

BYLAW 2024-02

A BYLAW TO REGULATE THE MAINTENANCE AND MANAGEMENT OF THE WATERWORKS AND SANITARY SEWER SYSTEMS

The Council of the Village of Neilburg, in the Province of Saskatchewan, enacts as follows:

1. Short Title

This bylaw may be referred to as the "The Water and Sewer Management Bylaw".

2. Purpose

The purpose of this bylaw is to provide for understanding of who is responsible for the maintenance and management of the waterworks and sanitary sewer systems.

3. Definitions

- a) "Municipality" means the Village of Neilburg
- b) "Consumer" or "Customer" means the person responsible for the payment of accounts, charges or fees under this Bylaw.
- c) "Curb stop" shall mean a gate valve used primarily to isolate a single service, meter or parcel of land.
- d) "Property Owner" shall mean the registered owner of a property or the purchaser there of who is entitled to occupy and use the property.
- e) "Service Connection" means the water and sewer pipes which connect the water and sewer mains to the inner surface of the wall of the building supplied with the water and sewer utility service.
- f) "Biochemical Oxygen Demand" shall mean the quantity of oxygen, expressed in parts per million or milligrams per liter, utilized in the biochemical oxidation of organic matter for five days at a temperature of 20 degrees centigrade. The determination of the Biochemical Oxygen Demand shall be in accordance with the procedures set forth in Standard Methods.
- g) "Commercial User" shall mean any user other than industrial or residential and includes smaller industries, stores, schools and multiple family apartments.
- h) "Council" shall mean the Council of the Village of Neilburg
- i) "CAO" shall mean the Chief Administrative Officer for the Village of Neilburg
- j) "Director of Public Works" shall mean the Director of Public Works appointed by the Council of the Village of Neilburg or their agent and shall include the Village Engineer.
- k) "Grease" shall mean the quantity of fats, waxes, oils and other non-volatile material determined in accordance with procedures contained in Standard Methods.
- l) "Interceptor" shall mean a receptacle that is designed and installed to prevent oil, grease, sand or other materials from passing into the Sewage system.
- m) "Residential user" shall mean any user whose sewage comes from a residential unit limited to single family residence, duplexes and multi-unit residences.
- n) "Sewer" shall mean a pipe or conduit for carrying sewage.
- o) "Sewage" shall mean any waste discharged or permitted to flow from residential, commercial and industrial establishments.
- p) "Standard Sewerage" shall mean sewage that does not exceed the following strengths:

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|------|---------------------------|--------------------------|
| i) | Biochemical Oxygen Demand | 300 milligrams per litre |
| ii) | Suspended Solids | 300 milligrams per litre |
| iii) | Grease | 90 milligrams per litre |
- q) "Sewerage System" shall mean the system of sanitary sewers and other facilities for collecting, pumping, treating and disposing of sewage.

- r) "Suspended Solids" (Abbreviated S.S.) shall mean the quantity of solids that are contained in the sewage as measured by test method for total suspended matter as set out in "Standard Methods for the Examination of Water and Waste Water" published by the American Public Health Association.
- s) "User" shall mean any connection from which flow occurs in the Sewerage system including residential, commercial and industrial connections.
- t) "Wastewater" shall mean the liquid and water-carried industrial or domestic wastes from residence, commercial buildings, and industrial facilities, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is discharged into or permitted to enter the municipalities wastewater treatment system.

4. Sewer Management

4.1 Service Line Connections

- a) All owners of property in the municipality whose land or any portion of whose land adjoins a street or lane along which a sewer main has been laid are required to connect the main building(s) to the system of sewer mains constructed and owned by the municipality.
- b) All new connections, when approved, shall be constructed from the sewer main to the inside of the building and the cost thereof shall be paid by the property owner.

4.2 Maintenance, Obstructions or Replacement of Sewer Service Lines

- a) The removing of an obstruction or blockage from a sewer service connection from the building to the sewer main shall be the property owner's responsibility.
- b) Where partial or total blockage of the sewer system is caused because a person failed to strictly comply with the provisions of this Bylaw, the person shall, in addition to any penalty for infraction of the provisions hereof, be liable to the municipality for all costs clearing such blockage.
- c) The municipality shall be responsible for the repair or replacement of the sewer main.
- d) The property owner shall be responsible for the repair or replacement of the sewer line from the building to the sewer main.
- e) In the event that the sewer line from the property line to the sewer main needs repaired or replaced the property owner shall notify the municipality before any work commences. An authorized municipal worker must inspect the line before the trench is backfilled to ensure the work meets the municipalities specifications.
- f) All new connections, repairs, replacements on service lines must be done by an approved contractor of the municipality.
- g) In the event that the sewer line from the property line to the sewer main needs repaired or replaced due to a faulty connection at the sewer main, it will be up to councils' discretion whether or not the property owner or the municipality pays for the repair or replacement.

