



BYLAW NO. 14-19

BEING A BYLAW OF THE TOWN OF KINDERSLEY TO REGULATE THE MAINTENANCE AND MANAGEMENT OF WATER, SANITARY, STORM WATER AND PLUMBING SYSTEMS

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The Council of the Town of Kindersley in the Province of Saskatchewan enacts as follows:

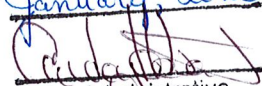
1. CITATION

This Bylaw may be cited as the "Water and Sewer Bylaw".

2. DEFINITIONS

In this Bylaw, the following definitions apply:

- 2.1. "ACCOUNT" shall mean the combination of customer, premises and water and/or sewer services for billing purposes;
- 2.2. "BULK WATER CONSUMERS" is a person, firm or corporation who purchases water from the Bulk Water Station;

Certified a true copy of
Bylaw No. 14-19 passed
at the regular meeting of
Council held on this 13th
day of Jan. 2020
Dated this 14th day of
January, 2020

Chief Administrative
Officer

- 2.3. "BULK WATER STATION" is the vending facility, located at 720-10th Street West, for the sale of potable water on bulk basis;
- 2.4. "CHIEF ADMINISTRATIVE OFFICER" shall mean the Chief Administrative Officer (CAO) of the Town of Kindersley or designate;
- 2.5. "COMMERCIAL PREMISES" shall mean those premises in which a business, profession, industry, trade or commerce is carried on, and includes all premises not falling within the definitions of dwelling house or user;
- 2.6. "CONCENTRATED SEWAGE" means sewage having a higher content than standard or normal sewage of any of the following:
 - 2.6.1. suspended solids;
 - 2.6.2. five-day biochemical oxygen demand;
 - 2.6.3. grease content; and
 - 2.6.4. phosphorous
- 2.7. "COUNCIL" shall mean the duly elected Council of the Town of Kindersley;
- 2.8. "CUSTOMER" shall mean any person who contracts with the Town for the provision of water and/or sewer services;
- 2.9. "CURB STOP" shall mean a gate valve used primarily to isolate a single service, meter or parcel of land;
- 2.10. "DWELLING HOUSE" shall mean a private dwelling house, which is primarily to be occupied by one family, and shall include a dwelling house with a basement suite, which is accessed through a common entranceway;
- 2.11. "DWELLING HOUSE CONSUMER" shall mean a water consumer who owns, rents, or occupies any such dwelling house;
- 2.12. "DWELLING UNIT" shall mean a single self-contained residential living unit;
- 2.13. "INDUSTRIAL WATER USE" is a service supplied to a premise that is used primarily for industrial, including oilfield purposes including use of the bulk water station;
- 2.14. "INTERCEPTOR" shall mean a receptacle that is installed to prevent oil, grease, sand or other materials from passing into a drainage system;
- 2.15. "ISOLATION VALVE" shall mean either a ball valve or gate valve used for isolating a metered connection;
- 2.16. "MULTI-RESIDENTIAL PREMISES" shall mean single water metered premises with five or more dwelling units;
- 2.17. "NON-RESIDENTIAL WATER USE" is a service supplied to a premise principally used to conduct a commercial, agricultural business, and also includes institutional uses and apartment buildings;
- 2.18. "OWNER" shall mean the registered owner of a property or the purchaser thereof who is entitled to occupy and use the property;
- 2.19. "PERSON" shall mean a corporation, a partnership, and any association or other body;
- 2.20. "PREMISES" shall mean the land, buildings or a part thereof occupied or used for any purpose;
- 2.21. "PUBLIC SEWAGE WORKS" shall mean any works for the collection, transmission, treatment and disposal of public sewage and includes a drainage ditch, sanitary or storm drain, pipe or conduit used for the conveyance of sewage and includes sewage treatment plants;
- 2.22. "PRIVATE SEWAGE WORKS" shall mean a privately owned plant for the treatment and disposal of sewage (such as a septic tank with an absorption field);
- 2.23. "PROPERLY SHREDDED GARBAGE" shall mean the waste from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will flow freely under conditions normally prevailing in public sewers, with no particles greater than one-half inch in any dimension;
- 2.24. "REPRESENTATIVE" shall mean any designate of the Town of Kindersley responsible for the maintenance, management and/or enforcement of this Bylaw;

