPRETATION

- 3. (a) Unless the context otherwise requires, subject to Section 2, terms and expressions used in this Bylaw shall have the same meaning as in the Act.
- (b) All words, either in this Bylaw or in the Schedules hereto, shall be interpreted to include a corporation or partnership or such number and gender as the context may require. Marginal notes and headings shall not be given any effect in determining the proper interpretation of this Bylaw.

SCHEDULES

- 4. Schedule "A", the tariff of deposits to be made by applicants and Schedule "B", the rates and service charges, as may be amended from time to time, are incorporated into and form part of this Bylaw.

LIMITATION OF LIABILITY

- 5. (a) Any water supplied by the City from the Waterworks System to an applicant shall only be supplied on the condition that the applicant shall make no claim against the City, its officials, employees or agents except with respect to

damage caused by the negligence of the City, its officials, employees or agents acting within the scope of their employment, as the case may be. It is a further condition of supply that the applicant shall make no claim for any indirect, incidental or consequential damages, including, but not limited to, lost profits. Not to limit the generality of the foregoing, neither the City, its officials, employees or agents shall be liable for:

- (i) actions based in nuisance;
 - (ii) actions in respect of personal injury, death or property damage related to the presence of any substance or material in the water or the Waterworks System; or
 - (iii) actions in respect of damages related to the interruption or termination of water services or failure or refusal to provide water services for any reason whatsoever, whether or not notice was provided.
- (b) Water services shall only be supplied on the condition that the applicant shall indemnify and save harmless the City, its officials, employees and agents from and against all claims arising by reason of the supply of water services, excepting those claims caused by negligence as described in Subsection (a). Not to limit the generality of the foregoing, as a condition of service, the applicant shall indemnify and save harmless the City, its officials, employees and agents from and against claims for personal injury, death or other types of claims whatsoever brought by the applicant or any third party arising directly or indirectly:
- (i) from the use by any person of the applicant's water services;
 - (ii) from the provision of water services at any premises owned or occupied by the applicant or any person to whom the applicant is an agent;
 - (iii) from the failure of the Waterworks System, the water services connection, the meter or any part of such service, system or meter or any appurtenance thereto affecting the applicant's water service; or
 - (iv) from the interruption or termination of water services or the failure or refusal to provide water services to the applicant for any reason whatsoever, whether or not notice was provided.
- (c) In all places where the Waterworks System is connected with hot water boilers or heating, cooling or other such equipment, the owner and the applicant shall ensure that suitable and sufficient devices are utilized to prevent damage to such equipment and to remove danger from collapse, explosion or otherwise if water services are interrupted, terminated or there is any variation in pressure.
- (d) In all places where steam, hot water or material foreign to that for which the Waterworks System was designed to convey may be forced backwards through a water services connection, the owner and applicant shall install a backflow preventer to prevent same from occurring. The owner and applicant

shall regularly test the backflow preventer and keep same in a well-maintained operable condition. A plan describing the backflow preventer and installation of same shall be filed with the Director of Public Works within 30 days of making the installation.

- (e) In the event that the owner or applicant neglects or fails to comply with Subsection (c) or (d) and damage to any City property results, the owner and applicant shall be jointly and severally liable for the cost of repair, calculated pursuant to the Custom Work Order Policy.

ADMINISTRATION

- 6. (a) The Waterworks System, its operation, maintenance, and repair shall be under the general direction control of the Director of Public Works. The installation and construction of the Waterworks System or other works in connection therewith shall be under the general direction and control of the Director of Public Works. The Director of Public Works shall keep full descriptions of all works constructed and forming part of the Waterworks System.
- (b) No person other than the Director of Public Works, the Fire Chief, a City employee acting in the course of his duties or a contractor or water hauler acting under the direction of the Director of Public Works shall manipulate any portion of the Waterworks System, open or close any valve, curb stop, or corporation stop on the Waterworks System, open or close any hydrant, obstruct access to any hydrant, tamper with a meter connected to the Waterworks System, or uncover, tamper with, attach any line or pipe to the Waterworks System.

