

Bylaw 2-97

A BYLAW OF THE RURAL MUNICIPALITY OF BLUCHER, NO 343 RESPECTING THE ESTABLISHMENT, MANAGEMENT, AND REGULATION OF A PUBLIC SEWAGE UTILITY IN THE MUNICIPALITY.

WHEREAS it is expedient to make provision for the regulation and management of sewage disposition by commercial and industrial enterprises carrying on business in the Municipality;

AND WHEREAS it is desirable that the Municipality play a role in the management of such disposition;

NOW THEREFORE the Council of the Rural Municipality of Blucher, No. 343 enacts as follows:

Definitions and Interpretation

1. This bylaw may be referred to as “The Sewage Utility Bylaw”.
2. For the purposes of this bylaw:
 - a) “Administrator” shall mean the Administrator of the Rural Municipality of Blucher, No. 343, as constituted from time to time, pursuant to the provisions of the Rural Municipality Act, 1989, or in the event of his or her absence, the Assistant Administrator, as appointed by Council from time to time.
 - b) “Consumer” shall mean a person, individual or corporate, which owns or operates, or intends to own or operate a commercial or industrial enterprise within the boundaries of the Rural Municipality of Blucher, No. 343.
 - c) “Council” shall mean the council of the Rural Municipality of Blucher, No. 343, as constituted from time to time, pursuant to the provisions of the Rural Municipality Act, 1989.
 - d) “Municipality” shall mean the Rural Municipality of Blucher, No. 343 of Saskatchewan.

Establishment of the Utility

3. The Municipality hereby establishes a public sewage utility which shall have, in accordance with the provisions of this bylaw, responsibility for the collection, transmission, treatment and disposal of commercial and industrial sewage.
4. The utility shall be established and operate for the purpose of managing and disposing of commercial and industrial sewage in the areas of the Municipality identified in Schedule “A” to this bylaw.

General Direction and Management of the Utility

5. The sewage utility of the Municipality shall be under the general direction and control of Council.

6. The books, accounts and other records of the utility shall be under the control and direction of the Administrator, or shall be required to be produced to the Administrator upon demand.
7. Such books and records shall include a record of all applications made for service, and a full description of all works constructed in connection with the sewage utility.
8. Council may appoint by resolution a person or persons to be responsible for the enforcement of this bylaw and/or the terms and conditions of any contractual agreement entered into by the Municipality pursuant to this bylaw.
9. All construction or alteration of the physical plant of the utility, be it of capital works, the laying of line or the making of connections to the sewage system, shall be done under the supervision of such person, or persons as Council may appoint by resolution from time to time. All persons so appointed shall have authority to direct the manner in which such work shall be undertaken and to require that such work be ceased, if not performed in a satisfactory fashion.
10. Council may, by bylaw, delegate the management and operation of the utility or any part thereof:
 - a) to any employee or officer of the Municipality; or
 - b) to any other persons, natural or corporate.

and may, without limiting the generality of the foregoing, enter into a contract with any persons, natural or corporate, for the provision of all or part of the sewage utility, or to supply goods or services necessary for the provision of the sewage utility, for a period not exceeding 10 years.

Capital Construction

11. No capital construction of any facilities related to the sewage utility shall be commenced unless such works and the expenditures relating thereto are approved by resolution of Council.
12. Council may, by bylaw, enter into a contract for the installation of sewage collection, treatment and disposal facilities with any consumer within the Municipality.

Interference with Utility

13. No person except those acting with the permission or authority of Council, or the members of a Fire Department or Emergency Service in the event of fire or emergency, shall open, close or interfere with any sewage line, gate, valve or treatment facility connected with or in any way related to the sewage utility.

Connection and Terms and Conditions of Service

14. No person shall make or break any connection or communication with any part of the sewage utility except as authorized by resolution of Council.
15. Council may consider applications for sewage service to lands and improvements within the area designated in Schedule "A" to this bylaw.
16. Any person wishing to have Council undertake the installation of sewage collection, treatment and disposal facilities may apply to Council, specifying the description of the land to be serviced and generally describing the nature of the service required.
17. Any person wishing to connect to existing facilities located within the Municipality may apply to Council, specifying the description of the land to be serviced and generally describing the nature of the service required.
18. In the event that a consumer wishes to discontinue service, application for discontinuance shall be made to Council. In no event will discontinuance of service relieve a consumer of the obligation to pay outstanding annual levies for the installation of service.
19. Upon receiving an application, Council shall consider the matter at its next meeting, and thereafter may deal with the matter as with all other matters of business.
20. The terms and conditions of service for any consumer obtaining sewage utility shall be set forth in an agreement between the consumer and the Municipality, to be approved by bylaw, and entered into at the time that connection is authorized. Once entered, such agreements may be amended from time to time. Such agreements shall be subject to any prohibitions on discharge into the sewer as may be enacted by Council from time to time.
21. At the time it authorizes connection with the sewage utility, Council may stipulate the rate of usage to be permitted by way of the authorized connection, and may prohibit any rate of usage in excess of that set forth in the bylaw and service agreement.
22. Persons authorized by Council may enter any premises connected to the sewage utility at any reasonable time to examine the pipes, connections and other equipment attached and connected to the sewage utility, and may examine the sewage being discharged into the sewage utility at such premises.

Rates and Collection

23. Rates shall be set forth in the service agreement between the consumer and the Municipality.
24. The Administrator shall report to Council at its January meeting with respect to any sewage rates in arrears so that the same may be placed on the tax roll.

Enforcement

- 25. In the event that the terms and conditions set forth in such service agreement are not being complied with by the consumer, Council may, by resolution, provide that such service shall be discontinued until the consumer complies with the terms and conditions.
- 26. Any person breaching the provisions of this bylaw commits an offense, punishable on conviction in accordance with the general penalty bylaw of the Municipality.

Reeve

SEAL

Administrator

Certified a true copy of the bylaw
adopted by resolution of the Council
on the _____ day of
_____, 1997.

Administrator

**Schedule “A”
to Bylaw 2-97**

1. Pursuant to Section 4 of Bylaw 1-97, the areas of the Municipality are as follows:

- SE 29-35-3 W3
- SW 29-35-3 W3