- 2.25. "RESIDENTIAL WATER USE" is a service supplied to a premise that is used primarily for domestic purposes including but not limited to, single-family dwellings, multi-family dwellings (excluding apartment buildings), mobile home parks and condominium developments;
- 2.26. "SANITARY SEWER" shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted;
- 2.27. "SEWER" shall mean a pipe or conduit for carrying sewage;
- 2.28. "SEWAGE" means a combination of the water carried wastes from residences, industrial establishments, commercial and business buildings and institutions together with such ground, surface and storm water as may be present;
- 2.29. "SEWER SERVICES" means any services related to the connection of a premises to the Town's sewer system and the discharge of substances into that system;
- 2.30. "STORM DRAINAGE" shall mean the works established for the collection, transmission, treatment and disposal of storm drainage water;
- 2.31. "STORM SEWER" shall mean a sewer designed to be used exclusively for storm water drainage;
- 2.32. "STREET VALVE" shall mean a gate valve used primarily to isolate a water distribution main, a street, or an area;
- 2.33. "SUSPENDED SOLIDS" means solids that either float on the surface, or are in suspension in water, sewage or industrial waste, and which are removable by laboratory filtration devices as set forth in "Standard Methods";
- 2.34. "TOWN" shall mean the Town of Kindersley, in the Province of Saskatchewan;
- 2.35. "USER" shall mean any connection from which flow occurs into the collection system including residential, commercial and industrial connections;
- 2.36. "VOLUME" shall mean the quantity of sewage discharged by a user into the collection system in a given period as measured by the quantity of water consumed by the user during the same period;
- 2.37. "WATER CONSUMER" or "OWNER" means the person responsible for the payment of accounts or charges under this bylaw.

3. SERVICE LINE CONNECTIONS

3.1 Service Connection Application

A Municipal Infrastructure Services Application (MIS) shall be submitted for any installation, repair or replacement of a water and/or sewer service line. This includes repair, replacement or installation from the water main or curb stop and/or water meter to the premises.

3.2 Service Line Installation

Any repair, replacement or installation of service line, including material type and depth must adhere to the Town of Kindersley Design Standards and Master Specifications, 2018 or as amended from time to time.

3.3 Excavations for service connections:

- a) All persons conducting an excavation must as per provincial legislation, ensure all requirements of ground disturbance are being met.
- b) No person shall, backfill prior to inspection by the Town.
- c) The Town may discontinue the supply of water to any property where the trench or excavation containing the service connection was closed in prior to inspection by the Town.

3.4 Obstructions and/or Frozen Lines or Plumbing

- a) The expense incidental to the removing of an obstruction (with the exception of sewer blockages for properties qualifying as per Section 7.8 and Schedule "F") or blockage from a sewer service connection from the water main to the premises, and the thawing out of a frozen water service connection from the water main to the premise, shall be borne solely by the owner of the property.
- b) Only an approved bleeder line that recycles the water shall be installed on any water service, and all expenses related to such installation shall be borne solely by the owner.
- c) Where partial or total blockage of part 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 Town for all costs of clearing such blockage.

3.5 The Town shall maintain, repair and install distribution and collection mains to each connection point. The Owner shall maintain their service line from the main connection point to the premises at its expense

3.6 Cost of Constructing or Reconstructing Service Connections

- a) The owner shall be responsible for the cost of any works undertaken by the Town pursuant to this Bylaw.
- b) The Town's cost of constructing or reconstructing a sewer and/or water service connection shall be calculated in accordance with the uniform rates set forth in Schedule "C" for the works set forth therein.
- c) The cost of any work not set forth in Schedule "C" shall be calculated on a cost plus or firm price basis as determined by and at the discretion of the Town.
- d) For the purpose of applying the uniform rates set forth in this Bylaw, the length of the portion of service connections that runs from the sewer and water mains to the premises shall be measured from the center of the street whether or not the mains are laid in the center of the street.

4. WATERWORKS SYSTEM

4.1 General Valve Operations

No person other than a Town representative or member of the Fire Department or a person authorized by any of them shall open, close, or interfere with any hydrant, gate, or valve connected with the waterworks system, and no person shall in any way interfere with any curb stop, pipe, or other waterworks appliance outside of his premises, nor shall he interfere with any meter, whether inside or outside of his premises.

4.2 Curb Stop

- a) Every water service line shall have a curb stop.
- b) The Town shall install, maintain and repair curb stop. All costs associated with the installation, maintenance and repair of curb stops shall be at the sole responsibility of the Town.
- c) No person shall turn water on or off by the curb stop except the Town representative or a person authorized by the Town. When water has been turned off for non-payment of rates or for failure to protect meters or pipes to the satisfaction of the Town, or for any other necessary or proper reason, no person shall turn it on again who is not duly authorized to do so. A Notice of Violation as set out in Schedule "B" shall apply.

4.3 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 Town 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 Town 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 Town is not liable for damages caused by the breaking, plugging or stoppage of any water main;
- d) The Town 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 Town is not liable for any accident and/or property damage due to the operation, maintenance or repair of the water or sanitary sewage system of the Town of Kindersley unless such accident is shown to be directly due to the negligence of the Town or its employees.