APPLICATION FOR WATER SERVICES

- 7. (a) No person shall use water services without application first having been made for same with the office of the Director of Financial Services. Every person desiring that premises be supplied with water from the Waterworks System shall execute an application in the form as determined by the Director of Financial Services and shall pay all applicable deposits and fees as set forth on Schedule "A" to the office of the Director of Financial Services no later than the due date of the first regular water bill. An application for water services to premises where sewer services are connected shall be deemed to include an application for sewer services to which the Sanitary Sewer Bylaw applies.

Should the identity or the poor payment history of an applicant come into question, the applicant maybe compelled to produce valid identification at the office of the Director of Financial Services, and pay the corresponding deposits and fees before water service shall be connected.

- (b) Every person desiring that premises be supplied with water from the Waterworks System shall produce at least 2 pieces of identification in such form as establishes the identity of the applicant to the satisfaction of the Director of Financial Services.
- (c) The deposit referred to in Subsection (a) shall be held by the City as security for payment of water accounts and shall be returned to the applicant, without interest, upon termination of water services, provided all water and other accounts owing to the City by the applicant are paid.
- (d) If water services are disconnected for any cause and a water or other account is owed by the applicant to the City, the Director of Financial Services may apply the deposit referred to in Subsection (a) toward the account outstanding.
- (e) Notwithstanding Subsection (a), in cases of urgent necessity, or where water is required for steam or hot water heating or testing approved by the Director of Public Works, the Director of Public Works may authorize water services to be temporarily supplied upon payment of the deposit set forward on Schedule "A". If the cost of the water supplied and the value of the service, calculated pursuant to the Custom Work Order Policy, exceeds the value of the deposit, the applicant for the temporary supply shall be liable for payment of such excess, and any balance remaining shall be refunded without interest.
- (f) Applications for the supply of water are not transferable unless the applicant is a residential property owner within the municipal boundaries of the City. Residential applicants wishing to transfer their deposit and application information must:
 - (i) reside within the boundaries of the City in the past year;
 - (ii) have no outstanding utility account balance over the past year;
 - (iii) complete an application noting that they will be moving from Point A to Point B within the City of Prince Albert, stating the effective date of the move, and noting the old and new locations; and
 - (iv) either provide a meter reading from their previous location, or arrange a suitable time to meet an employee of the City to obtain a meter reading.

All other applicants and non-owners will be required to complete an application and remit the respective deposit fees no later than the due date on the first regular water bill. If the Director of Financial Services has received no written notice of discontinuance from the former applicant, until a new application is made for supply of water services to the premises, both the former applicant and the new occupant or person having water services so supplied shall be jointly and severally liable to pay all rates, charges and penalties payable in relation to such water services.

- (g) No one shall make application for water services on behalf of any other person who is the actual occupant of the premises to be supplied with water services unless he is the owner of the premises or the authorized agent of the occupant. As a condition of supply or continuation of supply of water services, the Director of Financial Services may require that security in a form satisfactory to the Director of Financial Services be provided, including, but not to limit the generality of the foregoing, that a guarantor guarantee payment of water accounts of any applicant. If he deems it appropriate, the Director of Financial Services may require that a guarantor be a natural person.
- (h) The applicant shall be liable to pay all costs, rates, charges and penalties that may be imposed pursuant to this Bylaw.
- (i) The applicant shall be liable for any breach of this Bylaw arising on the premises to which his application for water services pertains, whether the breach is actually committed by him or by any other person, unless such breach was caused by a trespasser upon the premises so supplied with water services.
- (j) Prior to making application for water services, an applicant who has an overdue water account for water services formerly to the applicant, alone or in conjunction with any other person, shall make payment of the said overdue account. No person shall make application on behalf of another person who is unable to obtain water services due to the non-payment of a water account or otherwise.
- (k) In the event of a broken seal or any lack of repair, tampering, interference or damage, the occasioning of which affects the accuracy of the meter measuring water supplied pursuant to the applicant's application, the applicant shall forthwith give written notice of same to the Director of Public Works.
- (l) Whenever any premises supplied with water services is vacated, the applicant shall ensure that the valve on the inside of the wall of the building upstream of the meter is turned off.
- (m) Notwithstanding any other provision of this Bylaw, during such times as the Director of Public Works may specify, water from the Waterworks System may be obtained from the water crane at the rate set forward upon Schedule "B". The Director of Public Works may authorize any person eligible to obtain water from the water crane to obtain water from a designated hydrant on such terms and conditions as the Director of Public Works may deem necessary and at the same cost as water from the water crane.

