

# CITY OF PRINCE ALBERT

# BYLAW NO. 37 OF 2017



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**OFFICE CONSOLIDATION**

**WATER SERVICES BYLAW**

**BYLAW NO. 37 OF 2017**

**Including the Following Amendments:**

**AMENDMENTS**

Bylaw No. 14 of 2020

**DATE PASSED**

June 1, 2020

# CITY OF PRINCE ALBERT BYLAW NO. 37 OF 2017

*A Bylaw of The City of Prince Albert respecting the management of the Waterworks System, to establish and regulate the supply, collection, treatment, storage and distribution of water and to set terms and guidelines for the public utility water service.*

WHEREAS the Council of The City of Prince Albert may provide for the regulation and operation of the Waterworks System of the City as a public utility service;

AND WHEREAS Council may establish the terms under which a public utility service may be supplied;

AND WHEREAS The City of Prince Albert has established works for the collection, treatment, storage, supply and distribution of water;

NOW THEREFORE THE COUNCIL OF THE CITY OF PRINCE ALBERT  
IN OPEN MEETING ASSEMBLED ENACTS AS FOLLOWS:

## SHORT TITLE

1. This Bylaw may be cited as the “Water Services Bylaw.”

## DEFINITIONS

2. In this Bylaw:

- a) “**Act**” means The Cities Act.

- b) **“Applicant”** means a person executing an application for, making use of or accepting the supply of water services.
- c) **“AWWA Standards”** means the current published standards of the American Waterworks Association as same may be amended, revised and replaced from time to time.
- d) **“City”** means The City of Prince Albert.
- e) **“Director of Public Works”** means the Director of Public Works for the City and anyone acting or authorized by the City Manager or Director of Public Works to act on behalf of the Director of Public Works in the administration of the responsibilities under this Bylaw.
- f) **“Connections Bylaw”** means the Connections Bylaw of the City of Prince Albert, being Bylaw No. 12 of 1995, or such Bylaw or Bylaws as may be substituted therefor from time to time.
- g) **“Corporation Stop”** means a device for control of water flow from the City’s water main to a water service connection.
- h) **“Council”** means the Council of the City.
- i) **“Custom Work Order”** means the estimation of the value of work performed by City forces or on behalf of the City that is calculated by the Director of Public Works to constitute the standard charge for all work of a similar nature which is deemed to reflect the actual cost to the City of labour, equipment, material used, all applicable taxes, plus an administration fee equal to 15 percent of the value of the cost, the invoicing for the work performed on the basis of the standard charge, crediting any deposit which the Director of Public Works may have required to be paid and the requirement of the person making the deposit to pay any balance owing.
- j) **“Curb Stop”** means a device for the control of water flow from the water service connection to a premises where water is supplied.
- k) **“Director of Financial Services”** means the City Treasurer or the Director of Financial Services for the City and anyone acting or authorized by the City Manager, the City Treasurer or the Director of Financial Services to act on behalf of the Director of Financial Services in the administration of the responsibilities under this Bylaw.
- l) **“Fire Chief”** means the Fire Chief for the City and anyone acting or authorized by the City Manager or Fire Chief to act on behalf of the Fire Chief in the administration of the responsibilities under this Bylaw.

- m) **“Meter”** means a device capable of measuring volume of water, approved as to the specification by the Director of Public Works or the Director of Financial Services, and shall include all appliances attached to the meter, such as a radio and transmitting device.
- n) **“Normal working hours”** means between 8:00 a.m. and 4:45 p.m. on weekdays other than holidays and earned days off for employees of The City of Prince Albert.
- o) **“Premises”** means any real property or building.
- p) **“Sanitary Sewer Bylaw”** means Bylaw No. 48 of 2015 of The City of Prince Albert or such Bylaw or Bylaws as may be substituted therefor from time to time.
- q) **“Valve”** means a device for control of water flow in or from the City’s water main or a water service connection.
- r) **“Water crane”** means a facility of the City for the provision of water from the Waterworks System to persons hauling water.
- s) **“Water service connection”** means the pipes and all related appurtenances for the conveyance of water from the Waterworks System to provide water services to premises and fire hydrants.
- t) **“Water services”** means all aspects of service supplied pursuant to this Bylaw to applicants, owners, and persons hauling water from the water crane and includes the water supplied from the Waterworks System.
- u) **“Waterworks System”** means the whole or any part of the equipment by which or through which the City conveys water, its improvement, extension or replacement and, not to limit the generality of the foregoing, includes pumps, sedimentation system, filtration system, Water Treatment Plant, reservoirs, water mains, clarifier system, disinfection system, pipe valve connections, corporation stops, hydrants, valves, and other related works, curb stops, meters and related appliances, all other appurtenances as are designed to form a part thereof and the treatment processes by which water is treated before conveyance into the water mains.