4.4 Flow Restrictors or Reducers

- a) The Town shall have the right to place flow restrictors on any or all services to maintain adequate flows during peak periods, upon reasonable notice to the customer of such intended action.
- b) The Town shall have the right to regulate the use of water for fountains or jets, hoses, or sprinklers, or to limit the hours for using the same. Every person found guilty of an infraction of any restriction imposed by authority of this Section, shall be subject to the penalty imposed as per Schedule "B".

5. WATER SERVICE ACCOUNT

- 5.1 Every premises desiring to be connected to the Town waterworks system shall submit a Town Water and Sewer Account Application Form.
- 5.2 Private wells or any type of underground storage for private water systems are not allowed where serviceable from the municipal waterworks system.
- 5.3 The Town may enter the premises of any customer at any reasonable time for the purpose of installing or removing meters, examining plumbing and fixtures, repairing same or ascertaining the quantity of water used and the manner of its use.
- 5.4 Every premises desiring to receive or to continue to receive water service shall be invoiced, as set out in Schedule "A", the fee for each meter. The water meter deposit shall be returned when the water service is discontinued, less any outstanding amounts due at the time of discontinuing service.
- 5.5 Every Customer intending to vacate any premises supplied with water from the waterworks system or who intends to discontinue the use of such water shall give notice of the same to the Town and shall turn off the shutoff valves located on either side of the water meter on the inside of the building before leaving.

5.6 There shall be a fee charged as per Schedule "A" to consumers for discontinuance and reconnection of water service, including a seasonal rate surcharge during the months of November - April.

5.7 There shall be no charge for turning water service off and on at the curb stop at the request of a plumber or home owner where the premises requires repairs to the service line from the curb stop to the shutoff valve located inside the premises during regular business hours. Failure to have a shutoff valve on either side of the meter will result in a surcharge for turning water on / off.

5.8 Water-only Service

Owners desiring a water-only service connection may be granted such service in the following circumstances:

- a) the property at which such service is to be provided is already serviced with at least one (1) combined water and sewer service account; or
- b) the property at which such service is to be provided is not located in an area of the Town where a service connection to the Town's Sanitary Sewer System is reasonably available; and
- c) that the owner has made adequate provisions to ensure that no water supplied through a water-only service connection will be discharged or released into the Town's Storm Sewer System. The Town may discontinue the supply of water to any property from which any water supplied through a water-only service connection has been discharged or released into the Town's Storm Sewer System

5.9 Water Shut - offs

The Town may discontinue the supply of water to any property where:

- a) a water meter installed on that property has been damaged, altered or disconnected;
- b) the property owner or consumer, has refused or failed to provide and maintain safe and convenient access for the Town to access any water meter;
- c) provide sufficient or adequate protection or insulation for a water meter;
- d) the owner or consumer has failed to pay the cost for repair, testing, replacing or reinstalling any water meter which had been damaged, altered or disconnected while installed on that property; and
- e) the owner has failed to pay or make payment arrangements for water usage account.

5.10 Temporary water service

Contractors or other persons desiring a temporary supply of water may be granted such service upon:

- a) payment of the temporary connection fee set forth in Schedule "A";
- b) payment of the deposit set forth in Schedule "A"; and
- c) such other terms and conditions as may be required by the Town.

Where the temporary water service is no longer required, the holder of the account shall notify the Town requesting that the water supply be turned off or transferred into the name of another party.

- a) Deposits provided for water supplied pursuant to this section shall be applied first against any outstanding sewer and/or water service accounts and the balance, if any, paid to the holder of the account.