TERMINATION OR INTERRUPTION OF SERVICE

- 8. (a) The Director of Financial Services may direct the Director of Public Works to cause water services to be terminated to any premises where the applicant therefor has an overdue water account, or the water account mailed to the

applicant has been returned to the City unclaimed or undelivered. Water services shall only be resumed upon payment of the water account together with the re-connection charge set forward upon Schedule "B". When terminated by reason of an overdue account, water services may be resumed after normal working hours upon proof of payment of arrears of the water account and evidence of the applicant's agreement to pay charges related to the after-hours resumption of service by execution of an "After Hours Water Turn-On Work Order." The cost shall be calculated pursuant to the Custom Work Order Policy, and the charges added to the applicant's water account.

- (b) The City may limit or discontinue the furnishing of water services, refuse to supply water services at any premises or to limit the hours during which any person may use water from the Waterworks System:
 - (i) by reason of works undertaken by the City;
 - (ii) by reason of lack of supply;
 - (iii) in circumstances where a new water service connection is required under the Connections Bylaw;
 - (iv) in the exercise of discretion by Council or the Director of Public Works where the circumstances are such that, in its or his opinion, the public interest may so require; or
 - (v) in the exercise of discretion by the Director of Public Works where the circumstances are such that, in his opinion, any meter is insufficiently protected from frost or other source of damage.
- (c) When water services are interrupted pursuant to Subsection (b)(i), such attempt to notify the owner, applicant or occupant of the premises affected by the intended interference shall be made as, in the opinion of the Director of Public Works, is reasonable in the circumstances. Except as otherwise provided in this Bylaw, in any other case, the termination or interruption of water services may be effected without notice.
- (d) When water services are interrupted pursuant to Subsection (b)(v), water services shall not be resumed until such means have been adopted for the protection of the meter as the Director of Public Works may approve. The applicant shall, also, be liable for the re-connection charge set forward upon Schedule "B".
- (e) If water services are interrupted by reasons unknown or frozen water service connection, the Director of Public Works shall ascertain if the place of the failure is between the water main and the property line of the street abutting the premises to which water services are provided. In the event that the place of the interruption is so situate, he shall take such action as he deems reasonable necessary to remedy the failure or interruption. Should such action require the installation of an automatic device requiring a power supply, it shall be condition of continued supply of water to the premises that the power supply be provided without cost to the City.

- (f) The owner or occupant of premises supplied with water services shall be responsible to make satisfactory repairs to that portion of the water service connection between the property line of the street to the meter upon the premises. If, after receiving notice from the Director of Public Works to repair same, the said owner or occupant fails to effect repairs satisfactory to the Director of Public Works within the time allowed in the notice, the Director of Public Works may enter upon the premises and complete the necessary repairs with City forces or otherwise. The owner and occupant shall be jointly and severally liable to pay the cost of the repairs, calculated pursuant to the Custom Work Order Policy.
- (g) If the Director of Public Works or any person acting upon his instructions has reasonable grounds to believe that a meter has been bypassed, tampered with, or a seal broken, whether resulting in the meter failing to accurately measure water consumption or not, water services may be discontinued to the premises until such time as the applicant makes payment of the charges referred to in Section 10(d) and the meter is re-sealed or otherwise put into operation.
- (h) Water services may be discontinued to any premises, and the City may refuse to provide water services thereat when water from the Water-works System has been wasted at such premises, the applicant has failed to ensure that there is no breach of the terms under which water services are supplied pursuant to the application, or the applicant has failed to report damage to the meter, appliances, pipes, machinery, or other property of the City upon the premises supplied with water services pursuant to the application.
- (i) In the event that any person designated pursuant to Section 11 is unable to gain access to any premises for the purposes referred to in Section 20 and 21 of the Act, written notice may be left in the mailbox or at some other conspicuous place upon the premises. The applicant shall forthwith make contact with the Director of Financial Services to permit access and if no such contact can be made, or access is not provided through arrangements made during any such contact, water services may be discontinued after a second notice has been left in the mailbox or at some other conspicuous place upon the premises that same shall be discontinued. Nothing herein shall be interpreted to limit the City's right to obtain access through process allowed by law. The Director of Public Works may authorize the commencement of any legal proceedings to obtain access for the purposes referred to at Section 20 and 21 of the Act.
- (j) Water services may be discontinued to any premises in the event of breach or non-compliance with the terms under which water services are supplied. The City may refuse to resume supply or refuse to provide water services thereat until the applicant complies with the term which was not complied with.