4.3 Use of Sewers

- a) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof run-off or sub surface drainage, to any sanitary sewer provided that the director of public works may on application authorize such discharge where exceptional conditions warrant.
- b) Storm water and all other unpolluted water shall be discharged to such sewers as are designated storm sewers or to a natural outlet approved by the director of public works.
- c) Except as hereinafter provided, no person shall discharge or cause to permit to be discharged any of the following described water or wastes to any sewer:
 - i) Any liquid or vapor having a temperature higher than 76°C;
 - ii) Any gasoline, benzene, naphtha, fuel oil, crude oil or other flammable or explosive liquids, solids or gas;

- iii) Any ashes, cinders, sand, potters clay, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood or other solid or viscous substance capable of causing obstructions to the flow in the sewers or interference with the proper operation of the sewage collection system or treatment facilities;
- iv) Any paunch manure, or intestinal contents from horses, cattle, sheep or swine; hog bristles, pig hooves or toenails; animal intestines or stomach casings; bones, hides or parts thereof; animal fat or flesh in particles larger than will pass through a quarter-inch screen; manure of any kind; poultry entrails, heads feet or feathers; eggshells, fleshing and hair resulting from tanning operations;
- v) Any waters or wastes having pH rating lower then 5.5 or higher than 9.5 or having other corrosive properties capable of causing damage or hazard to structures, equipment or personnel of the sewage works;
- vi) Any waters or wastes containing toxic or poisonous substances in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to human, animal, fish or water fowl, or create any hazard in receiving waters of the sewage treatment facility;
- vii) Any noxious or malodorous gas or substance capable of creating a public nuisance.

4.4 Power and Authority

- a) The CAO or directory of public works may enter on a property, at any reasonable time, after providing reasonable notice to the Owner or occupier, for the purpose of carrying out any inspection required to ensure compliance with this Bylaw, including but not limited to:
 - i) Inspecting, observing, sampling and measuring the flow in any private:
 - a. Drainage System of Storm Water management facility,
 - b. Wastewater disposal system, and
 - c. Monitoring Access Point;
 - ii) Inspecting or observing any plant machinery, equipment, work, activity or documents;
 - iii) Testing flow measuring devices;
 - iv) Taking samples, and if necessary, perform on-site testing, of wastewater, storm water, and subsurface water being released from the premises or flowing within a private drainage system, storm water management facilities and pretreatment facilities;
 - v) Inspecting chemical storage areas and spill containment facilities and request Material Safety Data Sheets (MSDS) for material stored or used on site;
 - vi) Obtaining information from any person concerning a matter;
 - vii) Inspecting and copying documents or removing documents from the premises to make copies;
 - viii) Inspecting the premises where a release of Prohibited or Restricted Waste or of water containing Prohibited or Restricted Wastes has been made or is suspected of having been made, and to sample any or all Matter that is in his/her opinion could have been part of the release.
 - ix) Installation, maintenance, repair, alter, replace, or disconnection of a sewer or water connection, subsurface drainage pipe or other part of the wastewater system;
 - x) To shut off the supply of potable and/or non-potable water provided by the municipality.
- b) In an emergency or in extraordinary circumstances, the CAO or director of public works need not give reasonable notice proper to entering onto a property or need not enter at a reasonable hour and may do the things including those things listed in section (a) without the consent of the owner or occupant.

