

CITY OF NORTH BATTLEFORD
SASKATCHEWAN

BYLAW NO. 1706

**A BYLAW OF THE CITY OF NORTH BATTLEFORD IN
THE PROVINCE OF SASKATCHEWAN RESPECTING THE
MANAGEMENT OF THE WATERWORKS SYSTEM OF
THE CITY AND THE CHARGES TO BE MADE FOR
WATER SERVICES.**

WHEREAS pursuant to Section 17 of *The Cities Act 2002*, Council may provide a public utility service, and

WHEREAS it is deemed expedient to make provisions for the management of the Waterworks System of the City and the terms and conditions upon which Water Services may be provided, and to prescribe a tariff of charges for such services:

NOW THEREFORE THE COUNCIL OF THE CITY OF NORTH BATTLEFORD IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

1. INTERPRETATION

- (a) The Director of Public Works & Engineering shall mean the Director of Public Works & Engineering, so appointed, and any other person authorized by the Director of Public Works & Engineering, to act as his assistant, deputy or agent.
- (b) The plumber employed and designated by the owner of the premises in the application for service will be considered the agent of the owner while employed in installing the water service to the said premises, and will not in any sense be the agent of the City or of the Director of Public Works & Engineering.
- (c) All words, either in this Bylaw or in the Schedules thereto, referring to any person, consumer or applicant, shall be taken to be of such number and gender as the context and the facts may require, and shall also include a corporation or a partnership.
- (d) Schedule "A" setting out the tariff of deposits to be made by applicants, Schedule "B" setting out the rates charged to all properties with a service connection to the City water mains, Schedule "C" being the form of application for water service, and Schedule "D" being the owner agreement form – tenant occupancy are incorporated in and form part of this Bylaw in their present form or as the same may be modified or amended from time to time by Bylaw or Resolution of Council of the City of North Battleford.

2. RESPONSIBILITIES

- (a) The Waterworks System of the City of North Battleford including its production, distribution, measurement, operation and maintenance shall be under the general direction and supervision of the Director of Public Works & Engineering.
- (b) The Director of Public Works & Engineering is authorized to inspect all buildings and premises supplied with water. The Director of Public Works & Engineering shall also keep records of applications for services, and full descriptions of all works constructed.
- (c) The collection of the revenue derived from the City's Waterworks System and the supervision of all records required for billing and collecting accounts shall be the responsibility of the Director of Finance.
- (d) The City shall render accounts with respect to meters which have been read in terms of this Bylaw, and such accounts shall be payable at City Hall.
- (e) All accounts shall be due and payable forthwith upon an account being rendered.

3. PROHIBITIONS

- (a) Water must not be used without application first having been made at City Hall for such use and such application approved.
- (b) Persons taking over premises where water has been previously used by another applicant must make a new application for such premises.
- (c) No person shall turn on water to any premises or open any valve or cock on City premises, except on the authority of the Director of Public Works & Engineering.
- (d) No person other than the City shall tap or make any connection whatsoever with any of the public or private pipes or mains.
- (e) No person or persons, except the Director of Public Works & Engineering or members of the Fire Department in the course of their duties, shall open, close or interfere with any hydrant, gate or valve connection nor in any way interfere with any stop-cock, pipe or other waterworks appliance between the meter, when there is no stop-cock immediately about such meter, or between such stop-cock where it is installed immediately above the meter, and the water main, nor with any water meter.

- (f) No extension of water mains shall be constructed unless such construction is authorized by City Council.
- (g) In cases of any fraudulent misrepresentations on the part of any consumer or unnecessary waste of water, the water supply shall be cut off.
- (h) No person shall interconnect with the City potable water system any appliance, device or system which could back flow into the City water system without installing proper back flow, anti-siphon, air-lock or other system(s) as approved by the Director of Public Works & Engineering.

4. OBTAINING A SERVICE CONNECTION

Any person wishing to have his premises connected to the Waterworks System shall make application to the Building Inspector requesting such water connection and the owner or authorized agent shall sign the application prescribed by the City for that purpose. The applicant is required to provide as-built drawings of the service connection prior to water being supplied.

5. PAYMENT FOR SERVICE CONNECTION

The charge made by the City for tapping the water main and laying a service from the water main to the property line shall be paid by the applicant for such service upon such terms as the City may prescribe.