- (k) Water services shall be discontinued upon written notice to terminate being delivered to the Director of Finance, and notice from the owner shall supersede any request from an applicant for water services to the premises of the owner.

WATER ACCOUNTS

- 9. (a) The calculation and all aspects of administration related to water accounts, the collection of the revenue derived from the Waterworks System and the supervision of all records related to water accounts shall be under the immediate charge and control of the Director of Financial Services. The Director of Financial Services shall keep records of all accepted applications for water services for a 6-year period.
- (b) Except with respect to water supplied by water crane, under Custom Work Order Policy, pursuant to Subsection (d) or as the Director of Financial Services may have expressly agreed with the applicant, water accounts shall be prepared approximately every 3 months. Where practicable, such billings:
 - (i) shall be based upon a reading of the meter measuring the water supplied to the applicant;
 - (ii) shall show consumption, service charges, arrears and penalties;
 - (iii) may include any charges due for work, services or supplies provided pursuant to the Custom Work Order Policy as referred to in this Bylaw; and
 - (iv) may include charges for other public utility services including Infrastructure Charges as authorized by Resolution or Bylaw of the City.

Consumption rates shall be in accordance with the water services rates set forward upon Schedule "B" as same may be amended from time to time.

- (c) The minimum charge as set out on Schedule "B" shall be payable by the applicant in the event that the actual volume of water which has been consumed is less than that for which the minimum charge would be payable.
- (d) Notwithstanding any other provision of this Bylaw, in the circumstances referred to at Section 8(e), if the Director of Public Works requests that water continuously flow through the water connection to any premises for a designated period, the Director of Financial Services shall bill the applicant for water usage during that period based on usage during a previous similar period notwithstanding that the reading of the meter shows a higher consumption. The decision of the Director of Financial Services as to the value of the charge shall be final and binding.
- (e) A water meter card in a form approved by the Director of Financial Services may be used to obtain meter readings. The applicant shall ensure that an accurate reading of the meter is recorded on a water meter card left in the mailbox or placed in some other conspicuous place upon the premises supplied with water.

services pursuant to the application. The applicant shall ensure that the card, properly and completely filled out, is returned to the Director of Financial Services within 3 days of the card having been so left.

