

BYLAW NO. 2023-05

A BYLAW OF THE RURAL MUNICIPALITY OF PENSE NO. 160  
FOR THE MANAGEMENT AND ADMINISTRATION OF WATER SERVICES

The Council of the Rural Municipality of Pense No. 160, in the Province of Saskatchewan, enacts as follows:

Title:

1. This bylaw shall be known as the “Water Utility Management Bylaw”.

Definitions:

2. In this Bylaw:

- a) “Administrator” means the Rural Municipality of Pense No. 160

Administrator or other person designated to administer the utility accounts for the Rural Municipality of Pense No. 160.

- b) “Council” means the Council of the Rural Municipality of Pense No. 160.

- c) “Rural Municipality” means the Rural Municipality of Pense No. 160.

- d) “Owner” means the assessed property owner or authorized representative thereof, as contained in the records of the Rural Municipality of Pense No. 160.

- e) “Premises” means business and/or residential buildings located within the hamlets of the Rural Municipality of Pense No. 160 or any part thereof. Where a parcel of land or a building contains one or more portions or units which are or may be occupied separately and are each connected to the water supply or separately metered, then each such portion shall be a premises.

- f) “Property Portion” means the property between the outer edge of the Right of Way of the street and the inner surface wall of the building being supplied with water service.

- g) “Service Connection” means the water pipes which connect the water mains to the inner surface of the wall of the building supplied with the water utility service.

- h) “Street Portion” means the property between the water mains and the outer edge of the Right of Way of the street (66 or 80 feet).

- i) “Water Utility Rate Bylaws” mean the Keystown Water Utility Rate Bylaw and the Stony Beach Water Utility Rate Bylaw as approved by the Local Government Committee, Saskatchewan Municipal Board.

3. Interpretation: Any reference to a statute shall be taken to include a reference to any amending or replacement statute.

Continuation of Water Utility:

4. Continuation: The Rural Municipality having constructed and operated water supply systems as a public utility, and being vested with authority pursuant to:

- a) Clause 8(1)(i) of *The Municipalities Act*, which grants the Rural Municipality the authority to pass bylaws respecting services provided by or on behalf of the Rural Municipality, including authority to establish fees for providing those services; and
- b) Clause 8(1)(j) of *The Municipalities Act*, which provides the Rural Municipality the authority to pass bylaws respecting public utilities;

hereby continues the water utility for the purpose of supplying water to the resident or business located within the hamlets of Keystown and Stony Beach in accordance with the terms of this Bylaw.

Construction of Service Connection:

5. The Owner of each Premises is responsible for any and all construction work done to connect to or to disconnect from the Utility, as provided for in this Bylaw.

Maintenance & Repair of Service Connection and Mains:

6. a) Subject to clause c), the Rural Municipality shall be responsible for all maintenance of the Street Portion, including the curb stop, of the Service Connection.
- b) The Owner shall be responsible for the maintenance of the Property Portion of the Service Connection, and all costs relating thereto are the responsibility of the Owner, notwithstanding the foregoing, the Rural Municipality retains all rights, including but not being limited to those of entry and repair granted to it by Sections 26 through 28 of *The Municipalities Act*.
- c) The Owner shall be responsible for the maintenance costs of the curb stop for the following reasons only:
  - When the water service is disconnected and/or reconnected due to non-payment of the water utility account and the curb stop requires maintenance directly attributable to the action of disconnection and/or reconnection of the water service.
- d) For the purpose of making repairs to the mains or of connecting or repairing Service Connections or constructing extensions or new work or any other work, the Rural Municipality 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.

Administration of Account:

7. Application for commencement and termination of service shall be made to the office of the Rural Municipality.

Conditions of Supply:

8. a) The Rural Municipality retains the right to restrict or ration the amount of water being consumed by any Premises.
- b) The Owner shall ensure that from and after construction of the Service Connection, all water tanks, swimming pools or other storage vessels or container which have or will contain non-potable or other contaminated water, and which are connected to the water utility service, shall have a water utility service, shall have a water back flow preventer installed so as to prevent non-potable or contaminated water from siphoning back into the water utility service.
- c) No Owner shall sell, convey or dispose of or give away or permit water to be carried or taken away or use it or supply it for the benefit of others, without the express written permission of the Rural Municipality.
- d) No other water supply shall be connected to the Premises in any way which would result in a direct or indirect connection to the Rural Municipality water supply.

Water Meters Required:

9. a) All water supplied through the Rural Municipality waterworks shall be measured by a water meter approved by Council.

Maintenance of Water Meters:

10. a) The Owner is responsible for the purchase and installation of water meters unless otherwise advised by the Rural Municipality;
- b) No person shall tamper with, alter, remove or disconnect a water meter without permission from the Rural Municipality;
- c) The Owner is responsible for:
  - providing safe, convenient and reasonable access to Rural Municipality staff or contractors to their water meters and readers. Reasonable access is defined as for the purpose of collecting meter information or installation;
  - all connection costs including the meter and its installation;
  - all costs associated with repairing, testing, replacing and reinstallation of any water meter which is damaged.

Termination of Service:

10. The Rural Municipality reserves the right to terminate service at any time, providing the Owner with 24 hours written notice where:
- a) A water meter installed on that property has been damaged, altered or disconnected;
  - b) The property owner has refused or failed to provide and maintain safe and convenient access to Rural Municipality staff or contractors to any water meter installed on that property or the premises within which such meters or readers are located;
  - c) The property owner has failed to pay their billing according to the terms of payment;
  - d) A water meter installed on that property fails to meet the requirements prescribed by Council.

Water Meter Readings:

11. The Rural Municipality will collect meter readings bi-monthly on the following dates:
- February 28
  - April 30
  - June 30
  - August 31
  - October 31
  - December 31.

Utility Billing:

12. a) Utility accounts shall be billed bi-monthly as follows:

January, February	- billed March
March, April	- billed May
May, June	- billed July
July, August	- billed September
September, October	- billed November
November, December	- billed January.

That the minimum and infrastructure charge (per the Keystown Water Utility Rate Bylaw and the Stony Beach Water Utility Rate Bylaw) shall be payable in every case whether or not any water is consumed.

- b) As provided for in Section 369(1)(b) of *The Municipalities Act*, unpaid charges for a utility service provided to a parcel by the public utility that are owing with respect to the parcel may be added to the tax roll for that parcel.

Repeal of Bylaws

13. Bylaw 03-2012 is hereby repealed.

(SEAL)

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Reeve

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Administrator