## INTERPRETATION

3. a) Unless the context otherwise requires, subject to Section 2, terms and expressions used in this Bylaw shall have the same meaning as in the Act.
- b) All words shall be interpreted to include a corporation or partnership or such number and gender as the context may require. Marginal notes and headings shall not be given any effect in determining the proper interpretation of this Bylaw.

#### UTILITY RATES

4. The water rates and services charges are set by The City's Water and Sewer Utility Rates and Fees Bylaw.

#### LIMITATION OF LIABILITY

5. a) Any water supplied by the City from Waterworks System to an applicant shall only be supplied on the condition that the applicant shall make no claim against the City, its officials, employees or agents except with respect to damage caused by the negligence of the City, its officials, employees or agents acting within the scope of their employment, as the case may be. It is a further condition of supply that the applicant shall make no claim for any indirect, incidental or consequential damages, including, but not limited to, lost profits. Not to limit the generality of the foregoing, neither the City, its officials, employees or agents shall be liable for:
  - (i) actions based in nuisance;
  - (ii) actions in respect of personal injury, death or property damage related to the presence of any substance or material in the water or the Waterworks System; or
  - (iii) actions in respect of damages related to the interruption or termination of water services or failure or refusal to provide water services for any reason whatsoever, whether or not notice was provided.
- b) Water services shall only be supplied on the condition that the applicant shall indemnify and save harmless the City, its officials, employees and agents from and against all claims arising by reason of the supply of water services, excepting those claims caused by negligence as described in Subsection 5(a). Not to limit the generality of the foregoing, as a condition of service, the applicant shall indemnify and save harmless the City, its officials, employees and agents from and against claims for personal injury, death or other types of claims whatsoever brought by the applicant or any third party arising directly or indirectly:
  - (i) from the use by any person of the applicant's water services;
  - (ii) from the provision of water services at any premises owned or occupied by the applicant or any person to whom the applicant is an agent;

- (iii) from the failure of the Waterworks System, the water services connection, the meter or any part of such service, system or meter or any appurtenance thereto affecting the applicant's water service; or
  - (iv) from the interruption or termination of water services or the failure or refusal to provide water services to the applicant for any reason whatsoever, whether or not notice was provided.
- c) In all places where the Waterworks System is connected with hot water boilers or heating, cooling or other such equipment, the owner and the applicant shall ensure that suitable and sufficient devices are utilized to prevent damage to such equipment and to remove danger from collapse, explosion or otherwise if water services are interrupted, terminated or there is any variation in pressure.
- d) In all places where steam, hot water or material foreign to that for which the Waterworks System was designed to convey may be forced backwards through a water services connection, the owner and applicant shall install a backflow preventer to prevent same from occurring. The owner and applicant shall regularly test the backflow preventer and keep same in a well-maintained operable condition. The City may at any time ask for and be provided maintenance records for the backflow preventer. A plan describing the backflow preventer and installation of same shall be filed with the Director of Public Works within 30 days of making the installation.
- e) In the event that the owner or applicant neglects or fails to comply with Subsection 5(c) or 5(d) and damage to any City property results, the owner and applicant shall be jointly and severally liable for the cost of repair, calculated pursuant to the Custom Work Order.