- (f) If for any reason a reading of a meter has not been taken or the meter fails to register water supplied, consumption may be estimated on the basis of usage in a previous similar period or an average seasonal consumption plus 10 percent. Where there is no previous comparable usage, the applicant may be billed and shall be liable to pay for that amount that is, in the opinion of the Director of Finance, a reasonable charge based on an estimate for similar use. The decision of the Director of Financial Services as to the value of the charge shall be final and binding.
- (g) If a water meter card has been left upon the premises pursuant to Subsection (e) and the Director of Financial Services fails to receive a properly completed card within the time allowed, the Director of Financial Services may estimate consumption at any usage that he deems fit. The decision of the Director of Financial Services as to the value of the charge shall be final and binding.
- (h) In the event of use of an estimate, adjustment shall be made to reflect actual consumption in the water account next following the taking of a reading of the meter measuring water supplied to the premises to which water is supplied pursuant to the application.
- (i) If a water account is not received within 31 days following the day on which the meter is read or within 4 months of receipt of the last water account, the applicant shall make inquiry at the office of the Director of Financial Services and shall pay the water account forthwith upon same being rendered.
- (j) A water account is overdue if payment is not received by the City by the 25th day following the date on which the water account is rendered. The applicant shall be liable to pay a penalty of 10 percent of the value of the overdue water account. The overdue water account plus penalties shall constitute arrears. Thereafter, the applicant shall be liable to pay additional compounding penalties of 10 percent of the value of the arrears on each and every billing rendered on which arrears are included. In some circumstances, the Director of Financial Services will have the authority to use his discretion to waive a penalty amount. The decision made by the Director of Financial Services will be final and binding.
- (k) If a person pays only a portion of the water account owing by him, unless otherwise approved by the Director of Financial Services, the amount shall be first applied in payment of any arrears.
- (l) The provisions of the Act respecting the imposition and collection of public utility rates, costs, charges and penalties shall apply to those included in the water accounts.

- (m) If the applicant is the owner of land to which water services are or were provided and any rate, cost, Taxes charge or penalty imposed pursuant to this Bylaw upon the owner is in arrears after December 31 of the year in which such rate, cost, charge or penalty became payable, the amount thereof shall be added to, and will thereby form part of, the taxes on the premises with respect to which the water services were provided.

METERS

- 10. (a) Except with respect to water supplied by water crane, under Custom Work Order Policy, or as may be otherwise agreed by the City, all water supplied from the Waterworks System shall be measured by meter. All meters and related seals, unions, couplings and flanges shall be furnished and installed by the City and, notwithstanding that same may be affixed to any land, shall remain the property of the City. Every applicant shall be liable to pay the monthly service charge for that size of meter measuring the water supplied pursuant to the application as set forward on Schedule "B".
- (b) Subject to the other provisions of 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 Director of Public Works from time to time either under standard policy established by the Director of Public Works or otherwise.
- (c) Where the applicant for a new water service connection desires a larger meter than that which the Director of Public Works considers sufficient, same may be installed upon the approval of the Director of Public Works and the applicant's paying to the City the sum set forward upon Schedule "B".
- (d) If any seal made on the instructions of the Director of Public Works or Director of Financial Services on a meter, pipe or appurtenance is broken upon the premises to which water services are supplied pursuant to the application of the applicant, the applicant shall be liable to pay any charges for services arising therefrom calculated pursuant to the Custom Work Order Policy, the charge for re-sealing the meter and, if water services have been interrupted or terminated, the charge for re-connection of water services, the two latter charges being in the amount set forward upon Schedule "B".
- (e) If the premises in which a meter or other Waterworks System appliance is installed is to be vacated during winter months, at least 72 hours' notice shall be given to the Director of Financial Services. If requested by the Director of Public Works, the owner or, if he has lawful access to the premises, the applicant shall provide access to permit removal of the meter or appliance during normal working hours.
- (f) In the event that the meter or related seals, unions, couplings or flanges situated upon the premises supplied with water services are damaged or destroyed by

any cause whatsoever, the person desiring that the meter be repaired, is responsible for payment of the applicable Frozen/Damaged meter flat fee as stipulated under Schedule "B". As a condition for the service work to proceed, the occupant requesting the repair must:

- (i) Have a current utility account in their name; and
- (ii) sign, or have their authorized agent sign, the applicable Form as determined by the Director of Financial Services.

Meter repairs will not occur if the person requesting the repair does not have a current utility account in their name and if they refuse to sign the applicable Form. No person shall sign the attached Form or make application on behalf of another person who is unable to obtain water services due to the non-payment of a water account or otherwise.

