

**A BYLAW OF THE RURAL MUNICIPALITY OF BLUCHER, NO. 343
RESPECTING THE DISTRIBUTION OF WATER AND THE INSTALLATION AND
MAINTENANCE OF WATER SERVICES BY THE RURAL MUNICIPALTY AND
TO FIX THE TARIFF OF CHARGES AND THE GENERAL TERMS AND
CONDITONS ON WHICH WATER SERVICE WILL BE SUPPLIED BY THE
RURAL MUNICIPALITY OF BLUCHER, NO. 343**

The Council of the Rural Municipality of Blucher, #343, in the Province of Saskatchewan hereby enacts as follows:

PART 1. – INTERPRETATION

1. This Bylaw shall be known and may be cited as the Rural Municipality of Blucher, No. 343 Water Bylaw.
2. In this Bylaw:
 - a) “Municipality” means the Rural Municipality of Blucher, No. 343;
 - b) “Registered Owner” means the person(s) stated on the title as owners of the property to which water service is supplied or is to be supplied, as shown on the records of the Land Titles Office for the Saskatoon Land Registration District for the said property;
 - c) “Consumer” means any person whose application for water service is accepted by the Municipality;
 - d) “Person” includes a Corporation or Partnership;
 - e) “Premises” includes any buildings, yard or place connected with the water system of the Municipality for the purposes of taking water therefrom; or any part of such building, yard or place;
 - f) “Domestic Purposes” means ordinary household and sanitary purposes;
 - g) “Commercial Water Services” means water supply and services which are extended to premises at which any business, trade, profession, industry, occupation or employment is carried on and any premises from which goods or services are provided;
 - h) “Residential Water Service” includes all water services extended to premises containing dwelling units and on which no business, trade, profession, industry, occupation or employment is carried on;
 - i) “User” means any person who uses, consumes or otherwise enjoys the benefits of the water service supplied by the Municipality.

PART 2. – WATER SERVICE

1.
 - a) Any “registered owner” may apply for either residential or commercial water service from the Municipality by completing a written application on a form provided by the Municipal Administrator.
 - b) Each application shall be accompanied by the payment of a meter deposit in the amount of \$50.00.
2. Where the applicant is a registered owner in the municipality, the Administrator shall accept the application where the applicant is not otherwise entitled to water services.
3.
 - a) Where the Administrator does not accept the application, the applicant may appeal to the council of the Municipality at any regular meeting.
 - b) If an applicant appeals to the council he shall provide notice of the appeal in writing two weeks prior to the meeting at which the applicant wishes his appeal heard.

- c) The Council may adjourn any such appeal to any subsequent meeting from time to time.
 - d) The Decision of Council is final.
4. No user or consumer of residential water service shall use the water supplied by the Municipality for any commercial purposes, unless such usage has specifically been authorized by the Municipality or agreed on with the Municipality.
- Any persons receiving water service from the Municipality but who have never filed an application for water service, or whose usage of water has never been metered, or are not paying for the water service, shall, after receiving notice from the Municipality requesting them to do so, file a written application with the Municipality and pay the required deposit, both in accordance with Clause 3 of this Bylaw.
- 5.
 - a) Any consumer can discontinue water service by completing and signing an application for termination of water service on the form provided by the Municipal Administrator.
 - b) Where water service is discontinued at the request of the consumer, the consumer shall pay a charge of \$30.00.
 - 6.
 - a) Every contract or agreement for water service shall:
 - i) be deemed to include as a term and condition that the consumer and/or user agrees to abide by and be bound by the provisions of this Bylaw and any other Bylaw or resolution of the Municipality concerning water supply and/or service.
 - ii) be nontransferable.
 - 7. The Municipality shall have the right to ration or limit the amount of water furnished to any and/or all users and consumers should circumstances seem to warrant such action.

PART 3 – WATER RATES

- 1.
 - a) The charges to be paid by the water consumer whose water service has been turned on shall be those set forth in Schedule “A” hereto, or as amended from time to time.
 - b) The minimum rate set out in Schedule “A” of this Bylaw shall be charged whether or not water has actually been consumed.
 - c) Where water consumption has not been properly recorded on the water meter, consumption may be estimated on the basis of the previous reading or on an average seasonal consumption and the resulting estimate may be increased by 10%.
- 2.
 - a) The Administrator shall prepare billings for water service on the same basis as Sask Water bills the municipality for the same water showing all rates, charges, tolls, fares and rents owing to the Municipality and mail such water billings to the consumer.
 - b) Accounts for water service shall cover a period of either one month or three months, depending on the Sask Water billing and shall be rendered on or before the first day of the month next, following such period. Accounts shall be paid within a period of thirty (30) days from the date on which such accounts are rendered. If an account is not paid within the said period of thirty days, an interest charge will be levied at 2% per month or water service may be cut off. Where a consumer fails to pay the total amount due on a water billing within thirty (30) days after the amount becomes due and payable, the municipal Administrator may discontinue the supply of water to the consumer. When the water service is so cut off, it shall not be resumed until all arrears and interest charges have been paid, together with a fee of \$150.00 to cover the expense of turning off the water

and turning it on again. The water will be turned on within a 48 hour period after the arrears and fine are paid.