#### ADMINISTRATION

6. a) The Waterworks System, its operation, maintenance, and repair shall be under the general direction control of the Director of Public Works. The installation and construction of the Waterworks System or other works in connection therewith shall be under the general direction and control of the Director of Public Works. The Director of Public Works shall keep full descriptions of all works constructed and forming part of the Waterworks System.
- b) No person other than the Director of Public Works, the Fire Chief, a City employee acting in the course of his duties under the direction of the Director of Public Works or Director of Financial Services shall manipulate any portion of the Waterworks System, open or close any valve, curb stop, or corporation stop on the Waterworks System, open or close any hydrant, obstruct access to any hydrant, tamper with a meter connected to the Waterworks System, or uncover, tamper with, attach any line or pipe to the Waterworks System or in any other way jeopardize or place in harm the safety of the potable water within

the waterworks system. Failure to comply shall result in immediate termination of the said water supply to be liable for costs of repair.

#### APPLICATION FOR WATER SERVICES

7. a) No person shall use water services without application first having been made for same with the office of the Director of Financial Services. Every person desiring that premises be supplied with water from the Waterworks System shall execute an application in the form as determined by the Director of Financial Services and shall pay all applicable deposits and fees as set by the City's Water and Sewer Utility Rates and Fees Bylaw to the office of the Director of Financial Services at the time of application unless mutually agreed upon otherwise. An application for water services to premises where sewer services are connected shall be deemed to include an application for sewer services to which the Sanitary Sewer Bylaw applies.

Should the identity or the poor payment history of an applicant come into question, the applicant compelled to produce valid identification at the office of the Director of Financial Services, and pay the corresponding deposits and fees before water service shall be connected.

- b) Every person desiring that premises be supplied with water from the Waterworks System shall produce at least 2 pieces of government issued identification one of which must be photo identification in such form as establishes the identity of the applicant to the satisfaction of the Director of Financial Services.
- c) The deposit referred to in Subsection 7(a) shall be held by the City as security for payment of water accounts and shall be returned to the applicant, without interest, upon termination of water services, provided all water and other accounts owing to the City by the applicant are paid.
- d) If water services are disconnected for any cause and a water or other account is owed by the applicant to the City, the Director of Financial Services may apply the deposit referred to in Subsection 7(a) toward the account outstanding.
- e) Notwithstanding Subsection 7(a), in cases of urgent necessity, or where water is required for steam or hot water heating or testing approved by the Director of Public Works, the Director of Public Works or the Director of Financial Services may authorize water services to be temporarily supplied upon payment of the deposit as set by the City's Water and Sewer Utility Rates and Fees Bylaw. If the cost of the water supplied and the value of the service, calculated pursuant to the Custom Work Order, exceeds the value of the deposit, the applicant for the temporary supply shall be liable for payment of such excess, and any balance remaining shall be refunded without interest.

All temporary water services shall have installed a proper backflow preventer for the application to prevent the conveyance of foreign material being forced backwards into the water distribution system. The owner and applicant shall regularly test the backflow preventer and keep same in a well-maintained operable condition. The City may at any time ask for the provided maintenance records and specifications for the said backflow preventer.

- f) Applications for the supply of water are not transferable.
- g) All applicants will be required to complete an application and remit the respective deposit fees at the time of application. If the Director of Financial Services has received no written notice of discontinuance from the former applicant, until a new application is made for supply of water services to the premises, both the former applicant and the new occupant or person having water services so supplied shall be jointly and severally liable to pay all rates, charges and penalties payable in relation to such water services.
- h) No one shall make application for water services on behalf of any other person who is the actual occupant of the premises to be supplied with water services unless he is the owner of the premises or the authorized agent of the occupant. As a condition of supply or continuation of supply of water services, the Director of Financial Services may require that security in a form satisfactory to the Director of Financial Services be provided, including, but not to limit the generality of the foregoing, that a guarantor guarantee payment of water accounts of any applicant. If he deems it appropriate, the Director of Financial Services may require that a guarantor be a natural person.
- i) The applicant shall be liable to pay all costs, rates, charges and penalties as set by the City.
- j) The applicant shall be liable for any breach of this Bylaw arising on the premises to which his application for water services pertains, whether the breach is actually committed by him or by any other person, unless such breach was caused by a trespasser upon the premises so supplied with water services.
- k) Prior to making application for water services, an applicant who has an overdue water account for water services formerly to the applicant, alone or in conjunction with any other person, shall make payment of the said overdue account. No person shall make application on behalf of another person who is unable to obtain water services due to the non-payment of a water account or otherwise.
- l) In the event of a broken seal or any lack of repair, tampering, interference or damage, the occasioning of which affects the accuracy of the meter measuring water supplied pursuant to the applicant's application, the applicant shall forthwith give written notice of same to the Director of Public Works.