- (g) Upon the applicant's making a deposit to the City in the amount set forward upon Schedule "A" and upon request of the applicant, or in circumstances where the Director of Public Works is of the opinion that a meter is not accurate, the Director of Public Works shall cause such meter to be removed and tested. Where a meter is removed and tested and:
 - (i) the meter registers within the limits set out in the AWWA Standards for water meter accuracy, the meter shall be deemed to be measuring accurately and in the case of a deposit by the applicant, the deposit shall be forfeited to the City; or
 - (ii) the volume of water registered by the meter is more than 3 percent above the volume actually passing through the meter, the meter shall be deemed to be measuring inaccurately and in the case of a deposit by the applicant, the deposit shall be returned to the applicant.
- (h) Where a meter is deemed to be measuring inaccurately pursuant to Subsection (g), the account in respect of that meter shall be adjusted by the Director of Financial Services and he shall add to or deduct from the water account of the current applicant for the water service only in respect of the billing period immediately preceding the applicant's last water account so as to more accurately represent the cost of the water actually supplied during that billing period. The opinion of the Director of Financial Services in respect of the appropriate adjustment shall be final and binding. All prior water accounts shall be deemed to be properly rendered and payable in accordance with this Bylaw.

ACCESS TO LANDS, BUILDINGS OR STRUCTURES

- 11. (a) The Director of Public Works is authorized to have free access at all reasonable times to those parts of premises to which water services are or have been provided that he considers necessary to fulfil the duties arising from the provision of water services whether or not water is actually being supplied at the time access is required. As evidence of his authority, the Director of Public

Works and any person acting on his instructions who requires access to fulfil such instructions shall produce a City of Prince Albert identification card.

- (b) The Director of Public Works, City employee or person acting under the direction of the Director of Public Works shall have the right, at all reasonable times, to enter any premises referred to in Subsection (a) for the purpose of installation of a meter or other appliances appurtenant to the Waterworks System and for any of the purposes referred to in Section 20 and 21 of the Act.
- (c) The same persons referred to in Subsection (b) are hereby authorized to enter any premises where water services are to be discontinued or are discontinued to remove any fitting, wire, machine, apparatus, meter, pipe or other thing that is appurtenant to the Waterworks System.
- (d) Any water supplied by the City from the Waterworks System shall only be supplied on the condition that, at his own cost, every applicant, owner, tenant and occupant of premises where water services are provided shall ensure that there is an easy means of access for the meter to be examined or read by persons designated as having a right of access pursuant to this Bylaw.

PROTECTION OF WATERWORKS SYSTEM

12. Every applicant, owner and occupant of premises supplied with water services shall, at his own expense, ensure that:
- (a) except as authorized by the Director of Public Works, no branch pipe shall be taken from any part of a water service connection in a position capable of directing water from the water service connection before the water has been measured by the meter;
 - (b) all water service connections, related Waterworks System appliances, pipes and fixtures between the City's water main and the premises at which water services are supplied are kept in good maintenance and repair, excepting for any portion thereof lying between the water main and the property line abutting the premises to which water services are provided; and
 - (c) the water service connection, valves, pipes, meters and other water services appliances of the Waterworks System between the meter, when there is no such valve immediately upstream of such meter, or between such valve, where it is installed immediately upstream of the meter, and the property line of the street abutting the premises to which water services are provided, are protected against damage from tampering, frost or other source of damage.

INSTALLATION OF METERS

13. (a) Every person making application for a new water service connection to premises pursuant to the Connections Bylaw shall provide for the installation of meters within the premises:

- (i) in a horizontal position;
 - (ii) allowing convenient access to the meter at all times and with a clear space of at least 50 centimetres around the meter; and
 - (iii) in all single-family dwellings, in the basement utility area at or near the entrance of electrical power and gas services or at a location approved by the Director of Public Works.
- (b) At his own expense, every owner shall install and maintain a properly operating isolating valve on both sides of the meter, being the inlet or upstream side and the outlet or downstream side.
14. (a) Notwithstanding any other provision of this Bylaw, unless otherwise authorized by the Director of Public Works, all residential units built after the passage of this Bylaw shall be constructed with provision for remote readout of the meter to be installed at a location specified by the Director of Public Works. The necessary wiring for the signal circuit from the meter to the remote readout shall be installed at the expense of the owner in accordance with the Director of Public Works's specifications and directions as to manner of installation. The meter and remote readout shall be and shall remain the property of the City, and no refund in respect of the cost of same shall be made.
- (b) Provision for remote readout of a meter may be installed in any existing building or single-family dwelling having a meter. The applicant shall provide a deposit of an amount estimated by the Director of Public Works to be the cost of supplying installation of same. Upon completion of the installation, the cost shall be calculated pursuant to the Custom Work Order Policy, the deposit applied, and any balance shall be payable by the owner forthwith upon an account being rendered therefor.
- (c) Notwithstanding Subsection (b), in such areas within the City designated by the Director of Public Works, provision for remote readout of a meter shall be installed in new or existing buildings or single-family dwellings having a meter, and the installation of same shall be undertaken by the City. The owner or applicant shall not be liable in respect of the cost of such installation, excepting in the event that easy access to all necessary parts of the premises is not made available by the owner or occupant, in which event the cost of the installation, calculated pursuant to the Custom Work Order Policy, shall be charged and shall form part of the water account of the applicant.

OFFENSES

15. Any person who:

- (a) turns on or turns off or attempts to turn on or turn off water supply through a water service connection;

- (b) breaks, causes or permits the breaking of any seal on any meter, pipe, valve or other appurtenance of the Waterworks System;
- (c) fails to notify the Director of Public Works of a broken seal on a meter, pipe or appurtenance thereto;
- (d) removes or causes the removal of ground cover above any part of the Waterworks System or a water service connection which reduces coverage to less than 3 metres from the grade;
- (e) connects or causes the connection of any pipe or fixture capable of supplying water services except in accordance with this Bylaw;
- (f) installs or causes the installation of a pump to increase water pressure on a water service connection other than with the express approval of the Director of Public Works;
- (g) hinders, obstructs or interferes with the Director of Public Works or the Director of Financial Services or persons acting under the instructions of either in the lawful exercise of their duties under this Bylaw or The Cities Act, 2002;
- (h) represents himself as a person designated pursuant to Section 11 of this Bylaw when not so authorized;
- (i) without the consent of the Director of Public Works, enters or is found within:
 - (i) the Water Treatment Plant High Lift Building, or the facilities or grounds of same, situate upon real property civically described as 655 River Street West, Prince Albert, Saskatchewan;
 - (ii) the Water Treatment Plant Low Lift Building, or the facilities or grounds of same situate upon real property located north of, and across River Street from, the property civically described as 655 River Street West, Prince Albert, Saskatchewan;
 - (iii) the facility known as the River Street Reservoir situate upon real property located at River Street West and 7th Avenue West, Prince Albert, Saskatchewan;
 - (iv) the facility known as the 2nd Avenue West Reservoir situate upon real property civically described as the north east corner of 23rd Street and 2nd Avenue West, Prince Albert, Saskatchewan; or
 - (v) the facility known as the Marquis Road Reservoir situate upon real property civically described as the west side of Central Avenue at 38th Street West, Prince Albert, Saskatchewan; or
- (j) breaches any provision of this Bylaw;

is guilty of an offence punishable on summary conviction, except if such person is carrying out his duties as a person authorized to do so pursuant to Section 6 or 11.

16. Any person in violation of a provision of this Bylaw shall be guilty of an offence and shall be liable upon summary conviction to a fine not exceeding:
 - (a) \$2,000.00 in the case of an individual; or
 - (b) \$5,000.00 in the case of a corporation
17. 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.
18. Bylaw No. 9 of 1995 is hereby repealed.
19. This Bylaw shall come into force and take effect on, from and after the final passing thereof and approval by the Minister pursuant to The Public Health Act.

INTRODUCED AND READ A FIRST TIME THIS 10 DAY OF October ,AD 2006.
 READ A SECOND TIME THIS 10 DAY OF October ,AD 2006.
 READ A THIRD TIME AND PASSED THIS 10 DAY OF October ,AD 2006.


 MAYOR


 CITY CLERK

APPROVED BY SASKATCHEWAN HEALTH UNDER THE PROVISIONS OF SUBSECTION 50(1)
 OF THE PUBLIC HEALTH ACT, 1994 - DATED - NOVEMBER 14, 2006.