6. WATER METERS

- 6.1 A water meter shall be installed on every service line connected to the Town water system.
- 6.2 The Town shall determine the appropriate size, type and location of water meter required for each property.
- 6.3 Every owner shall provide, at their own expense, a place in their premises for the installation of a meter, which shall be provided by the Town. All water meters installed shall remain:
- a) the property of the Town;
 - b) under the control of the Town.
- 6.4 The meter shall be in easy access for examination, repair or replacement and shall always be protected against frost or other injury. If the Town deems the meter insufficiently protected, the Town shall disconnect the water service until appropriate measures have been taken for its protection.
- 6.5 Failure to install a meter on any water service line shall result in the disconnection of the water service by the Town.
- 6.6 One (1) meter shall be supplied for each connection to the water system, however, the Town may, at their discretion, supply such additional meters as deemed necessary.
- 6.7 No person shall tamper with, alter, remove or disconnect a water meter installed on private property pursuant to this Bylaw. A Notice of Violation as set out in Schedule "B" shall apply to said property.
- 6.8 Every owner shall ensure that all water meters installed are insulated from the cold and protected from damage by any cause;
- 6.9 Isolation Valves
- a) Shut-off valves shall be provided by the owner for each metered service connection located within 300 mm before and after all meters.
 - b) Isolation valves must be located within one (1) metre from location where water service line surfaces through the floor inside the building premises.
- 6.10 Cross Connection Control
- All customers shall be required to provide back-flow prevention devices in accordance with The National Plumbing Code of Canada, 2005, The Public Health Act of Saskatchewan and The Private Sewage Works Regulations and CAN/CSA – B64.10.01 – Manual for the Selection and Installation of Backflow Prevention Devices as may be amended from time to time and shall also meet the following:
- a) For one (1) inch water service or larger as well as all commercial/industrial water services, a testable backflow prevention device suitable for the hazard posed to the potable water utility is required.
 - b) For three quarter (3/4) inch or smaller water services in a single-family residential application, a dual check valve is acceptable.
 - c) No bypass piping or other device capable of reducing the effectiveness of a backflow prevention device shall be installed on any water supply system.
 - d) Failure to provide back-flow prevention devices as set out in Section 6(10) shall result in the discontinuation of water service.

- e) All back-flow prevention devices shall be inspected and tested at the expense of the customer upon installation, and at least annually thereafter by a certified plumber. Failure to have testing completed, or to replace a defective device, may result in the discontinuation of water service.
- f) All installations, repairs or replacements of back-flow prevention devices shall be at the property owners' expense.

6.11 No person shall connect anything to the water system which may cause the service to become contaminated or polluted.

6.12 In the event that a meter when read is found to have failed to register correctly, the amount of water consumption for such period shall be taken to be either the same as that of the previous period in which the meter has registered correctly, or the same as that of the corresponding period in the preceding year, whichever may be more advantageous to the water consumer.

6.13 Damage to Meters

- a) Where a consumer permits a water meter to freeze up and damage the meter any repairs or replacement of said meter shall be made by the Town and the cost of materials and labour shall be added to the consumer's account.
- b) All costs associated with repairing, testing, replacing and reinstallation of any water meter which is damaged while installed on private property, with the exception of reasonable wear and tear.

6.14 Testing of Water Meters

All complaints of excessive water usage alleged to be due to a faulty water meter will be investigated by the Town upon the water consumer or person making such complaint depositing the sum as per Schedule "A" to the Town, and if upon investigation, the said water meter is found to be faulty, the said deposit will be returned to the water consumer or complainant; otherwise, the said deposit will be retained as a service charge;

- a) Water meters may be removed and tested by the Town if the Town has reasonable grounds to believe the meter is not accurately measuring the volume of water passing through it;
- b) Testing of water meters shall be performed under the direction of the Town.
- c) If the Town is satisfied that a water meter is measuring the volume of water passing through it within three percent (3%):
 - i. the meter shall be deemed to be measuring accurately and may be reinstalled;
 - ii. the deposit provided, if any, shall be retained by the Town and credited to the cost of removing, testing and re-installing the meter.
- d) If, in the opinion of the Town, a water meter is not accurately measuring the volume of water passing through it:
 - i. the Town shall repair meter or install a new meter;
 - ii. the deposit provided, if any, shall be promptly returned or credited to the account of the consumer;
 - iii. the Town shall adjust the account(s) affected by adding or deducting such amount such that the account balance(s) will properly represent the water delivered through said meter during the preceding period commencing at the point in time when, in the opinion of the Town, the meter began to malfunction.

6.15 Bypass Lines Around Water Meters

No owner, plumber or consumer shall install a bypass line around a water meter.

- a) If a bypass line is installed:
 - i. The Town may discontinue the supply of water to any property where a bypass line has been installed around a water meter at that property;
 - ii. A Notice of Violation as set out in Schedule "B" shall apply to said property.

7. SANITARY SEWER

7.1 Sewer Mains and Connections

The owner of every house, building or property used for human occupancy, employment, recreation or other purpose, situated within the Town and abutting on any highway or right-of-way in which there is now or hereafter located, a sanitary sewer of the Town, is hereby required at his expense to install suitable sewage waste disposal facilities therein and to connect such facilities directly with the proper sanitary sewerage system of the Town in accordance with the provisions of the Water and Sewer Bylaw, sixty (60) days after the date of notification.

7.2 Except as permitted by this Bylaw no person shall construct or maintain any privy, septic tank, cesspool or other facility intended or used for the disposal of sewage, when sewer service is available.

7.3 No person, unless authorized by the Town shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenances thereof.

7.4 The Town shall maintain, repair and install sanitary sewer mains to each connection point. The Owner shall maintain their sanitary sewage line from the main connection point to the premises at its expense.