- c) If the total amount due is in arrears after December 31 of the year in which it becomes payable, the amount of the charges may, at the discretion of the Council, be added to and thereby form part of the taxes on the land or buildings of the registered owner being served with the water service.

PART 4. – WATER METERS

1.
 - a) All water supplied to any person by the Municipality shall be measured by meters, which will be supplied, installed and owned by the Municipality, except at the Sunset Estates Mobile Home Park where Sask Water shall supply, install and own the meter.
 - b) Notwithstanding subsection 1, the Municipality may make water service available to any person on an unmetered basis for use in connection with any special project approved by the Council and if so, the consumer shall pay to the Municipality a charge as set out in Appendix “A” of this bylaw, or as amended from time to time.
2. The Municipal Administrator shall cause all water meters to be read monthly.
3. Every applicant for water service shall, for the purpose of installation of water meters:
 - a) where the meter is to be located in a building, provide for installation of the water meter in a horizontal position and provide for convenient access to the meter with a clear space of at least 50 centimeters around the said meter.
 - b) where the meter cannot be located in a building, provide a structure suitable to house the meter at the applicant’s expense.
 - c) allow the Municipality free access to his/her land and/or buildings on reasonable notice, for the purpose of reading, installing, replacing, removing or repairing of a water meter.
4. Where a water meter is removed from the premises without the permission of the Municipality or damaged or destroyed while on the premises of the applicant or consumer, the said applicant or consumer shall be liable to the Municipality for the cost of repair or replacement of the meter and the Municipal Administrator may add the cost of the meter to the water billing of the premise.
5. Where in the opinion of the Municipal Administrator, any water meter fixture or pipe is insufficiently protected from extreme temperatures, the Municipality may terminate the supply of water upon notice in writing to the consumer or his agent outlining the insufficient protection complained of.

PART 5. – OFFENSES

1. No person shall:
 - a) lend, sell or dispose of the water service supplied by the Municipality;
 - b) give away the water service or permit it to be taken;
 - c) use the water service other than for his own use and benefit;
 - d) increase the usage of the water service beyond that authorized by the Municipality or agreed on with the Municipality;
 - e) wrongfully or improperly waste the water service provided by the Municipality;

2. Any person who contravenes Section 1 is guilty of an offence punishable on summary conviction and liable to:
 - a) in the case of an individual, to a fine not exceeding Two Thousand (\$2,000.00) dollars and in default of payment, to imprisonment of a term not exceeding Ninety (90) days;
 - b) in the case of a Corporation, to a fine not exceeding Five Thousand (\$5,000.00) dollars.

PART 6. – ENFORCEMENT

1.
 - a) All of the provisions of the Bylaw shall be deemed to be terms and conditions under which water service is supplied by the Municipality and the said terms and conditions shall be in addition to any other terms and conditions which may be agreed upon between the Municipality and the consumer.

Where any applicant, user or consumer fails to comply with any of the terms and conditions of service, the Municipal Administrator shall refuse to supply or shall refuse to supply or shall discontinue the supply until such time as the applicant, user, or consumer complies with the terms and conditions. When the water service is so cut off, it shall not be resumed until all arrears and interest charges have been paid, together with a fee of \$150.00 to cover the expense of turning off the water and turning it on again. The water will be turned on within a 48 hour period after the arrears and fine are paid.

PART 7. – GENERAL

1. If any section, subsection, clause, sentence, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any Court of competent jurisdiction that portion shall be deemed a separate, distinct and independent provision and the holding of the Court shall not affect the validity of the remaining portions of the Bylaw.
2. This Bylaw shall come into force and take effect on the date of the approval by the Saskatchewan Municipal Board of the rates set out in the Appendix “A” and of this bylaw.

Reeve

SEAL

Administrator

Certified a true copy of the bylaw
adopted by resolution of the Council
on the 8th day of
February, 1995.

Administrator

Rural Municipality of Blucher, No. 343

Schedule "A"

To Bylaw 3-95

(as amended by Bylaw 11-2001)

Monthly Water Rates within the Blucher Industrial Park

- 1,000 gallons or less, minimum \$7.25
- over 1,000 gallons, \$7.25 per 1,000 gallons or part thereof."

Monthly Water Rates for all areas serviced by the R. M. under contract with Sask Water other than the Blucher Industrial Park

- 1,000 gallons or less, minimum \$4.85
- over 1,000 gallons, \$4.85 per 1,000 gallons or part thereof.

Reeve

SEAL

Administrator