- c) No person shall prevent, hinder, obstruct or interfere, or attempt to prevent, hinder, obstruct or interfere, in any matter, the CAO or director of public works to exercise of an activity, power or performance of a duty under this Bylaw or in the administration or enforcement of this Bylaw.
- d) The CAO or director of public works may, in addition to any other remedy available, disconnect, plug or seal off the Sewer line discharging the unacceptable waste water into the wastewater system or take such other action as is necessary to prevent such wastewater from entering the wastewater system, if the wastewater being discharged is such which:
 - i) Is hazardous or creates an immediate danger to any person or environment;
 - ii) Endangers or interferes with the operation of the wastewater system; or
 - iii) Causes or is capable of causing an adverse effect.
- e) The CAO may, by notice in writing, advise the owner of occupier or occupier of the premises from which the wastewater was being discharged, of the cost of taking such action and the owner or occupier, as the case may be, shall forthwith reimburse the municipality for all such costs, which were incurred.
- f) The municipality may prevent the wastewater from being discharged into the wastewater system until evidence satisfactory to the CAO has been produced to assure that no further discharge of unacceptable wastewater will be made to the wastewater system.
- g) If the CAO finds that a person is contravening this Bylaw the CAO may, by written order, require the Person responsible for the contravention to remedy it if the circumstances so require.
- h) An order referred to in subsection (g) may:
 - a. Direct a person to stop doing something, or to change the way in which the person is doing it;
 - b. Direct a person to take any actions or measures necessary to remedy the contravention of the enactment or bylaw, including the removal or demolition of a structure that has been erected or placed in contravention of a bylaw, and, if necessary to prevent a re-occurrence of the contravention;
 - c. State a time within which the person must comply with directions; and
 - d. State that if the person does not comply with the directions within a specified time the Village will take action or measure at the expense of the person.
- i) The CAO may authorize the discontinuance of any person's access to the municipalities Water system or Wastewater system:
 - a. For any lawful reason after giving the person reasonable notice of the disconnection;
 - b. Without further notice if a person has failed to comply with an order issued by the CAO pursuant to section 6 (g); or
 - c. Without notice in the case of emergency if discontinuance is necessary to eliminate the emergency.
- j) The CAO may authorize the restoration of any person's access to the municipalities water or wastewater system upon such terms and conditions as the CAO deems advisable in the circumstances.

4.5 Spills

- a) In the event of a spill or release into or affecting the wastewater system, the person responsible or the person having the charge, management and control of the spill shall immediately notify and provide any requested information with regard to the spill to:
 - i) 9-1-1 emergency services if there is any immediate danger to human health and/or safety
 - ii) The CAO;
 - iii) The owner of the premises where the spill or release occurred; and

- M-11
- iv) Any other person whom the person reporting knows or ought to know may be directly affected by the spill of the release.
 - b) The CAO may require a spill contingency plan to be submitted to the municipality at any time.
 - c) The person responsible for the spill, shall provide a detailed report on the spill to the CAO within (5) working days after the spill, containing the following information to the best of their knowledge;
 - i) Location where the spill occurred;
 - ii) Name and telephone number of the person who reported the spill and the location and time where they can be contacted;
 - iii) Date and time of the spill;
 - iv) Matter spilled;
 - v) Characteristics and composition of matter spilled;
 - vi) Volume of material spilled;
 - vii) Duration of spill event;
 - viii) Work completed and any work still in progress in the mitigation of the spill;
 - ix) Preventive action being taken to ensure a similar spill does not occur again; and
 - x) Copies of applicable spill prevention and spill response plans.
 - d) The person responsible for the spill including, the person having the charge, management and control of the spill shall do everything possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.
 - e) Nothing in this bylaw relieves any person from complying with any notification or reporting provisions of other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the spill.
 - f) The municipality may invoice the person responsible for the spill to recover costs of time, materials and services arising as a result of the spill. The person responsible for the spill shall pay the costs invoiced.
 - g) The municipality may require the person responsible for the spill to prepare and submit a spill contingency plan to the municipality to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

4.6 Oil, Grease and Sediment Interceptors

- a) Every owner or occupier of a restaurant or other commercial premises where food is cooked, processed or prepared, for which the premises are connected directly or indirectly to the sewerage system, shall take all necessary measures to ensure that oil and grease are prevented from entering the sewerage system in excess of the provisions of this Bylaw. Interceptors shall discharge to the storm sewers.
- b) Every owner or occupier of all vehicle or equipment service stations, repair shop or garage or of a commercial premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to the sewerage system shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the sewerage system in excess of the limits in this Bylaw.
- c) Every owner or occupier of all vehicle and equipment washing establishments and where the sanitary discharge is directly or indirectly connected to the sewerage system shall install an oil, grease and sediment interceptors to prevent oil, grease and sediment from passing into the sewerage system in excess of the limits in this Bylaw.
- d) The owner or operator of premises set out in Subsection 4.6(a)(b)(c) shall install, operate and properly maintain oil, grease and sediment interceptor in any piping system at its premises that connects directly or indirectly to a sewer.
- e) All interceptors shall be maintained in good working order and according to the manufacturer's recommendations. All interceptors shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications.

