



VILLE DE - TOWN OF

# Gravelbourg

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## BYLAW N0.1493/21

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### A BYLAW TO PROVIDE FOR THE USE, CONSUMPTION AND DISCHARGE OF A WATER AND SEWER PUBLIC UTILITY AND TO FIX THE RATES FOR THE USE, CONSUMPTION AND DISCHARGE OF THESE PUBLIC UTILITIES

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**WHEREAS** the municipality provides public utilities; and

**WHEREAS** these public utilities have costs associated with delivery of service, infrastructure, upgrades, maintenance and general operations that Council has deemed shall be shared by all of those that have access to use the utilities; and

**WHEREAS** every council must adopt, in accordance with *the Municipalities Regulations*, rates or fees to be charged;

**NOW THEREFORE** the Council of the Town of Gravelbourg in the Province of Saskatchewan enacts as follows:

1. This Bylaw shall be cited as "The Water and Sewer Public Utility Billing Bylaw."
2. This Bylaw is enacted pursuant to sections 46 (1) (g.1) and 48 of The Public Health Act, 1994 and sections 8, 23 to 32 and 362 to 370, inclusive of The Municipalities Act.
3. **DEFINITIONS: In this Bylaw,**
  - a) "Authorized Person" means an employee of the Municipality, or an individual/business contracted by the Municipality to perform work on behalf of the Municipality.
  - b) "Council" means the Council of the Municipality
  - c) "Curb stop" means a control valve located on the service line for the water supply of a building, usually placed at or near the property line of a parcel of land and is used by the municipality to turn on and shut off the water supply from the main to the building.
  - d) "Cross connection" means any temporary, permanent or potential water connection that may allow for backflow to occur and includes swivel or changeover devices, removable sections, jumper connections and bypass arrangements. This definition also includes valves or any other bypasses of the water meter which serves to affect the accurate reading of consumption.
  - e) "Municipality" means the Town of Gravelbourg
  - f) "Occupant" includes:
    - (i) A person residing on a parcel of land or in a building on a parcel of land;
    - (ii) A person entitled to the possession of a parcel of land or a building on a parcel of land if there is no person residing on the parcel of land or in the building; or
    - (iii) A leaseholder of a parcel of land.
  - g) "Owner" means a person who has the right, title, estate, or interest in land or improvements other than that of a mere occupant, tenant, or mortgagee.

*[Handwritten initials]*

- h) "Parcel of land" means within the Municipality.
  - (i) All or part of any parcel, as defined in *The Land titles Act, 2000*, on an approved plan;
  - (ii) A number of parcels, as defined in *The Land titles Act, 2000*, that are accessed together; or
  - (iii) Any area of land used for a single assessment and includes all buildings or other structures located on the parcel of land.
- i) "Permanent shut off" means to disconnect the building to which the service(s) are connected from the public utility systems due to demolition of the building or a vacancy of the property at the service address that will be in excess of 6 months.
- j) "Public Utility" means a system of works operated by or on behalf of the Municipality which is used to provide one or more of the following for public consumption, benefit, convenience or use; water, sewage disposal, drainage, waste management, and any other system or works operated by or on behalf of the Municipality.
- k) "Seasonal shut off" means to temporarily shut off the service(s) that are connected to the public utility system due to a property vacancy that may last up to a period up to six (6) months.
- l) "Service connection" means the part of the system of works of a Public Utility that runs from the main lines of the public utility to a building or other place on a parcel of land for the purpose of providing the utility service to the parcel and includes the connection to the main line and couplings, stopcocks, meters and other apparatus inside the building or other place for the provision of the public utility.
- m) "Temporary shut off" means to temporarily shut off the service(s) that are connected to the public utility system for repairs or renovations to the service line(s) or building(s) connected to the service line which may last up to six (6) months.

#### 4. GENERAL

- a) The owner of a parcel of land with a residential, commercial, or residential multi-family building on it, in which plumbing fixtures are installed and that has access to connect to the municipal main lines **shall** connect to the public utility water and sewer service provided by the Municipality and **shall** use the public utility water service for all inside water and wastewater use.
- b) No person shall connect, cause to be connected or permit to remain connected to the water system a cross connection that has not been approved in writing by the municipality.
- c) Water meters shall be read monthly (12 times per year) for the purposes of determining the consumption of water and use of the sanitary sewer public utility systems to determine the amount to be billed as set out in Schedule "A". Where monthly billing takes place an estimated consumption amount shall be applied to those months in which a meter is not or cannot be accurately read.