7.5 In case any blockage of the Sewerage System is caused by reason of failure, omission or neglect to comply strictly with the provisions of this Bylaw, the owner, proprietor or occupier concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the Town for all costs of clearing such blockage and for any other account for which the Town may be held legally liable because of such blockage.

7.6 When any sewer connection is abandoned, the owner shall effectively block up the connection at a suitable location within his property to prevent sewage backing up into the soil or dirt being washed into the sewer. Any sewer connection to be abandoned shall notify the Town in writing.

7.7 Check valve (Backflow Preventor)

Every premises with a service connection to the Town's Sanitary Sewer System shall be responsible for preventing water or sewage from backing-up through the Town's Sanitary Sewer System and flooding the basement or any other portion of that property or any other property.

- a) Every property owner or consumer shall install a suitable check valve or other approved mechanical device:
 - i. by which the connection between such property and the Town's Sanitary Sewer System may be cut off or controlled;

- ii. capable of preventing water or sewage from backing-up through the Town's Sanitary Sewer System and flooding the basement or any other portion of that property; and
- iii. maintain and operate the check valve or mechanical device referred in this section so as to prevent water or sewage from backing-up through the Town's Sanitary Sewer System and flooding the basement or any other portion of that property.

7.8 Liability for Damages

The Town is not liable for damages:

- a) caused by the breaking, plugging or stoppage of any sanitary sewer main;
- b) caused by the interference with the supply of any water service or sewer necessary in connection with the repair or proper maintenance of water or sewer;
- c) for any accident due to the operation of the Sewerage System of the Town of Kindersley unless such accident is shown to be directly due to the negligence of the Town or its employees.

7.9 Sewer Augers

The Town will provide one (1) sewer auger per calendar year as preventative maintenance for premises located in the areas as shown on Schedule "F". These areas may be prone to excessive tree roots entering the sewer service line due to boulevard trees and sewer line material type.

- a) In instances where properties located in Schedule "F" are actively backing up the Town will make every effort to dispatch immediately to auger the line. This auger will count as the one (1) allowable service per year.
- b) In instances where the Town cannot dispatch within one (1) day, the owner may hire a contractor to complete the sewer auger, a sample of the roots or a video clearly depicting roots, will be required before compensation is awarded to the owner. The owner must then submit their receipt for the work completed.
- c) The Town will not compensate contractors directly.
- d) Owners must contact the Town prior to hiring a contractor to complete the work. No compensation will be given if prior authorization is not granted.
- e) If the property requires a sewer auger more than once per calendar year, it is the responsibility of the owner to complete the work and cover any costs associated.
- f) The Town may provide sewer auger services to properties not located on Schedule "F" at the custom work rate set out in Schedule "A".
- g) The owner or occupant is responsible to protect any floor coverings or other personal property as deemed necessary.

7.10 Private Sewage Disposal Works (Septic Tank)

Where a Sanitary Sewer is not available under the provisions this Bylaw, the said Sewage Waste Disposal System shall be connected to a private sewage disposal system complying with the provisions of this Bylaw and the Town of Kindersley Design Standards and Master Specifications, 2018 and as may be amended from time to time.

- a) At such time as a Sanitary Sewer becomes available to a property serviced by a private sewage disposal system, a direct connection shall be made to the Sanitary Sewer in compliance with this Bylaw and any septic tanks, cesspools and similar private sewage disposal facility shall be removed or abandoned and decommissioned.
- b) When a sanitary sewer becomes available to a property served by private sewage works, the owner shall connect within 60 days from the date when the sanitary sewer became available at the sole cost of the owner. The sanitary sewer service

line shall then comply with this and all other Bylaws of the Town of Kindersley and any other regulating authorities.

- c) The owner or person in charge shall always operate and maintain the private sewage disposal facility in a sanitary manner at no expense to the Town.

7.11 Sewage Disposal or Septic Truck Discharge in Lagoon

No person shall discharge septic tank wastewater into the Town sewer system without a permit from the Town and paying fees associated with Bylaw 11-19 The Utilities Rates Bylaw, as may be amended from time to time. The service agreement/contract must always be maintained by the owner/s and available for inspection by the Town.

7.12 Sanitary Sewer Discharge

No person shall release or discharge any Prohibited Substance into the Town's Sanitary Sewer.