6. WATER METERS AND WATER ACCOUNTS

- (a) All meters shall be furnished and installed by the City and remain the property of the City, but every owner, tenant or occupant of premises, where a water service is provided by the City shall be responsible to the City for the costs incurred by it arising out of any damage to such meters from frost or otherwise during the period from installation to a time 72 hours after notice is received by the City that the premises in which such meter is installed are to be vacated or until such premises are vacated whichever is the later date.
- (b) All persons desiring to be supplied with water by the City shall apply to City Hall and sign an application prescribed by the City for such purposes.
- (c) All applicants except the owners of the premises shall make, at the time of signing the aforesaid application, a deposit with the City of a sum of money the amount of which shall be as set out in Schedule "A" hereto, provided, however, that where the deposit set out in Schedule "A" is deemed by the Director of Finance to be insufficient to cover the estimated average consumption for one billing period, the Director of Finance is authorized to demand a larger deposit sufficient to cover the said estimated average consumption for one billing period. In addition should the applicant have a poor past payment history with the City, the Director of Finance is authorized to demand a larger deposit.

- (d) Where one water meter service is situated in a two-family dwelling or multi-family dwelling, the billing shall be in the name of the property owner.
- (e) Single Family dwellings with the availability of having more than one tenant, the utility account will remain in the owner's name. If the owner takes out a permit for demolition of the suite and the Building Inspector has inspected the premises, then the Building Inspector will forward in writing to the Utility Department that the suite has been removed. Once the suite(s) is removed, the utility account may be put in the tenant's name.

If the suite is vacant, then the owner may sign a vacant suite declaration for the removal of the extra refuse charge, however, the utilities will remain in the owner's name. If the suite is rented, then the owner must notify the Utility Department within 30 days or a \$100.00 charge will be applied to their utility account.

- (f) Where the said application is for the connection of a newly constructed service, the said application shall be forwarded to the Medical Health Officer for approval before the connection to the premises is made.
- (g) Upon the connection being made to the premises pursuant to the said application, the applicant or property owner or tenant, as the case may be, shall be liable for all rates charged per Schedule "B" and service charges, if applicable, for water and sewer on, from and after the date of the said connection.
- (h) Applications for supplying water are not transferable and applicants or property owners or tenants, as the case may be, will be charged for water service from the date of connection.
- (i) Every owner, tenant or occupant of premises where a water service is provided, or application made for provision of a water service, shall give every facility for the introduction of water meters and the placing of such meters in an easily accessible position, and shall at all times provide at their own cost an easy means of access so that the meter may be examined or read; and shall at all times at their own risk and expense protect the meter from injury from frost or otherwise. Water meters installed pursuant to this clause may be equipped with a remote reading device, the location of which shall be determined by the Director of Public Works & Engineering.

- (j) Except as to water supplied by tank, all water supplied by the City of North Battleford shall be measured by meters and the City shall have the right at all times, by its workers, to enter upon any premises where it has placed a meter and appliances, for the purpose of inspecting or removing the meter or appliances, or reading the meter, or connecting or disconnecting the applicant's installation with the City's water system or for the purpose of determining whether such water is being carried, distributed or used in a proper manner.
- (k) All charges for water supplied and water services shall be made and paid for in accordance with Schedule "B" hereto, as the said schedule is authorized, from time to time, by Resolution or Bylaw of the Council of the City of North Battleford. The charges shall at all times be based on a flat rate and a volume rate based on cubic meter of water used with the exception that disconnects be provided a one-week minimum provision for billing purposes for charges other than water and sewer calculations appearing on the account.
- (l) The deposit mentioned in subsection (c) hereto shall be held by the City as security for payment of water services accounts and shall be returned to the applicant without interest, on such applicant ceasing to require a water service, and all accounts being paid in full.
- (m) All charges for repairs to the water service or to the meter, including charges for thawing a frozen service, which are the responsibility of the applicant, tenant or owner, shall be added to the water bill and collected as provided by this bylaw.
- (n) The standard meter installed for a water service is 15.88 mm (5/8"). Larger size meters will be provided as approved by the Director of Public Works & Engineering and upon payment of any extra costs involved in such installation. In any case, the meter shall always be one size smaller than the service pipe below the meter.
- (o) The Director of Public Works and Engineering has the authority to direct the installation of irrigation meters within the City of North Battleford.
- (p) Effective January 1, 2003, irrigation meters shall only be allowed on premises which provide public access and/or are of a community benefit, in the opinion of the Director of Public Works & Engineering.
- (q) Charges for water measured by these irrigation meters will be in accordance with subsection (k) hereto.
- (r) All existing irrigation meters within the City of North Battleford shall meet the criteria within subsection (p) hereto on or before January 1, 2004, or be subject to removal by the Director of Works & Engineering.