#### 5. FINANCIAL

- a) The collection of revenue derived from the Public Utility services and the payment of all disbursements connected therewith and the supervision and control of all records and accounts shall be under the direction and control of the Chief Administrative officer or his/her designate.
- b) All monies collected under the provisions of this bylaw for water and sanitary sewer public utility service shall be recorded as revenue for the water and sanitary sewer public utility service and shall be used solely for payment of capital and operational costs for the water and sanitary sewer public utility service. **All surplus attained** as a result of the monies collected under the provisions of this bylaw **shall be reserved** in an account used **solely for the purpose of the water and sanitary sewer public utility service**.
- c) The owner of the parcel of land receiving the provision of a public utility service is responsible for payment of all rates and charges applicable to the service.
- d) All monies collected for deposits in reference to public utility services under this bylaw or any other Town of Gravelbourg bylaw shall be credited to the "Utilities Deposit Account".

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- e) When an owner discontinues use of the public utility service due to a permanent disconnection or, in the case of a tenant, vacates the property in which they have occupied and all rates and charges are paid in full, the deposit(s), without interest, shall be refunded.
- f) When an owner discontinues use of the public utility service due to a permanent disconnection or, in the case of a tenant, vacates the property in which they have occupied and all rates and charges are paid in full, the deposit(s), without interest, may be transferred to another property within the municipality where the owner or occupant is relocating.
- g) When an owner discontinues use of the public utility service due to a permanent disconnection or, in the case of a tenant, vacates the property in which they have occupied and rates and charges remain unpaid, the municipality has the right and is hereby granted the right to apply the deposit to the unpaid account and the remaining deposit balance, if any, without interest shall be refunded.
- h) When an owner discontinues use of the public utility service due to a permanent disconnection or, in the case of a tenant, vacates the property in which they have occupied and rates and charges remain unpaid after application of the deposit, the amount outstanding may be added to and thereby form part of the taxes on the parcel of land with respect to which the public utility service was provided, as per section 369 of *The Municipalities Act*.
- i) The charges to be paid by the owner or occupant of a parcel of land with a residential, commercial, or residential multi-family building shall pay a fixed rate service charge for the operations, maintenance, delivery, administration, capital renewal and amortization of the water public utility system including the infrastructure from the raw water source to the curb stop and shall also pay a rate per cubic meter of water consumed. Those rates shall be as set out in Schedule "A" attached to, and forming part of, this Bylaw. The fixed rate service charge shall be paid by all owners or occupants regardless of whether water is consumed with the exception of a service that has been permanently shut off.
- j) The owner or occupant of a parcel of land with a residential, commercial, or residential multi-family building shall pay a fixed rate service charge for the operations, maintenance, collection, administration and amortization of the sanitary sewer public utility system including the infrastructure from the connection of the service line to the main line and to the lagoon system and shall also pay a user fee for the wastewater drained into the system based on the cubic meter(s) of water consumed. Those rates and fees shall be as set out in Schedule "A" attached to and forming part of this Bylaw. The fixed rate service charge shall be paid by all owners or occupants regardless of whether water is consumed with the exception of a service that has been permanently shut off.
- k) In the case of a Seasonal shut off, garbage fees as set in this, or any other bylaw of the municipality shall not be charged for the period of shut off.
- l) In the case of a Seasonal shut off, recycle fees as set in this or any other bylaw of the municipality shall continue to be charged for the period of shut off.
- m) In the case of a Seasonal shut off, there will be no on/off fee, provided the services are scheduled at least 72 hours in advance and are conducted during employees' regular working hours.
- n) The Public Utility on/off fees are as set out in Schedule "A" attached to and forming part of this bylaw.
- o) The deposits to be paid for Water and Sanitary Sewer Public Utility services are as set out in Schedule "A" attached to and forming part of this bylaw.
- p) The late payment penalties added to unpaid Public Utility Service accounts area as set out in Schedule "A" attached to and forming part of this bylaw.

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## 6. ENFORCEMENT

### a) Payment of Public Utility Service Accounts

- (i) Whether the public utility service account is under the name of the owner or other than the owner of the parcel of land receiving the provision of the public utility service, the sum payable for the utility use, all rates, costs and charges made shall be a preferential lien and charge on the parcel or part of the parcel serviced and may be levied and collected in like manner as municipal rates and taxes are collected in accordance with section 369 of *The Municipalities Act*.
- (ii) Payment of public utility service accounts are due on the 15<sup>th</sup> of the month following the issuance of the billing, after which late payment penalties are charged. The water public utility service may be shut off if account remains unpaid fourteen (14) days after the due date.
- (iii) If the water public utility service is shut off for non-payment of the public utility service account or any other contravention of the provisions of this Bylaw, the service shall not be turned on until all penalties, fees, rates, charges, and arrears, if any, have been paid or the contravention has been remedied. In addition, a fee for turning on and off the service as set out in Schedule "A" shall also be paid.