- a) The Town may discontinue the supply of water to any property from which any Prohibited Substance has been discharged or released into the Town's Sanitary Sewer System. Except as otherwise provided in this Bylaw, no person shall discharge into a sanitary sewer any of the following:
- i. sewage or liquid having a temperature greater than 65 degrees C;
 - ii. gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
 - iii. garbage other than properly shredded garbage;
 - iv. pesticides or herbicides;
 - v. corrosive, noxious or malodorous material or substance which, either by itself or by reaction with other wastes,
 - vi. waste which, either by itself or upon the reaction with other material becomes highly coloured;
 - vii. water containing wastes from oil or petroleum;
 - viii. water containing the following materials in excess of the following concentrations:

Cyanide	3 milligrams per litre
Copper	4 milligrams per litre
Chromium	5 milligrams per litre
Nickel	5 milligrams per litre
Lead	5 milligrams per litre
Cadmium	4 milligrams per litre
Zinc	5 milligrams per litre
Phenol Compounds	0.1 milligram per litre
Sulphides	3 milligrams per litre
Benzene	1 milligram per litre
Ethyl Benzene	1 milligram per litre
Toluene	1 milligram per litre
Xylene	1 milligram per litre
 - ix. sewage having a pH rating less than 5.5 or greater than 9.0;
 - x. paunch manure, intestinal contents from horses, cows, sheep, swine or any fish or animal, grease or oil, pigs' hooves or toenails, any stomach casings, fish scales, bones, hog bristles, hides or parts thereof, manure, poultry entrails, heads, feet or feathers, fleshings and hair resulting from hide processing operations;
 - xi. sewage containing a radio-active substance;
 - xii. grit removed from commercial or industrial premises including grit removed from car washing establishments, automobile garages and restaurant sumps or from interceptors;

- xiii. corrosive or toxic sewage or other wastes which could adversely affect the sewer system;
- xiv. hazardous waste or waste dangerous goods;
- xv. sewage or industrial waste (including cooling water) in a volume greater than 4.5 cubic metres per day above that purchased from the Town without obtaining a permit to do so from the Town;
- xvi. wastewater, domestic sewage, commercial sewage, industrial or factory wastes in a greater volume than 3,000 cubic feet per day, or in strength in excess of those stated as "standard sewage" in this Bylaw, without first written permission to do so from the Town.

7.12. Sewage Discharge Volume Control

Where sewage is discharged into the sewage system in volumes which the Town determines to be highly variable, the owner or occupier of any premises shall take such steps as may be required by the Town to equalize the discharge into the sewer system.

- a) Such flow equalization equipment shall be maintained continuously by the owner or occupier of such premises in a manner satisfactory to the Town.

7.14 Measurements and Testing of Wastewater

- a) All measurements, tests and analyses of the characteristics of industrial wastes, sewage or water, to which reference is made in this Bylaw shall be determined in accordance with the text known as "Standard Methods for the Examination of Water and Waste Water" and shall be determined on samples taken at the control manhole or at the first regular manhole immediately downstream from the entrance of the wastewater from the premises, or the Town may enter upon the premises from which the sewage originates and conduct the test as the Town considers necessary.
- b) Any test conducted by the Town may be used to determine whether a Notice of Violation is to be imposed for prohibited discharge as per Schedule "B".

7.15 Sewage Monitoring Equipment

- a) Where in the opinion of the Town, any source of sewage connected to the sewer system is likely to produce sewage not in compliance with this Bylaw, the Town may test the characteristics and concentrations of the sewage being discharged and may maintain a record of each such analysis.
- b) Should any testing of sewage disclose that the sewage is not in compliance with this Bylaw, the Town may, in addition to any other provision of this Bylaw:
 - i. Direct the owner to comply with this Bylaw;
 - ii. Direct the owner at the owner's expense to undertake such monitoring as the Town considers necessary; and
 - iii. Supply the results of such monitoring to the Town on frequency as specified by the Town.

7.16 Garbage Disposal Units

- a) The Town may prohibit the use of a garbage disposal unit where the Town determines that the discharge from a garbage disposal unit would impede the proper functioning of the public sewage works
- b) No person shall use a garbage disposal unit where the Town has prohibited such use.

7.17 Interceptors

- a) A person owning, operating, or being in charge of a public garage, gasoline service stations, vehicles and equipment washing establishments, dry cleaning

establishment, milk plant, creamery, laboratory, concrete plant and aggregate washing plant or other such place shall provide on the waste outlet of the establishment a gasoline, oil, grease, chemical or grit interceptor in conformity with the requirements of The Public Health Act and regulations made there under and where the Town may require.

- b) Interceptors may be required for other types of businesses when they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients.
- c) All interceptors shall be of a type and capacity approved by the Town and shall be located readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall always be maintained by the owner at their expense in a continuously efficient operation.
- d) The Town or other duly authorized person shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Bylaw. If such inspections disclose any failure, omission or neglect to clean out such interceptors, or disclose any defect in the location, construction, design or maintenance of any of the sewer system or any connection therefrom to the Town Sewerage System, the owner, proprietor or occupier shall be notified in writing to rectify the cause of complaint. Failure to rectify the defect shall constitute a breach of this section and a violation shall be issued as per Schedule "B".
- e) Interceptors shall always be maintained in an efficient working condition at the expense of the person or owner.

