

**TOWN OF OSLER
BYLAW 2015-14
A BYLAW TO CONTROL AND REGULATE THE WATER AND WASTEWATER
UTILITIES PROVIDED BY THE TOWN OF OSLER**

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

PART I - SHORT TITLE

1. This Bylaw may be cited as the Town of Osler Utilities Management Bylaw

PART II – DEFINITIONS

2. In this Bylaw:

- a) **“Bare Land Condominium”** shall mean a condominium divided into bare land units as defined within *The Condominium Property Act, 1993*.
- b) **“Bare Land Unit”** shall mean a bare land unit as defined within *The Condominium Property Act, 1993*.
- c) **“CAO”** or **“Administrator”** shall refer to the Chief Administrative Officer of the Town of Osler
- d) **“Council”** shall refer to the Council of the Town of Osler
- e) **“Designated Officer”** shall mean the person authorized to enter a private dwelling for maintaining, repairing or replacing town-owned meters;
- f) **“Dwelling Unit”** shall be as defined in the Town of Osler Official Community Plan and/or Zoning Bylaw
- g) **“Municipality”** shall refer to the Town of Osler
- h) **“Out of Town Subscribers”** shall mean individuals/businesses who:
 - i. own a structure located outside of the corporate limits of the Town of Osler
 - ii. receive either water or sewer service from the Town of Osler
 - iii. do not pay taxes to the Town of Osler on the structure referenced in 1 above.
- i) **“Property”** shall mean a parcel of land located within the boundaries of the Town of Osler 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, or connected to infrastructure within the Town of Osler by identifying requirements, expectations, deposits, maintenance responsibilities and general services.

PART IV – REQUIREMENT TO CONNECT TO WATER AND 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 are required to connect the principal building(s) to the system of water and sewer mains constructed and owned by the Town. All occupied buildings must be connected to the appropriate utility lines. Any property not connected at the time of passing of this bylaw will be expected to make the necessary arrangements for water (and, if available, sewer) line(s) to

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be installed from the mainline to the property line before any additional development will be allowed on the property.

5. As part of the Servicing Agreement, 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 main has not already been installed in an adjoining street or lane.
6. Each dwelling unit or other structure to which water is supplied (including apartments, duplexes, semi-detached dwellings, condominiums and garages) must have an individual water meter (delete curb-stop – it is noted below) to facilitate individual billing. Meters can only be installed where a plumbing permit has been issued and the installation is to be done by a qualified plumber.
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 with the following exceptions:
 - a. If the billing is being paid by a Condominium Association with a shared service line from the curb and there is a need for disconnection for vacancy or non-payment the main service valve to the condominium group will be turned off; and,
 - b. 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 contractors working on connections to water and sewer mains within Town limits must be approved by the municipality and must have a Town of Osler Business License.
9. All connections made to the main water and sewer lines shall be subject to the approval of and inspection by the municipality prior to water being turned on. The installation and inspection **MUST** take place prior to the lines being buried. If the municipal staff has not been advised of the need for an inspection the Town may require the contractor to reopen the trench to ensure proper connection.

PART V – APPLICATION TO RECEIVE UTILITY SERVICE

10. Persons who wish to own property in the municipality or operate a business from a building within the corporate limits of the municipality; and/or persons who wish to own property or operate a business from a building that is connected to infrastructure, 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 as set out in Schedule "A" to this Bylaw shall be completed.
11. 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 \$300 deposit on file to be held on account and credited to the final billing for that tenant. A deposit of \$100 must always be retained in the name of the landlord (in addition to the \$300 on file for the tenant). The tenant will be advised that the landlord will receive copies of any 'past due' bills. In instances where there is not individual curb-stops in a multi-unit dwelling, apartment or condominium, the utility billing must remain in the owner's name or in the instance of a condominium, the Condo Association's name.
12. Each application by the owner of the property shall be accompanied by the payment of a utility deposit in the amount of \$100 for a 5/8 or 3/4 inch meters and \$250 for any other size meter.

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13. 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 disconnected due to non-payment, 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

14. Water meters shall be read (or if unable to access the premises, estimated) and billings issued monthly. Such reading shall be completed by the 6th day of the month and the billing to be issued not later than the 10th day of the month.
15. In the event a meter or remote reader 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. Owners are welcome to provide readings on the understanding that such reading shall be done on the last day of the preceding month and submitted by phone, email or in person to the Municipal office by the first working day of the month. The designated officer is required to ensure that all town owned meters are read inside the premises not less than once a year by an employee of the Municipality other than the owner of the property.
16. Accounts shall be paid by the last day of the month in which they are rendered. A penalty in the amount of one (1.5%) percent shall be added to unpaid accounts at the beginning of the following month.
17. If the arrears on an account are not paid in full within ten (10) days of the billing in which they are identified as arrears and which contains a message about disconnection, the water service may be disconnected without further notice.

PART VII – WATER DISCONNECTION

18. The municipality reserves the right to shut off the supply of water for any of the following reasons:
- a) Failure to open an account or failure to complete an accurate written application for service and/or failure to provide payment of deposit as set out in Schedule “C”;
 - b) Non-payment of the Town of Osler utility bill;
 - c) Failure to provide access to the premises;
 - d) Tampering with the water meter or the seal;
 - e) Theft of water;
 - f) Excess leakage of water on the private service line;
 - g) Contamination or potential for contamination of water from the private service or private system;
 - h) Contravention of any section of this Bylaw
19. 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 \$100 to cover expenses and a new meter deposit in place.

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Should the designated officer be required to turn on the said water outside of the employee's regular working hours, a fee of \$200 shall be charged to cover the cost of call out.