7. CONDITIONS OF SERVICE

- (a) The City may limit or discontinue the furnishing of water to any customer or consumer when in the opinion of the City or the Director of Public Works & Engineering circumstances so warrant.
- (b) If the meter installed in any premises fails to register for any reason, then the applicant shall be charged for water in proportion to the previous usage over a similar period, or, where there is no previous comparable usage, the Director of Finance may fix a reasonable charge.
- (c) If any owner or tenant neglects or refuses to pay all the charges under this Bylaw by the twentieth (20) day following the day on which the said account was due and payable, it shall be lawful for the Director of Finance to cause the supply of water to be cut off, and when such supply is cut off the water shall not again be turned on until all the arrears and penalties including a reconnect fee of One Hundred Dollars (\$100.00) are fully paid.
- (d) If because of failure to give notice of vacating the premises, the water service, either on private property or on the street, is damaged by frost or otherwise, all the cost of repair to the said service shall be at the cost of the owner or consumer of water and may be collected by the City from the said owner or consumer. If such account remains unpaid at December 31, in any year, the account shall be added to the property taxes and same shall be collectible in like manner as property taxes.
- (e) If a service to an applicant who is not the owner of the premises, is disconnected for any cause and an account therefor remains unpaid, the Director of Finance shall apply the deposit of the applicant in payment of the account outstanding, including any fee which may be added for turning off the service. If an outstanding balance remains after application of the deposit, the Director of Finance is authorized to collect the balance from the owner of the property including adding the uncollected sum to the property owner's tax roll if deemed necessary.
- (f) If a service to an applicant, who is the owner of the premises, is disconnected for any cause and an account therefor remains unpaid, the Director of Finance shall add such unpaid account to the property taxes and same shall be collectible in like manner as property taxes.
- (g) As a further means of enforcing payment of arrears, the Director of Finance shall demand and receive payment from an applicant for a service, of any outstanding account for water formerly supplied to the applicant alone or in conjunction with any other person, before such application is granted.
- (h) In all places where water from the City's water system is used in heating, cooling or other facilities or equipment, proper devices shall be supplied by the owner or consumer to prevent damage to such facilities or equipment when water is shut off from the street or variations in pressure of the water occur for any reason.

- (i) Once a water service connection has been established, at minimum the associated flat rates per Schedule "B" shall apply and be due and payable by the property owner or tenant as the case may be. Property owners with established connections to the water and sewer systems are prohibited from shutting off water service and where it may be deemed desirable or necessary for the water supply to be shut off, the decision to discontinue the water supply will be at the sole discretion of the City. Notwithstanding, if the water supply is shut off for any reason deemed desirable or necessary, at minimum the associated flat rates per Schedule "B" shall apply and be due and payable by the property owner. The City shall have the right to shut off water service supply to any consumer without notice and to keep it shut off as long as necessary.
- (j) Neither the City nor its employees or agents shall be liable for any damage resulting from suddenly shutting off the supply of water from any premises, either with or without notice; but the City will give reasonable notice of such shutting off, where practicable.
- (k) Every main building shall have its own service connection and the water from each service connection shall be measured by one water meter only.
- (l) No branch pipe shall be taken from any part of the service pipe between the main stop cock and the water meter.
- (m) Each owner of premises shall be responsible for the repair and maintenance of all pipes and fixtures between the main and his premises, except for that portion lying in the street.
- (n) Every service connection shall be provided by the owner with one stop cock of a design approved by the Director of Public Works & Engineering, which will be placed in the pipe immediately where the water service enters the premises.
- (o) No exterior buried pipe of a service connection shall be less than nine feet below the surface of the ground, other than in exceptional circumstances approved by the Director of Public Works & Engineering.
- (p) The City will place a main cock at the water main and a curb cock between the street gutter and the street line for the purpose of turning a service off and on.
- (q) In case any water service line becomes frozen between the premises and the watermain, then such water service line may be thawed out upon application at the office of the Director of Public Works & Engineering, and the actual cost of thawing out such service line or connection shall be paid by the consumer.
- (r) The Director of Public Works & Engineering may shut the water off at the premises of any owner or consumer who contravenes any of the provisions of this Bylaw or any regulations made by the City Council and in cases where the water has been shut off for waste or leaks or defects in pipes or cocks, the water shall not be turned on again until the necessary repairs have been made to the satisfaction of the Director of Public Works & Engineering.

8. PENALTIES

Any person or persons tampering with or interfering with or in any way injuring any part of the City's Waterworks System, or disconnecting or reconnecting any service or doing anything to break, suspend, divert, obtain the unlawful use of or waste water supplied by the City or interfering in any manner with the operation and distribution thereof, except under and with the permission in writing of the Director of Public Works & Engineering, is guilty of an offence and is liable on summary conviction, to a fine not exceeding Five Hundred Dollars (\$500.00) and in default of payment of the fine, to imprisonment for a term not exceeding thirty (30) days, unless the fine is sooner paid.

9. REPEAL OF FORMER BYLAW

Bylaw No. 1655 and all amendments thereto are hereby repealed.

10. This Bylaw shall come into force and take effect on the 1st day of May A.D., 2003.

INTRODUCED AND READ A FIRST TIME THIS 14th DAY OF APRIL A.D., 2003.

READ A SECOND TIME THIS 14 DAY OF APRIL A.D., 2003.