### b) Inspection

- (i) The inspection of any parcel of land by an authorized person to determine if any provisions of this bylaw or any other water and sewer public utility bylaw adopted by the municipality is being complied with is hereby authorized.
- (ii) Inspections under this bylaw or any other water and sewer public utility bylaw adopted by the municipality shall be carried out in accordance with section 362 of *The Municipalities Act*.

### c) Order to Remedy Contravention

- (i) If an authorized person has reason to believe that a person is contravening any provision of this bylaw or any other water and sewer public utility bylaw adopted by the municipality, the authorized person may, by written order, require the owner or occupant of the parcel of land to which the contravention related to remedy the contravention in accordance with section 364 of *The Municipalities Act*.
- (ii) If an order is issued pursuant to section 6 c) (i) above, the municipality may, in accordance with section 364 of *The Municipalities Act*, give notice of the existence of the order by registering an interest against the title to the parcel of land that is the subject of the order.
- (iii) A person may appeal an order reference in this section 6 c) in accordance with section 365 of *The Municipalities Act*.
- (iv) The municipality may, in accordance with section 366 of *The Municipalities Act*, take whatever actions or measures are necessary to remedy a contravention of this bylaw or any other water and sewer public utility bylaw adopted by the municipality.
- (v) In an emergency in relation to contravention of this bylaw or any other water and sewer public utility bylaw adopted by the municipality, the municipality may take whatever actions or measures are necessary to eliminate the emergency in accordance with section 367 of *The Municipalities Act*.

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d) **Recovery of Expenses and Costs**

- (i) Any expenses and costs incurred by the municipality in remedying a contravention of this bylaw or any other water and sewer public utility bylaw adopted by the municipality, shall be and are deemed amounts owing to the municipality by the owner of the subject parcel of land, unless otherwise determined by the municipality. Such expenses and costs may be recovered from the owners of the subject parcel of land by the municipality by any of the following:
- A civil action for debt in a court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*;
  - Adding the amount to the tax roll of the parcel of land on which the work is done in accordance with section 369 of *The Municipalities Act*; and/or
  - Any other means or methods authorized pursuant to *The Municipalities Act* or any other legislation,
7. Each provision of this Bylaw shall be construed as separate to the extent that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.
8. That Bylaw 1480/20 and 1488/21, including all amendments thereto are hereby repealed effective upon third and final reading and the date of approval of the Saskatchewan Municipal Board.
9. That this bylaw's effective date is subject to approval of the Saskatchewan Municipal Board and shall take effect on the date of third and final reading and after approval of the Saskatchewan Municipal Board and the rates and charges therein shall be effective as of the next public utility billing period after receipt of approval of the Saskatchewan Municipal Board.

READ A FIRST TIME this 14<sup>th</sup> day of December A.D. 2021

READ A SECOND TIME this 14<sup>th</sup> day of December A.D. 2021

UNANIMOUS CONSENT for THIRD READING given this 14<sup>th</sup> day of December A.D. 2021

READ A THIRD AND FINAL TIME this 14<sup>th</sup> day of December A.D. 2021



*Darcy Stefanka*

Mayor

*Carol White*

Administrator

*CW*  
1493/21

Certified to be a true copy of Bylaw ~~1488/21~~ 1493/21 adopted by  
The Council of the Town of Gravelbourg on the 14<sup>th</sup> day of Dec. A.D. 2021

*Carol White*  
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CAO, Carol White



SCHEDULE "A" TO BYLAW NO. 1488/21 <sup>93</sup> 

Effective January 1<sup>st</sup>, 2022 – Subject to Saskatchewan Municipal Board Approval

Note: Charges shown below in items 1 through 3 remain unchanged as at January 1<sup>st</sup>, 2023

1. **Connection Inspection Fees**

a) Water

**\$ 50.00**

In the case where the municipality is not performing the connection of a new service line, all new services being connected to the main line of water public utility system shall be charged a flat rate, one time water connection inspection fee to be paid by the applicant/contractor/property owner/plumber/excavator requesting the connection. The application for sanitary sewer public utility shall be made on the applicable form.

b) Sanitary Sewer

**\$ 50.00**

In the case where the municipality is not performing the connection of a new service line, all new services being connected to the main line of the sanitary sewer public utility system shall be charged a flat rate, one time sewer connection inspection fee to be paid by the applicant/contractor/property owner/plumber/excavator requesting the connection. The application for sanitary sewer public utility shall be made on the applicable form.