Schedule "A"
Bylaw No. 30 of 2006

1. Deposits to be made by applicant at time of making application for supply of water.

<u>CATEGORY</u>	<u>DESCRIPTION</u>	<u>RENTER</u>	<u>OWNER</u>
(a)	Single Dwellings	\$150.00	\$0.00
(b)	Rooming Houses/Multiple Dwellings 2-3 Family Residence, Stores, Offices Garages, Service Stations Workshops, Pool Rooms, 4 Plex, 6 Plex, 8 Plex and Commercial Establishments With low Consumption	\$200.00	\$0.00
(c)	Apartment Blocks (over 8 Units)(Condos/Malls/Strip Malls)	\$500.00	\$0.00
(d)	Hotels, Restaurants, Bakeries, In-store Bakeries	\$600.00	\$0.00
(e)	Car Wash/Laundries	\$800.00	\$0.00

2. Deposits to be paid by applicant for temporary water supply [Section 7(e)]

(a)	For Single Dwellings, Multiple Dwellings, Rooming Houses	\$125.00	\$0.00
(b)	For all Other Buildings and Structure	\$150.00	\$0.00

3. Deposits to be paid for testing meter [Section 10(g)]
- | | | | |
|--|--|---------|---------|
| | | \$50.00 | \$50.00 |
|--|--|---------|---------|

4. Service Connection/Maintenance Fee
- | | | | |
|--|--|---------|---------|
| | | \$15.00 | \$15.00 |
|--|--|---------|---------|

Schedule "B"
Bylaw No. 30 of 2006
Rates and Service Charges
Effective from and after January 1, 2006

1.	Metered water services	
	For the first 4,500 cubic feet	\$3.34 per 100 cubic feet
	For the next 4,500 cubic feet	\$2.95 per 100 cubic feet
	Over 9,000 cubic feet	\$2.50 per 100 cubic feet
2.	MINIMUM CHARGE, up to 750 cubic feet Excluding sewer service charges	\$25.03 per three months
3.	Monthly Service charge for meters [Section 10(a)]	
	5/8 inch	\$2.70 per month
	3/4 inch	\$2.78 per month
	1 inch	\$3.70 per month
	1 1/2 inch	\$5.16 per month
	2 inch	\$6.78 per month
	2 1/2 inch	\$12.94 per month
	3 inch	\$19.10 per month
	4 inch	\$20.34 per month
4.	Rate for re-sealing meter [Section 8(g), 10(d)]	\$250.00
5.	Rate for re-connection [Section 8(a), (d), (g), 10(d)]	\$40.00
6.	Rate for installation of oversize meter [Section 10(c)]	\$50.00
7.	Rate for water from Water Crane [s. 7(1)] rate	150% of current water rate
8.	Rate for temporary turn-on and turn-off [Section 6(b)]	
	- from June 1 to October 31 inclusive	\$25.00
	- from November 1 to May 31, inclusive	\$75.00
9.	Monthly Infrastructure Charge [Section 9(b)(iv)]	
	5/8 inch	\$2.36 per month
	3/4 inch	\$6.50 per month
	1 inch	\$30.00 per month
	1 1/2 inch	\$50.00 per month
	2 inch	\$60.00 per month
	2 1/2 inch	\$70.00 per month
	3 inch	\$80.00 per month
	4 inch	\$90.00 per month

Schedule "B"
Bylaw No. 30 of 2006
Rates and Service Charges
Effective from and after January 1, 2006

10. Rate for tagging doors for overdue accounts, non-application, NSF cheques or other notices \$10.00 per visit
11. Flat fee rate for the replacement of frozen or damaged water meters;
- | | |
|------------------------|---------|
| 5/8 inch meter | \$150 |
| ¾ inch meter | \$200 |
| 1.0 inch meter | \$275 |
| 1.5 inch meter | \$510 |
| 2.0 inch meter | \$525 |
| 3.0 inch Turbine meter | \$1,156 |
| 3.0" Compound meter | \$2,125 |
| 4.0" Compound meter | \$2,307 |