8. STORM SEWER SYSTEM

- 8.1 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 unless otherwise approved in writing by the Town.
- 8.2 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 Town.
- 8.3 Where a storm sewer is available, the roof area of every industrial, commercial or institutional building shall be drained into the storm sewer.
- 8.4 Where a storm sewer is not available, the owner shall, at the time of construction of the building, make provision for drainage of the roof area to the storm sewer and shall connect the building at such time as a storm sewer becomes available. Until such time, the roof area shall be drained overland to Town streets in accordance with a drainage plan approved by the Town.
- 8.5 Parking areas, other than single family or duplex residential premises, shall be drained by the owner into a storm sewer unless otherwise authorized by the Town in writing.
- 8.6 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.
 - a) Any liquid or vapor having a temperature higher than 76° C or 65 ° C;
 - b) Any gasoline, benzine, naphtha, fuel oil or other flammable or explosive liquids, solids or gas;

- c) Any ashes, cinders, sand, potters clay stone, 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 storm water collection system or storm water structures;
- d) 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;
- e) Any waters or wastes having pH rating lower than 5.5 or higher than 9.0 or having other corrosive properties capable of causing damage or hazard to structures, equipment or personnel of the sewage works;
- f) Any waters or wastes containing toxic or poisonous substances in enough quantity to injure or interfere with any sewage treatment process, constitute a hazard to human, animal, fish or waterfowl, or create any hazard in receiving waters of the sewage treatment facility;
- g) Any noxious or malodorous gas or substance capable of creating a public nuisance.

8.7 Sump Pump Design and Operation

The owner of every premises with a subsurface drainage system shall install a sump pit, sump pump and surface discharge system such as to allow discharge to the surface.

- a) A Sump Pit and Surface discharge system with a discharge to the surface as shown on Schedule "D", and or by the Town of Kindersley Design Standards and Master Specifications, 2018 and as may be amended from time to time shall be installed.
- b) Discharge shall not be directed onto a pervious ground surface within 2 meters of any building
- c) Discharge shall be directed to the rear yard of the property
- d) Any deviation from rear yard discharge will have to be approved by the Town.
- e) The sump pit shall be near the floor drain with the concrete floor being graded toward the floor drain. If the sump pit cannot be located close to the floor drain a backup power supply is recommended. No relief piping or any overflow piping from the sump pit to the floor drain area will be allowed.

8.8 Storm Drainage Restrictions

No person shall release, discharge or allow sewage to enter into the storm sewer system.

- a) The Town may enter all premises for the purpose of inspection, observation, measurement, sampling and testing, as provided for in this Bylaw.
- b) If such inspection discloses any act or omission contrary to the provisions of this Bylaw, or the inspection discloses any defect or insufficiency in the location, construction, design or maintenance of any equipment in connection with the sewage discharge, the Town may direct the owner or occupier of the premises to correct the act or omission or any defect or insufficiency, and the owner or occupier shall forthwith comply with such direction.
- c) A person to whom the direction is given may also be prosecuted for a contravention or failure to comply with provisions of this Bylaw.

8.9 Limitation of Liability

Storm services shall only be provided on the condition that the applicant shall indemnify and save harmless the Town, its officials, employees and agents in respect of all claims arising from the provision of service, excepting those claims caused by negligence. Not to limit the generality of the foregoing, the applicant shall indemnify and save harmless the Town, its

officials, employees and agents from and against claims for damages by the applicant or any third party arising directly or indirectly from:

- a) actions based in nuisance;
- b) actions in respect of losses which may reasonably have been prevented by properly maintained backwater valve; or
- c) actions in respect of losses related to the interruption or termination of services or failure or refusal to provide sewer services whether or not notice was provided.
- d) the connection with the Storm System or the provision of sewer services to the premises owned or occupied by the applicant or any person to whom the applicant is an agent;
- e) the failure of the Storm System, sanitary sewer connections or any part thereof or appurtenance thereto; or
- f) the absence or lack of a properly operating backwater valve; and
- g) preliminary storm water structures.