- m) Whenever any premises supplied with water services is vacated, the applicant shall ensure that the valve on the inside of the wall of the building upstream of the meter is turned off.
- n) Notwithstanding any other provision of this Bylaw, during such times as the Director of Public Works may specify, water from the Waterworks System may be obtained from the water crane. The Director of Public Works may authorize any person eligible to obtain water from the water crane to obtain water from a designated hydrant in the event of an emergency or natural disaster on such terms and conditions as the Director of Public Works may deem necessary and at the same cost as water from the water crane.

All temporary water services shall have installed a proper backflow preventer to prevent the conveyance of foreign material being forced backwards into the water distribution system. The owner and applicant shall regularly test the backflow preventer and keep same in a well-maintained operable condition.

#### TERMINATION OR INTERRUPTION OF SERVICE

- 8. a) The Director of Financial Services may direct the Director of Public Works to cause water services to be terminated at any premises where the applicant therefore has an overdue water account, or the water account mailed to the applicant has been returned to the City unclaimed or undelivered. Water services shall only be resumed upon full payment of the outstanding water account together with the re-connection charge set by the City's Water and Sewer Utility Rates and Fees Bylaw. When terminated by reasons of an overdue account, water services may be resumed after normal working hours upon proof of payment of arrears of the water account and evidence of the applicant's agreement to pay charges related to the after-hours resumption of service by execution of an "After Hours Water Turn-On Work Order". The cost shall be calculated pursuant to the Custom Work Order, and the charges added to the applicant's water account.
- b) The City may limit or discontinue the furnishing of water services, refuse to supply water services at any premises or limit the hours during which any person may use water from the Waterworks System:
  - (i) by reason of works undertaken by the City;
  - (ii) by reason of lack of supply;
  - (iii) in circumstances where a new water service connection is required under the Connections Bylaw;
  - (iv) in the exercise of discretion by Council or the Director of Public Works where the circumstances are such that, in its or his opinion, the public interest may so require; or

- (v) in the exercise of discretion by the Director of Public Works or Director of Financial Services where the circumstances are such that, in his opinion, any meter is insufficiently protected from frost or other source of damage.
- c) When water services are interrupted pursuant to Subsection 8(b)(i), such attempt to notify the owner, applicant or occupant of the premises affected by the intended interference shall be made as, in the opinion of the Director of Public Works, is reasonable in the circumstances. Except as otherwise provided in this Bylaw, in any other case, the termination or interruption of water services may be effected without notice.
- d) When water services are interrupted pursuant to Subsection 8(b)(v), water services shall not be resumed until such means have been adopted for the protection of the meter and the potable water supply as the Director of Public Works may approve. The applicant shall, also, be liable for the re-connection charge set by the City's Water and Sewer Utility Rates and Fees Bylaw.
- e) If water services are interrupted by reasons unknown or frozen water service connection, the Director of Public Works shall ascertain if the place of the failure is between the water main and the property line of the street abutting the premises to which water services are provided. In the event that the place of the interruption is so situated, he shall take such action as he deems reasonably necessary to remedy the failure or interruption. Should such action require the installation of an automatic device requiring a power supply, it shall be a condition of continued supply of water to the premises that the power supply be provided without cost to the City.
- f) The owner or occupant of the premises supplied with water services shall be responsible to make satisfactory repairs to that portion of the water service connection between the property line of the street to the meter upon the premises. If, after receiving notice from the Director of Public Works to repair same, the said owner or occupant fails to effect repairs satisfactory to the Director of Public Works within the time allowed in the notice, the Director of Public Works may enter upon the premises and complete the necessary repairs with City forces or otherwise. The owner and occupant shall be jointly and severally liable to pay the cost of the repairs, calculated pursuant to the Custom Work Order.
- g) If the Director of Public Works or any person acting upon his instructions has reasonable grounds to believe that a meter has been bypassed, tampered with, or a seal broken, whether resulting in the meter failing to accurately measure water consumption or not, water services may be discontinued to the premises until such time as the applicant makes payment of the charges referred to in Section 10(d) and the meter is re-sealed or otherwise put into operation.

