

TOWN OF KINISTINO
BYLAW NO 02/23
UTILITY MANAGEMENT BYLAW

The Council of the Town of Kinistino, in the Province of Saskatchewan, hereby, in open meeting, enacts as follows:

PART I – SHORT TITLE

1. This Bylaw may be cited as the Town of Kinistino Utility Management Bylaw.

PART II – DEFINITIONS

2. In this Bylaw:
“CAO” or “ADMINISTRATOR” shall refer to the Chief Administrative Officer of the Town of Kinistino;

“COUNCIL” shall refer to the Council of the Town of Kinistino;

“DESIGNATED OFFICER” shall mean the person authorized to enter a private dwelling for maintaining, repairing or replacing town-owned meters;

“DWELLING UNIT” shall be as defined in the Town of Kinistino Official Community Plan and/or Zoning Bylaw;

“MUNICIPALITY” shall refer to the Town of Kinistino;

“PROPERTY” shall mean a parcel of land located within the boundaries of the Town of Kinistino and on which a building or buildings (commercial or residential) may or may not be situated, whether such buildings are occupied or unoccupied

PART III – PURPOSE

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

PART IV – REQUIREMENT TO CONNECT TO WATER & SEWER

4. Any owners of property in the Municipality whose land or any portion of whose land adjoins a street or lane along which a water or sewer main has been laid is required to connect the principal building(s) to the system of water and sewer mains constructed and owned by the Municipality. All occupied buildings must be connected to the appropriate utility lines.
5. At the discretion of Council, a developer may be required to install all or a portion of the mainline to service development in instances where the water and/or sewer has not already been installed in an adjoining street or lane.
6. Each dwelling unit to which water is supplied (including apartments, duplexes, semi-detached dwellings, condominiums and the like) must have an individual water meter to facilitate individual billing.

7. Each dwelling unit, as set out in this bylaw, must have a separate curb-stop to facilitate water disconnection for vacancy or non-payment. In instances where existing multi-unit buildings do not have individual curb-stops for each unit, the owner will be required to install same at his/her own expense or must agree to have the entire water billing rendered in his/her name.
8. All connections made to the main water and sewer lines shall be subject to the approval of and inspection by the Municipality.

PART V – APPLICATION TO RECEIVE UTILITY SERVICE

9. Persons who wish to own or occupy property in the Municipality or operate a business from a building within the corporate limits of the Municipality must be supplied with water from the municipal system and must also conform to the requirements contained in the Municipality's Bylaws relating to waste management. An application to the Municipality in a form prescribed by the Administrator shall be completed.
10. Application for utility service shall be made by the property owner. Landlords will be requested to leave the utility billing in their name as property owner in order to ensure they have control over the payment of the utility billing. If the landlord wishes to have the billing in the name of the tenant then it will be the responsibility of the landlord to ensure we have a \$250 deposit on file to be held on account and credited to the final billing for that tenant. The tenant will be advised that the landlord will receive copies of any "past due" bills.
11. Each application for service shall be accompanied by the payment of a utility deposit in the amount of \$250.
12. The utility deposit set out in this Bylaw shall be refunded or applied to the final billing upon service being disconnected due to a change in ownership or vacating of the premises. If the account is in arrears the deposit will be applied to the account prior to disconnection, and will be required again prior to reconnection of services.

PART VI – METER READINGS & BILLING PROCEDURES

13. Water meters shall be read and billings issued every month. Such reading shall be completed by the 6th day of the month and the water and sewer billing to be issued not later than the 10th day of the month.
14. In the event a meter or remote meter is inaccessible for whatever reason, the designated officer shall leave a note indicating the need for a reading. If a reading cannot be obtained, an estimate will be used for billing purposes. The designated officer is required to ensure that all meters are read not less than three times a year by an employee of the Municipality other than the owner of the property.
15. Accounts shall be paid by the last day of the month in which they are rendered. A penalty in the amount of two and a half (2.5%) percent shall be added to unpaid accounts at the beginning of the following month.
16. If the arrears on an account are not paid in full within seven (7) days of the billing in which they are identified as arrears and a disconnect notice sent, the water service may be disconnected without further notice.

PART VII – GENERAL PROVISIONS

17. If water service is disconnected due to non-payment, the service will not be reconnected until all arrears are paid in full, together with a fee of \$75 to cover expenses and a new meter deposit in place. Should the designated officer be required to turn on the said water outside of the employee's regular working hours, an additional fee of \$150 shall be charged to cover the cost of the call out.
18. In instances where an emergency requires the temporary disconnection of water to a property, there will be no charge to the occupant.
19. For the purpose of making repairs to the mains or of connecting or repairing service pipes or constructing extensions or new work or any other work, the Town shall have the right to shut off the water from any customer without notice and to keep it shut off as long as may be necessary to enable the work to be completed. Whenever feasible, the customer shall be notified in advance.
20. There shall be no charge for turning water service off and on at the request of a plumber or homeowner where the premise requires plumbing repairs and the Town does not lose utility revenues.
21. In instances where an applicant requests a temporary disconnect due to vacation or periods of time away from the property, consideration will be given to accommodate the request for periods of two months or more. This will apply to all utilities. A fee of \$50.00 will be charged on the next billing after reconnection.
22. Should the Town be unable to disconnect service at the curb upon request due to weather conditions, or any other reason, the Town will have the meter removed and a seal placed on the inside valve until a request to reconnect service has been made. The owner will be required to sign a form acknowledging the same.
23. Should an owner request that a meter be replaced, they must pay the entire cost of the new meter plus \$100 for installation. This fee is payable prior to replacement of the old meter.
24. All complaints of excessive water usage alleged to be due to a faulty water meter will be investigated by the Town and tested by a third party. The owner must supply the Town with a deposit of \$125.00 at the time of the complaint. If, upon investigation, the said water meter is found to be faulty, the said deposit will be returned to the owner; otherwise, the said deposit will be retained as a service charge. All meters found to be faulty will be replaced at no cost to the owner.
25. During the winter months, to avoid the potential of broken water lines, unpaid utility amounts owed by the owner of the property may be added to the tax roll rather than proceeding with water disconnection. At any time during the year, (in accordance with section 369(1)(b) *The Municipalities Act*) unpaid utility amounts may be added to the tax roll. Administration will ensure due process if followed with respect to adding utility arrears to taxes.