2. **Deposits**

a) Owner (meters 1" and under)

**\$ 90.00**

b) Tenant (meters 1" and under)

**\$150.00**

c) Meters in excess of 1"

**Full cost of meter**

3. **On/Off Fees**

a) On/Off - During regular working hours only

**\$ 75.00 each (\$150.00 for both)**

b) On/Off - After hours and weekend/holidays

**\$150.00 each (\$300.00 for both)**

  


## SCHEDULE "A" TO BYLAW NO. 1493/21 (cont'd)

Effective January 1<sup>st</sup>, 2022 – Subject to Saskatchewan Municipal Board Approval

### 4. Fixed Rate Service Charges

#### a) Water – All Customers

**\$ 2.91 per day (\$87.41/month-based on 30 days/month)**

**Broken down as follows:**

**\$ 2.08 per day (\$62.50/month) - SaskWater**

**\$ 0.66 per day (\$19.93/month) – Town Distribution System O&M**

**\$ 0.17 per day (\$ 4.98/month) – Capital Renewal/Amortization**

The purpose of this fee is to collect funds in an equalized cost shared manner to provide the necessary financial resources to cover the ongoing costs associated with the operations, maintenance, delivery, administration and amortization of the water public utility system that includes the infrastructure from the raw water source to the curb stop.

#### b) Sewer – All Customers

**\$ 0.59 per day (\$17.70/month)**

The purpose of this fee is to collect funds in an equalized cost shared manner to provide the necessary financial resources to cover the ongoing costs associated with the operations, maintenance, collection, administration and amortization of the sanitary sewer public utility system including the infrastructure from the connection of the service line to the main and then to the lagoon system

### 5. Water Consumption Rate

All customers

a) **\$5.18 per cubic meter (m<sup>3</sup>) of water consumed**

### 6. Sanitary Sewer User Rate

All customers (except commercial septic truck services)

a) **\$0.98 per cubic meter (m<sup>3</sup>) of water consumed**

#### b) Commercial Septic Truck Service

**\$30.00 per load**

Use of System for disposal of septic tank sludge or effluent

Annual Permit must be issued by municipality, signed by Service provider and available at all times for inspection by an authorized person.

### 7. Late Payment Penalty

a) 1.5% per month on outstanding balance (compounded).

## SCHEDULE "A" TO BYLAW NO. 1493/21 (cont'd)

Effective January 1<sup>st</sup>, 2023 – Subject to Saskatchewan Municipal Board Approval

### 8. Fixed Rate Service Charges

#### a) Water – All Customers

**\$ 3.40 per day (\$101.98/month-based on 30 days/month)**

**Broken down as follows:**

**\$ 2.08 per day (\$62.50/month) - SaskWater**

**\$ 1.07 per day (\$31.95/month) – Town Distribution System O&M**

**\$ 0.25 per day (\$ 7.53/month) – Capital Renewal/Amortization**

The purpose of this fee is to collect funds in an equalized cost shared manner to provide the necessary financial resources to cover the ongoing costs associated with the operations, maintenance, delivery, administration and amortization of the water public utility system that includes the infrastructure from the raw water source to the curb stop.

#### b) Sewer – All Customers

**\$ 0.59 per day (\$17.70/month)**

The purpose of this fee is to collect funds in an equalized cost shared manner to provide the necessary financial resources to cover the ongoing costs associated with the operations, maintenance, collection, administration and amortization of the sanitary sewer public utility system including the infrastructure from the connection of the service line to the main and then to the lagoon system

### 9. Water Consumption Rate

All customers

a) **\$3.89 per cubic meter (m<sup>3</sup>) of water consumed**

### 10. Sanitary Sewer User Rate

All customers (except commercial septic truck services)

a) **\$0.98 per cubic meter (m<sup>3</sup>) of water consumed**

#### b) Commercial Septic Truck Service

**\$30.00 per load**

Use of System for disposal of septic tank sludge or effluent

Annual Permit must be issued by municipality, signed by Service provider and available at all times for inspection by an authorized person.

### 11. Late Payment Penalty

a) 1.5% per month on outstanding balance (compounded).



22-058 McIntyre **TOWN OF GRAVELBOURG – WATER AND SEWER RATES**

*That the Committee approve the water and sewer rates, excluding the management fees, as outlined in the **Town of Gravelbourg's Bylaw No. 1493/21** in accordance with subsection 23(3) of *The Municipalities Act*.*

**CARRIED**