READ A THIRD TIME AND ADOPTED THIS 28 DAY OF APRIL A. D., 2003.

Wayne Ray
MAYOR

Elaine Kostiuk
CITY CLERK

SCHEDULE "A" TO BYLAW NO. 1706

CITY OF NORTH BATTLEFORD

WATER SERVICES DEPOSITS

All applicants for the supply of water, UNLESS THEY ARE THE OWNER OF THE PREMISES, shall be required to deposit with the Director of Finance the amount set forth in the *Deposit Fee Schedule* below. The deposit shall be returned to the applicant's utility account upon discontinuance of the supply of water. Once all charges have been applied to said account any credit balance will be refunded.

REDUCED DEPOSIT UNDER WIPPS

The City will accept a lower deposit amount if the applicants register themselves at the time of application under the Water Installment Payment Plan Service (WIPPS). WIPPS allows utility customers to pay their bills, on a monthly basis, automatically through direct debit.

DEPOSIT FEE SCHEDULE

User Type	Meter Size	Consumption Base on Quarterly Cubic Metres	Deposit	Deposit under WIPPS
Residential	15mm-25mm	50	\$200	\$100
Commercial /Industry	15mm-18mm	100	\$450	\$150
Commercial /Industry	25mm	150	\$900	\$300
All	40 mm & larger	1,500	\$1,800	\$600

NON PAYMENT UNDER WIPPS

Should an applicant's service under the WIPPS program become uncollectible the City shall serve a four-day notice to the applicant requesting full payment. Service charges as prescribed by the City's policy on NSF fees will be applied to the account. Failure to make payment in the four-day period may result, at the discretion of the Director of Finance, in the service being disconnected.

SCHEDULE "B" REFERRED TO IN BYLAW NO. 1706

CITY OF NORTH BATTLEFORD

WATER CHARGES - A

FLAT RATE MONTHLY

Meter Size

15-25 mm (5/8" - 1") Residential	\$ 13.54
40 mm (1.5") Residential	\$ 66.55
15-18 mm (5/8" - 3/4") Commercial/Industrial/Other	\$ 15.96
25 mm (1") Commercial/Industrial/Other	\$ 50.13
40 mm (1.5") Commercial/Industrial/Other	\$ 66.55
50 mm (2") Commercial/Industrial/Other	\$ 99.82
75 mm (3") Commercial/Industrial/Other	\$399.24
100 mm (4") Commercial/Industrial/Other	\$498.35

WATER CHARGES - B (Underground Infrastructure)

FLAT RATE MONTHLY

Meter Size

15-25 mm (5/8" - 1") Residential	\$ 10.67
40 mm (1.5") Residential	\$ 55.41
15-18 mm (5/8" - 3/4") Commercial/Industrial/Other	\$ 12.37
25 mm (1") Commercial/Industrial/Other	\$ 39.29
40 mm (1.5") Commercial/Industrial/Other	\$ 52.30
50 mm (2") Commercial/Industrial/Other	\$ 78.60
75 mm (3") Commercial/Industrial/Other	\$313.79
100 mm (4") Commercial/Industrial/Other	\$392.38
Volume Rate (per cubic metre)	\$ 1.50
Bulk Water Rate (per cubic metre)	\$ 5.48

SCHEDULE "C" REFERRED TO IN BYLAW NO. 1706

CITY OF NORTH BATTLEFORD



UB# _____

**UTILITY SERVICE
CUSTOMER ORDER FORM**

COUNTER	LETTER	PHONE	MANUALLY
NAME: _____		EFFECTIVE DATE: _____	
_____		METER TYPE: _____	
SERVICE ADDRESS: _____		METER READING: _____	
MAILING ADDRESS: _____		BUSINESS PHONE #: _____	
CITY: _____		RESIDENTIAL PHONE #: _____	
POSTAL CODE: _____		IDENTIFICATION: _____	
EMPLOYER: _____		DATE OF BIRTH: _____	

CONNECT:	OWNER	RESIDENTIAL	WATER ON
DISCONNECT:	TENANT	COMMERCIAL	OFF AT CURB
			OFF UNDER METER

DEPOSIT: _____ RECEIPT #: _____ DATE: _____

DEPOSIT TRANSFERRED FROM: _____

PREVIOUS ADDRESS: _____

I hereby make application for water and sewer services at the above service address and hereby agree to comply with all Bylaws, Policies and Regulations governing same as may now or hereafter be in force.

DATE: _____ SIGNATURE: _____
(Customer)

VERIFIED BY: _____
(Utility Department)

(OFFICE USE ONLY:)

SPECIAL INSTRUCTIONS: _____

DATE: _____ SERVICE MAN: _____

***** SCHEDULE "D" - BYLAW NO. 1706 – Owner Agreement Form – Tenant Occupancy saved as pdf in M drive.**