- h) Water services may be discontinued to any premises, and the City may refuse to provide water services thereat when water from the Waterworks System has been wasted at such premises, the applicant has failed to ensure that there is no breach of the terms under which water services are supplied pursuant to the application, or the applicant has failed to report damage to the meter, water safety, appliances, pipes, machinery, or other property of the City upon the premises supplied with water services pursuant to the application.
- i) In the event that any person designated pursuant to Section 11 is unable to gain access to any premises for the purposes referred to in Section 20 and 21 of the Act, written notice may be left in the mailbox or at some other conspicuous place upon the premises. The applicant shall forthwith make contact with the Director of Financial Services or the Director of Public Works to permit access and if no such contact can be made, or access is not provided through arrangements made during any such contact, water services may be discontinued after a second notice has been left in the mailbox or at some other conspicuous place upon the premises that same shall be discontinued. Nothing herein shall be interpreted to limit the City's right to obtain access through process allowed by law. The Director of Financial Services or the Director of Public Works may authorize the commencement of any legal proceedings to obtain access for the purposes referred to at Section 20 and 21 of the Act.
- j) Water services may be discontinued to any premises in the event of breach or non-compliance with the terms under which water services are supplied. The City may refuse to resume supply or refuse to provide water services thereat until the applicant complies with the term which was not complied with.
- k) Water services shall be discontinued upon written notice to terminate being delivered to the Director of Financial Services, and notice from the owner shall supersede any request from an applicant for water services to the premises of the owner.

## WATER ACCOUNTS

- 9. a) The calculation and all aspects of administration related to water accounts, the collection of the revenue derived from the Waterworks System and the supervision of all records related to water accounts shall be under the immediate charge and control of the Director of Financial Services. The Director of Financial Services shall keep records of all accepted applications for water services for a 6-year period.
- b) Except with respect to water supplied by water crane, under Custom Work Order, pursuant to Subsection (d), water accounts shall be prepared monthly under the direction of the Director of Financial Services.

- c) Notwithstanding any other provision of this Bylaw, in the circumstances referred to at Section 8(e), if the Director of Public Works requests that water continuously flow through the water connection to any premises for a designated period, the Director of Financial Services shall bill the applicant for water usage during that period based on usage during a previous similar period, notwithstanding that the reading of the meter shows a higher consumption. The decision of the Director of Financial Services as to the value of the charge shall be final and binding.
- d) A water meter card in a form approved by the Director of Financial Services may be used to obtain meter readings. The applicant shall ensure that an accurate reading of the meter is recorded on a water meter card left in the mailbox or placed in some other conspicuous place upon the premises supplied with water services pursuant to the application. The applicant shall ensure that the card, properly and completely filled out, is returned to the Director of Financial Services within 3 days of the card having been so left.
- e) If for any reason a reading of a meter has not been taken or the meter fails to register water supplied, consumption may be estimated on the basis of usage in a previous similar period or an average seasonal consumption plus 10 percent. Where there is no previous comparable usage, the applicant may be billed and shall be liable to pay for that amount that is, in the opinion of the Director of Financial Services, a reasonable charge based on an estimate for similar use. The decision of the Director of Financial Services as to the value of the charge shall be final and binding.
- f) If a water meter card has been left upon the premises pursuant to Subsection 9(e) and the Director of Financial Services fails to receive a properly completed card within the time allowed, the Director of Financial Services may estimate consumption at any usage that he deems fit. The decision of the Director of Financial Services as to the value of the charge shall be final and binding.
- g) In the event of use of an estimate, adjustment shall be made to reflect actual consumption in the water account next following the taking of a reading of the meter measuring water supplied to the premises to which water is supplied pursuant to the application.
- h) If a water account is not received within 31 days following the day on which the meter is read or within 4 months of receipt of the last water account, the applicant shall make inquiry at the office of the Director of Financial Services and shall pay the water account forthwith upon same being rendered.
- i) A water account is overdue if payment is not received by the City by the 28<sup>th</sup> day following the date on which the water account is rendered. The applicant shall be liable to pay a penalty of two point five (2.5) percent of the value of the