- f) A maintenance schedule and record of maintenance shall be available to the CAO upon request for each interceptor installed.
- g) The owner or operator of premises identified in Subsection 4.6(a)(b)(c) shall for a minimum of two years, keep the document of proof for interceptor clean-out and oil and grease or sediment disposal.
- h) Emulsifiers shall not be discharged to the sewerage system into interceptors. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through a grease interceptor, without written permission of the CAO.
- i) In the case of failure to adequately maintain any interceptor to the satisfaction of the CAO, the CAO may require an alarmed monitoring device to be installed at the expense of the Owner.
- j) The Council may authorize, without prosecution or conviction, the discontinuance of access to the municipalities water system and or sewerage system where it has been demonstrated to the satisfaction of the Council, that released from a premises or location have been in contravention of this Bylaw, and that future contraventions may occur.
- k) Interceptors may be required for other types of businesses when, in the opinion of the Director of Public Works, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All intercepts shall be of a type and capacity approved by the Director of Public Works and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the owner at his expense in a continuously efficient operation at all times.

4.7 Access to Information

- a) All information submitted to and collected by the municipality that is contained in plan summaries, reports, surveys, monitoring and inspection and sampling activities will, except as otherwise provided in this section, be available for disclosure to the public in accordance with The Local Authority Freedom of information and Protection of Privacy Act, (LAFOIPP)
- b) In the event that any person in submitting information to the municipality, as required under this-section, where such information is confidential or proprietary or otherwise, and may be exempt from disclosure under LAFOIPP, the person submitting the information shall so identify that information upon the submission to the municipality and where such information is confidential or proprietary or otherwise, it may be exempt from disclosure.

5.0 Water Management

5.1 Service Line Connections

- a) All owners of property in the municipality whose land or any portion of whose land adjoins a street or lane along which a water main has been laid are required to connect the main building(s) to the system of water mains constructed and owned by the municipality.
- b) All new connections, when approved, shall be constructed from the water main to the inside of the building and the cost thereof shall be paid by the property owner.

5.2 Maintenance, Repair or Replacement of Water Service Lines

- a) The municipality shall be responsible for the repair or replacement of the water line from the curb stop to the water main.
- b) The property owner shall be responsible for the repair or replacement of the water line from the curb stop to the inside of the building.
- c) All new connections, repairs or replacements on service lines must be done by an approved contractor of the municipality.

- d) The thawing out of a frozen water service connection from the water main to the building of the property shall be the property owner's expense.

5.3 General Valve Operations

- a) Every water service line shall have a curb stop.
- b) The municipality shall install, maintain and repair curb stops.
- c) All costs associated with the installation, maintenance and repair of curb stops shall be at the sole responsibility of the municipality.
- d) No person shall turn water on or off by the curb stop except the municipalities representative or a person authorized by the municipality.
- e) Only municipal employees, persons under the authority of the Public Works Manager or persons under the direction of the Fire Department shall open, close or interfere with any hydrant, valve or curb stop connected with the water works system. Any person who without authorization opens or closes any hydrant or obstructs free access to any hydrant shall be liable to the penalties provided in the general penalty bylaw of the municipality.

5.4 Utility Repairs

- a) For the purpose of making repairs to water mains or of connecting or repairing service connections or constructing new work or any other work, the 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.
- b) The municipality or its employees shall not be liable for any damages resulting from the discontinuance of water supply, with or without notice, to any building or structure deriving its supply from the waterworks system.
- c) The municipality is not liable for damages caused by the breaking, plugging or stoppage of any water main.
- d) The municipality is not liable for any damage caused by the interference with the supply of any water service necessary in connection with the repair or proper maintenance of sewers.
- e) The municipality is not liable for any accident and/or property damage due to the operation, maintenance or repair of the water or sanitary sewer system of the municipality unless such accident is shown to be directly due to the negligence of the municipality or its employees.
- f) If any utility repairs need to be done on private property, the cost of the repair of all surface improvement on the property owners land will be the responsibility of the property owner. This includes the replacement of all landscaping such as grass, shrubs and replacement or repair of driveways, sidewalk, retaining walls and other disturbed or damaged improvements.