26. The Town Foreman or Assistant Foreman shall be the designated officer with respect to repair, replacement or maintenance of town-owned meters. The Municipality will be responsible for the meter only, not parts connected to the meter nor for any plumbing that may be required in replacement of a meter.
27. The designated officer may enter any land or building for the purpose of reading meters, or, after making a reasonable effort to notify the owner or occupant, for the purpose of installing, inspecting, replacing or removing meters and conducting samplings tests. Should the owner or occupant refuse to grant entry after being reasonably notified of the need, the Municipality will notify the owner or occupant that the service will be disconnected until such time as entry is granted.
28. At the time of new construction it is expected that a "remote" reader be installed and that this be placed on the front of the building to ensure the municipal staff does not need to access the back or side yard of the property or an area within a fenced/locked location.
29. If a remote reader is located on the side or rear of a building, the Municipality will not be responsible for any damage done to flower beds, gates, fences and the like and cannot guarantee that gates will always be appropriately secured following the reading of the remote. Further, if said remote is inaccessible due to the gate being locked, family pets being allowed to run at large within the fenced area, or other reasons beyond the control of the Municipality, the owner will be requested to move the remote to an accessible location that is not within the fenced area (ie as set out in 28 above).
30. It is the responsibility of the property owner to ensure that the curb stop and water meter are accessible at all times. If damage is done to lawns, gardens, driveways, sidewalks or premises in locating the curb stop or water meter, it remains the responsibility of the owner to ensure repairs are made to the owner's property.
31. If the water supply to a dwelling unit is disconnected for infringement of the provisions of the bylaw, the same shall not be reconnected until all penalties, fees, rates, charges and arrears have been paid or arrangements have been made for full repayment of same.
32. No person drawing water from a hydrant or coin-operated dispenser shall use a container or tank that is contaminated with any chemical harmful to animal or plant life, nor shall there be containers with chemicals harmful to any animal or plant life stored or transported on the vehicle hauling or trailer holding the water container or tank.
33. No person other than a Town employee or member of the Fire Department or a person authorized by any of them shall open, close, or interfere with any hydrant, gate or valve connected with the waterworks system, and no person shall in any way interfere with any stop cock, pipe, or other waterworks appliance outside of his premises, nor shall he interfere with any meter, whether inside or outside his premises.
34. If the water supply to a dwelling unit becomes frozen due to excess/extreme winter temperatures and frost, the Municipality will take steps to thaw the line. Should the Municipality be unable to do so, a neighboring dwelling will be requested to supply water to the affected unit. The affected unit will still be expected to pay the minimum utility charges

during this period since they are still able to receive service, albeit by another manner. The neighboring dwelling will not be billed more than the minimum during the time of assistance.”

35. In the event of a water break on a service line or damage to a service line, the cost of the repair shall relate specifically to the location of the damage or break. Should the damage or break occur on an individual’s property, they will be responsible for the cost of the repair. Should the damage or break occur on Town property, the Town will be responsible for the cost of the repair. In the event that there is no clear definition as to the location of the break, the cost will be shared on an equal basis by the Town and the property owner. The Town expects that the owner will contact Administration or Public Works staff prior to any work being undertaken. If no contact is made with the Town, the Town will not take on the responsibility of the billing for any work that is done.
36. In the event of a sewer blockage on a service line, the cost of repair shall relate specifically to the location of the blockage. It is anticipated that a blockage on a service line is the result of inappropriate use of the service line and the cost will be that of the home owner unless there is substantive proof that the blockage is as a result of work being done on Town property. The Town expects that the owner will contact Administration or Public Works staff prior to any work being undertaken. If no contact is made with the Town, the Town will not take on the responsibility of the billing for any work that is done.

PART VIII – RESTRICTIONS

37. The Municipality shall have the right, by resolutions of Council, to limit the amount of water furnished to consumers should circumstances warrant such action.

PART IX – REPEAL PREVIOUS BYLAW


38. Bylaw 03/18 is hereby repealed.

PART X – COMING INTO FORCE AND EFFECT


39. This Bylaw shall come into force and take effect upon adoption by Council.

Read a third time and adopted this 15th day of November, 2023





Mayor



CAO

Certified to be a true copy of Bylaw No. 02/23 adopted by resolution of Council on the 15th day of November, 2023.





CAO