overdue water account. The overdue water account plus penalties shall constitute arrears. Thereafter, the applicant shall be liable to pay additional compounding penalties of two point five (2.5) percent of the value of the arrears on each and every billing rendered on which arrears are included. In some circumstances, the Director of Financial Services will have the authority to use his discretion to waive a penalty amount. The decision made by the Director of Financial Services will be final and binding.

- j) If a person pays only a portion of the water account owing by him, unless otherwise approved by the Director of Financial Services, the amount shall be first applied in payment of any arrears.
- k) The provisions of the Act respecting the imposition and collection of public utility rates, costs, charges and penalties shall apply to those included in the water accounts.
- l) If any applicant to which water services are or were provided, and any rate, cost, charge or penalty imposed pursuant to this Bylaw upon the owner is in arrears in the year in which such rate, cost, charge or penalty became payable, the amount thereof shall be added to, and will thereby form part of the taxes due on the premises with respect to which the water services were provided.
- m)
  - (i) pre-authorized payment plan for the payment of water and sewer utility bills may be established or revoked from time to time, which plan shall be available to any City of Prince Albert water and sewer utility customer upon written application to the Director of Financial Services. The Director of Financial Services may determine the form for such application and the utility account applicant shall deliver such other documentation that the Director of Financial Services may reasonably require to effect the automatic debit to the designated bank account.
  - (ii) Any utility customer desiring to participate in the pre-authorized payment plan shall provide an actual water meter reading from their residence prior to being authorized to participate in the program.
  - (iii) Any customer participating in this plan shall be exempt from those penalties identified in this Bylaw or any other amending Bylaw, provided the customer's account is at a zero balance and payments are current and in good standing.
  - (iv) In the event that any utility customer participating in the pre-authorized payment plan is in default of any payment for two consecutive periods, or is in contravention of Section 7, Subsection (k) of Bylaw No. 37 of 2017, the account shall be removed from the pre-authorized payment plan and penalties, or other applicable fees shall apply as though the water and sewer utility account were not participating in the pre-authorized payment plan.

(14/2020, s.1 & 2)

## METERS

10. a) Except with respect to water supplied by water crane, under Custom Work Order, or as may be otherwise agreed by the City, all water supplied from the Waterworks System shall be measured by meter. All meters and related seals, unions, couplings and flanges shall be furnished and installed by the City and, notwithstanding that same may be affixed to any land, shall remain the property of the City. Every applicant shall be liable to pay the monthly service charge for that size of meter measuring the water supplied pursuant to the application. Monthly service charges for the meters are set by the City's Water and Sewer Utility Rates and Fees Bylaw.
- b) Subject to the other provisions of this or any other Bylaw, the number, location, physical arrangement and type of meters used to measure water consumption shall be as determined by the Director of Public Works from time to time either under standard policy established by the Director of Public Works or otherwise.
- c) Where the applicant for a new water service connection desires a larger meter than that which the Director of Public Works considers sufficient, same may be installed upon the approval of the Director of Public Works and the applicant paying to the City the rate for installation of oversize meter and the applicable meter rate as set by the City's Water and Sewer Utility Rates and Fees Bylaw.
- d) If any seal made on the instructions of the Director of Public Works or Director of Financial Services on a meter, pipe or appurtenance is broken upon the premises to which water services are supplied pursuant to the application of the applicant, the applicant shall be liable to pay any charges for services arising therefrom calculated pursuant to the Custom Work Order, the charge for re-sealing the meter and, if water services have been interrupted or terminated, the charge for re-connection of water services, the two latter charges set by the City's Water and Sewer Utility Rates and Fees Bylaw.
- e) If the premises in which a meter or other Waterworks System appliance is installed is to be vacated during winter months, at least 72 hours' notice shall be given to the Director of Financial Services. If requested by the Director of Public Works, the owner or, if he has lawful access to the premises, the applicant shall provide access to permit removal of the meter or appliance during normal working hours.