5.5 Water Conservation

- a) All outside watering of lawns, flower beds, trees and gardens effective April 1st to October 31st each year shall be permitted as follows:
 - i) Even numbered houses may water outdoors only on even calendar days between the hours of 6:00 a.m. – 10:00 a.m. and 6:00 p.m. and 10:00 p.m.
 - ii) Odd numbered houses may water outdoors only on odd calendar days between the hours of 6:00 a.m. – 10:00 a.m. and 6:00 p.m. and 10:00 p.m.

5.6 Restrictions

- a) No person other than a municipal employee in the course of their duties shall fill, or allow another person to fill, a water tank larger than 100-gallon capacity from that person's water service at any location within the Village of Neilburg other than at the water service provided for that purpose at 402 Railway Avenue East. Any person, found guilty of an

infraction of this provision shall be liable to the penalties provided in the general penalty bylaw of the municipality.

- b) No person shall convey, sell, dispose of or give away or permit water to be carried or taken away or use it or supply it for the use to the benefit of others without prior permission of the Village of Neilburg.
- c) No person shall discharge into any drain, sewer or sewer system operated by the municipality of a harmful matter, substance, whether liquid or solid, that would be injurious to health, life or property or that would inure, pollute, or damage any stream, watercourse, drain, sewer, sewage system or sewage treatment facility.
- d) The municipality may by bylaw ration or limit the amount of water furnished to any and/or all consumers should circumstances warrant such action.
- e) Placement of sprinkler systems adjacent to municipal property must be installed at least twelve (12) inches from the sidewalk and in areas without sidewalks at least twelve (12) inches from the cement curb. The municipality will not replace or be responsible for sprinkler heads damaged by the municipality's equipment or contractor's equipment if the sprinkler heads are installed closer than twelve (12) inches from the sidewalk and in areas without sidewalks at least twelve (12) inches from the cement curb. Underground sprinkler lines and heads are not permitted on municipal property.

5.7 Water Meters


- a) A water meter shall be installed on every service line connected to the municipalities water system.
- b) Failure to install a meter on any water service line shall result in the disconnection of the water service by the municipality.
- c) Every consumer shall provide at their own expense a place in their premises for the installation of the meter. The meter location must be acceptable to the public works department and shall provide ready and easy means of access to the meter for examination by the meter reader.
- d) Where a consumer permits a water meter to freeze up and damage the meter, any repairs or replacement of said meter shall be completed by the Municipality and the cost of materials and labor shall be invoiced to the consumer.
- e) The cost of a water meter is the consumer's expense.
- f) All costs associated with repairing, testing, replacing or installing of any water meter which is damaged shall be invoiced to the consumer, with the exception of reasonable wear and tear.
- g) All complaints of excessive water usage alleged to be the result of a faulty water meter shall be investigated upon the complainant first depositing \$50.00 with the municipality. If the said meter is found to be over-registering, the deposit will be returned and the account will be adjusted accordingly. If the said meter is found to be under-registering or not faulty, the deposit will be retained by the municipality as a service charge.
- h) Water meters shall remain the property of the municipality.
- i) Any person who willfully damages or tampers with or breaks the seal on any meter shall be deemed guilty of an infraction of this bylaw.
- j) Any person who obstructs or refuses to admit authorized servants or agents of the municipality to have free access at proper hours of the day upon reasonable notice given, and or request made, to all parts of the premises in which water is delivered, for the purpose of inspections, or repairing any service pipe or for the placing of meters he deems expedient and for the purpose of protecting or regulating the use of any meter shall be deemed guilty of an infraction of this bylaw.

6. Penalty

- a) Any person who contravenes any provision of this bylaw or which no other penalty is provided shall be guilty of an offence and liable upon summary conviction to penalties provided under the general penalty bylaw of the municipality

Bylaw No. 4, 2011 is hereby repealed.
Bylaw 5, 2015 is hereby repealed.
Bylaw 2, 2011 is hereby repealed.

Read a First time this 15 day of October, 2024
Read a Second time this 12 day of November, 2024
Read a third time and passed this 12 day of November, 2024



Mayor



Chief Administrative Officer