20. In instances where an emergency requires the temporary disconnection of water to a property, there will be no charge to the occupant.
21. In instances where an occupant requests a temporary disconnect due to vacation (deleted periods of) time out of the country, consideration will be given to accommodate the request if the period is five months or more. This will apply to all utilities. Due to the manner in which the Town is billed for solid waste disposal, temporary discontinuance of waste only will not be allowed. Disconnection will be made with respect to all services only and infrastructure fees will continue to be billed. A disconnect/reconnect fee of \$200 is paid prior to the disconnection.
22. 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, the Council may, by resolution, (in accordance with section 369(1)(b) of *The Municipalities Act*) direct that unpaid utility amounts be added to the tax roll. Administration will ensure due process is followed with respect to adding arrears to taxes.
23. 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.

**PART VIII – NEW CONSTRUCTION AND
INSTALLATION OF WATER METERS AND REMOTE READERS**

24. The municipality will not be responsible for the installation of a new meter in a newly constructed building. This must be done by a qualified journeyman plumber.
25. At the time of new construction it is expected that a 'remote' reader be installed and that this be placed on the front or side 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.
26. If a remote reader is already located on the side yard 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.
27. If a remote meter reading device is installed in addition to the existing meter, the meter shall be the official reading.
28. If a meter has failed to register during any portion of the preceding month, the amount of water consumption for the month will be estimated based on previous usage.
29. At the time of new construction it is the responsibility of the owner to ensure that the curb stop (cc) is not restricted by landscaping, driveways or other material.
30. It is the responsibility of the property owner to ensure that the curb stop (cc) and water meter are accessible at all times. If damage is done to lawns, gardens, driveways, sidewalks or premises in

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locating the curb stop or water meter it remains the responsibility of the owner to ensure repairs are made to the owner's property.

PART IX – GENERAL PROVISIONS

31. The Town Foreman or Maintenance Assistant 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 or for any plumbing that may be required in replacement of a meter.
32. The municipality reserves the right to disconnect the water service from any customer, without notice, and to keep the water service off for as long as necessary, to enable street repairs, service type repairs, or for the purpose of constructing new works.
33. The Town Foreman or Maintenance Assistant may enter the premises in which a customer has water service, for the purpose of removing any meters or other property of the Town if the water supply has been discontinued.
34. In the event of a water break on a service line or damage to a service line, the cost of 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 repair. Should the damage or break occur on Town property the Town will be responsible for 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 immediately contact our Administration or Public Works staff prior to any work being undertaken. If no contact is made with the Town prior to the contractor commencing work, the Town will not take on the responsibility for any of the billing relative to repair work that is done. Any contractor hired to do work in the Town will need to be vetted by the Town prior to commencing work or the Town will not take responsibility for any of the billing.
35. Out of Town subscribers do not pay taxes to the Town for the structure being serviced and service must be fair and equitable to other residents of the Town who are supporting the utility through the taxes they pay on their land and improvements within Town limits. Accordingly out of town subscribers will be subject to the following provisions:
 - a. They will pay for water usage at the same rate as other users of the utility;
 - b. Any repair to any waterline lying between the last service connection within the Town, and the out of town subscriber will be the responsibility of that subscriber, regardless of whether it lies within or beyond Town boundaries. Any such costs will be incurred reasonably, and will be invoiced to the user, to be paid within 30 days;
 - c. Where an invoice (b above) is not paid within 90 days, service will be suspended until the account is current. Thereafter, the municipality will not undertake any repair to the said waterline until such time as the costs have been estimated, and the subscribers have deposited that amount with the Town on account of the anticipated costs;
 - d. Where there is a lengthy distance between the last municipal service connection and the out of town subscriber it is the recommendation of the municipality that the out of town subscriber ensure a tap is running, at their own expense, during periods of extreme cold (winter months).
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 our 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.

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PART VI – RESTRICTIONS

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

PART VIII – REPEAL PREVIOUS BYLAW

38. Bylaw 2014-15 is hereby repealed.

PART IX - COMING INTO FORCE AND EFFECT

39. This bylaw shall come into force upon adoption by Council.

Read a first time this 15th day of December, 2015

Read a second time this 15th day of December, 2015

Read a third time and adopted this 15th day of December, 2015

SEAL

Mayor

Chief Administrative Officer

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**Water and Sewer Account Application
Schedule A**

PART 1 (Part 1 is required to set up a new account – it is critical that we have a contact number and email address as part of your application.)

(Please note: Your account name should appear as shown on your property title)

****Principle Account Holder:** _____

Secondary Account Holder: _____

Street Address: _____

****Billing Address:** _____

*****Home Ph #::** _____ **Work Ph #:** _____ **Cell Ph #** _____

****Email:** _____ **Possession Date:** _____

The following is applicable to renters only: Please note that we are required to report delinquent accounts to the property owner. Please initial to indicate that you have read and understand that the Landlord will receive copies of correspondence regarding your account.

Tenant's initials _____

PART 2

The following is information that is useful to us with regards to keeping track of our population and demographic stats. We assure you it will be held in confidence unless you give us signed permission to use it. Please indicate your wishes with regards to using your personal information for the following:

Do we have your permission to include your name, address, and/or phone number to our Emergency Manual? Yes _____ No _____

How many people are in your household?

Please indicate how many are within each age bracket: 0 – 19 _____ 20 – 54 _____ 55 + _____

Signature: _____ Date: _____

****REQUIRED information ***A minimum of one working telephone number is REQUIRED**

For office use only:

Deposit Amount: _____ Receipt No. _____
(\$100 for owners; \$300 for renters)

Date Received: _____ Town of Osler: _____