- f) In the event that the meter or related seals, unions, couplings or flanges situated upon the premises supplied with water services are damaged or destroyed by any cause whatsoever, the person desiring that the meter be repaired, is responsible for payment of the applicable Frozen/Damaged meter flat fee set by the City's Water and Sewer Utility Rates and Fees Bylaw. As a condition for the service work to proceed, the occupant requesting the repair must:
- (i) have a current utility account in their name; and
  - (ii) sign, or have their authorized agent sign, the applicable Form as determined by the Director of Financial Services.

Meter repairs will not occur if the person requesting the repair does not have a current utility account in their name and if they refuse to sign the applicable Form. No person shall sign the attached Form or make application on behalf of another person who is unable to obtain water services due to the non-payment of a water account or otherwise.

- g) Upon the applicant's making a deposit to the City in the amount set by the City's Water and Sewer Utility Rates and Fees Bylaw, and upon request of the applicant, or in circumstances where the Director of Financial Services is of the opinion that a meter is not accurate, the Director of Financial Services shall cause such meter to be removed and tested. Where a meter is removed and tested and:
- (i) the meter registers within the limits set out in the AWWA Standards for water meter accuracy, the meter shall be deemed to be measuring accurately and in the case of a deposit by the applicant, the deposit shall be forfeited to the City; or
  - (ii) the volume of water registered by the meter is more than 3 percent above the volume actually passing through the meter, the meter shall be deemed to be measuring inaccurately and in the case of a deposit by the applicant, the deposit shall be returned to the applicant.
  - (iii) where a meter is deemed to be measuring inaccurately pursuant to Subsection 10(g), the account in respect of that meter shall be adjusted by the Director of Financial Services and he shall add to or deduct from the water account of the current applicant for the water service only in respect of the billing period immediately preceding the applicant's last water account so as to more accurately represent the cost of the water actually supplied during that billing period. The opinion of the Director of Financial Services in respect of the appropriate adjustments shall be final and binding. All prior water accounts shall be deemed to be properly rendered and payable in accordance with this Bylaw.

## ACCESS TO LANDS, BUILDINGS OR STRUCTURES

11. a) The Director of Public Works or the Director of Financial Services are authorized to have free access at all reasonable times to those parts of premises to which water services are or have been provided that he considers necessary to fulfill the duties arising from the provision of water services whether or not water is actually being supplied at the time access is required. As evidence of his authority, the Director of Public Works or the Director of Financial Services and any person acting on his instructions who requires access to fulfill such instructions shall produce a City of Prince Albert identification card.
- b) The Director of Public Works or the Director of Financial Services, City employee or person acting under the direction of the Director of Public Works or the Director of Financial Services shall have the right, at all reasonable times, to enter any premises referred to in Subsection 11(a) for the purpose of installation of a meter or other appliances appurtenant to the Waterworks System and for any of the purposes referred to in Section 20 and 21 of the Act.
- c) The same persons referred to in Subsection 11(b) are hereby authorized to enter any premises where water services are to be discontinued or are discontinued to remove any fitting, wire, machine, apparatus, meter, pipe or other thing that is appurtenant to the Waterworks System.
- d) Any water supplied by the City from the Waterworks System shall only be supplied on the condition that, at his own cost, every applicant, owner, tenant and occupant of premises where water services are provided shall ensure that there is an easy means of access for the meter to be examined or read by persons designated as having a right of access pursuant to this Bylaw.

## PROTECTION OF WATERWORKS SYSTEM

12. Every applicant, owner and occupant of premises supplied with water services shall, at his own expense, ensure that:
  - a) except as authorized by the Director of Public Works, no branch pipe shall be taken from any part of a water service connection in a position capable of directing water from the water service connection before the water has been measured by the meter;
  - b) all water service connections, related Waterworks System appliances, pipes and fixtures inside the property line of the premises at which water services are supplied are kept in good maintenance and repair; and

- c) the water service connection, valves, pipes, meters and other water services appliances of the Waterworks System inside the property line of the premises are protected against damage from tampering, frost or other source of damage.

### INSTALLATION OF METERS

- 13. a) Every person making application for a new water service connection to premises pursuant to the Connections Bylaw shall provide for the installation of meters within the premises:
  - (i) in a horizontal position;
  - (ii) allow convenient access to the meter at all times and with a clear space of at least 50 centimeters around the meter; and
  - (iii) in all single-family dwellings, in the basement utility area at or near the entrance of electrical power and gas services or at a location approved by the Director of Public Works.
- b) At his own expense, every owner shall install and maintain a properly operating isolating valve on both sides of the meter, being the inlet or upstream side and the outlet or downstream side. All new water services shall have installed a proper backflow preventer for the application to prevent the conveyance of foreign material being forced backwards into the water distribution system jeopardizing the safety of the potable water supply. The City may at any time ask for and be provided maintenance records for the backflow preventer. The owner and applicant shall regularly test the backflow preventer and keep same in a well-maintained operable condition.
- c) Every applicant shall be assessed a Subsequent Call-out fee as set by the City's Water and Sewer Utility Rates and Fees Bylaw. Whenever City employees are required to return to a property for subsequent visits due to:
  - (i) the utility applicant or their contractor failing to comply with the requirements of The Connections Bylaw No. 12 of 1995, or
  - (ii) a City employee encountering an occupational health or safety impediment that prohibits them from completing the meter installation or removal, or
  - (iii) insufficient heat or failure to prevent the meter from the potential of being damaged as noted in Section 8(b(v)) of Bylaw No. 37 of 2017.

### OFFENCES AND PENALTIES

- 14. Any person who:
  - a) turns on or turns off or attempts to turn on or turn off water supply through a water service connection;

- b) breaks, causes or permits the breaking of any seal on any meter, pipe, valve or other appurtenance of the Waterworks System;
- c) fails to notify the Director of Financial Services of a broken seal on a meter, pipe or appurtenance thereto;
- d) removes or causes the removal of ground cover above any part of the Waterworks System or a water service connection which reduces coverage to less than 3 meters from the grade;
- e) connects or causes the connection of any pipe or fixture capable of supplying water services except in accordance with this Bylaw;
- f) installs or causes the installation of a pump to increase water pressure on a water service connection other than with the express approval of the Director of Public Works;
- g) hinders, obstructs or interferes with the Director of Public Works or the Director of Financial Services or persons acting under the instructions of either in the lawful exercise of their duties under this Bylaw or The Cities Act, 2002;
- h) represents himself as a person designated pursuant to Section 11 of this Bylaw when not so authorized;
- i) without the consent of the Director of Public Works, enters or is found within:
  - (i) the Water Treatment Plant High Lift Building, or the facilities or grounds of same, situate upon real property civically described as 655 River Street West, Prince Albert, Saskatchewan;
  - (ii) the Water Treatment Low Lift Building, or the facilities or grounds of same situate upon real property located north of, and across River Street from, the property civically described as 655 River Street West, Prince Albert, Saskatchewan;
  - (iii) the facility known as the River Street Reservoir situate upon real property located at River Street West and 7<sup>th</sup> Avenue West, Prince Albert, Saskatchewan;
  - (iv) the facility known as the 2<sup>nd</sup> Avenue West Reservoir situate upon real property civically described as the north east corner of 23<sup>rd</sup> Street and 2<sup>nd</sup> Avenue West, Prince Albert, Saskatchewan; or
  - (v) the facility known as the Marquis Road Reservoir situate upon real property civically described as the west side of Central Avenue at 38<sup>th</sup> Street West, Prince Albert, Saskatchewan; or
- j) operates a fire hydrant without the consent of the Director of Public Works;