9. WATER CONSERVATION AND RESTRICTIONS

9.1. Water Conservation Strategies:

- a) The Town may at any time make orders restricting the use of water either by all consumers or by any particular class of consumers and either throughout the Town or in any particular area or areas of the Town. The order may specify that such restricted use of water shall apply during such hours of any day of the week as may be specified in the order.
- b) Where restrictions on the supply, use or consumption of water from the Town's Water Works are required, the Town may impose such restrictions immediately on the supply, use or consumption and for such period of time as may be deemed appropriate.
- c) The Town of Kindersley presently provides water to all consumers through either the Town water distribution system for potable use or the Bulk Water Station for both residential & non-residential (agricultural/commercial) and industrial use. At times where drought conditions exist in Kindersley, Saskatchewan, or as otherwise determined by Council, that affects the overall water supply of the Town, the Town will undertake the following:
 - i. assists all consumers by providing information that will encourage water conservation,
 - ii. encourage commercial, industrial and institutional consumers to implement water conservation technology,
 - iii. Manage the overall supply of water in the Town which may involve restrictions or prohibiting the use of water as set out in this Bylaw.
- d) The Town may restrict, regulate or prohibit the hours during which water may be used for any purpose other than for firefighting.
- e) The Town may cause notices to be published:
 - i. on the Town official website, www.kindersley.ca; or
 - ii. on water accounts from the Town; and the Town may give notice by other additional means declaring restriction upon the use of water for the purpose of conserving and saving water.
- f) No person shall use any water from the water works system in contravention of the terms of any order made by the Town under this section.

- g) The restrictions may include the regulation, restriction or prohibition of the use water supplied by the Town for consumers or by any particular class of consumer, by any method including but not limited to restricting amounts supplied on an ongoing basis, closing off the water supply during certain times of the day, or totally prohibiting use of water by permanent closure of water supply valves for extended periods of time.
- h) The restrictions may include watering lawns and gardens only according to schedule outlined in Schedule "E" attached hereto and forming part of this bylaw.
- i) The restrictions may include the use of water for aesthetic purposes.

9.2 Wasting Water:

- a) All consumers or persons are prohibited from wasting water when water rationing is in effect.
- b) Any consumer or person who wastes water supplied by the Town will pay a penalty as per Schedule "B". In determining if an activity constitutes wasting water, consideration will be given to the following:
 - i. The volume of water reasonably required to perform the activity undertaken;
 - ii. The length of time that water has been allowed to run;
 - iii. The degree of control exercised over the flow of water;
 - iv. The purpose to which the water is being put;
 - v. The degree of restriction on water consumption presently in place; and
 - vi. The existence of any other factors reasonably suggesting that waste of water is occurring or has occurred.
- c) During any period, which the Town has imposed restrictions on the use or consumption of water pursuant to this Bylaw, no person shall use or consume water contrary to such restrictions.
 - i. The Town may discontinue the supply of water to any property where a owner or consumer has refused or failed to comply with the restrictions imposed
 - ii. The owner and/or consumer shall be liable to a penalty as established in Schedule "B".

9.3 Exceptions:

Council may by resolution, choose to exempt certain water users from provisions of all or any portions of Schedule "E".

10.ENFORCEMENT AND PENALTIES

- 10.1. Any officer or any other person duly authorized or recognized as having been granted authority by the Council of The Town of Kindersley is hereby designated to enforce this Bylaw.
- 10.2. Any person who contravenes any of the provisions of this Bylaw or fails to comply therewith or with any notice given thereunder is considered guilty of an offence and is liable to the penalties as hereinafter provided. Said penalties shall be listed on "Schedule A, B or C" as attached to and forming part of this Bylaw and which may be amended from time to time.
- 10.3. Any person who contravenes the provisions of this Bylaw as not specifically set out in "Schedule A, B or C" or fails to comply therewith, or with any notice given thereunder, is guilty of an offence and is liable to a fine in an amount not exceeding that provided for by the *Town of Kindersley General Penalty Bylaw*.

- 10.4. Where any person has or is alleged to have been in contravention of any of the provisions of this Bylaw, a ticket, summons, or notice may be served upon them. Such person may voluntarily make a payment of the Penalty Sum as set out in "Schedule A, B or C", to the Town of Kindersley within ten calendar days from the date of issuance. After ten calendar days the Penalty Sum must be paid as set out in "Schedule A, B or C". If payment is not received within thirty days from the issue date, a Summons will be issued. If payment is made within such time and accepted, then that person shall not be liable to further prosecution of the offence.
- 10.5. Where any person has been served a ticket, summons, or notice in contravention of any of the provisions of this Bylaw, such person shall maintain a twelve-month clear period from the date of the last occurrence before such time where a First Offence Penalty Sum will be reinstated.
- 10.6. If a provision of this Bylaw conflicts with the provision of any other applicable Town of Kindersley Bylaw, the provision that establishes the higher or more restrictive standard to protect the health, safety, welfare, peace, and comfort enjoyed by the inhabitants of the Town of Kindersley shall prevail.
- 10.7. If a provision of this Bylaw conflicts with the provisions of any legislation, then the legislation shall prevail.
- 10.8. If a court of competent jurisdiction declares any section or any part of this Bylaw to be invalid, or to be of no force or effect, it is the intention of the Town that every other provision of this Bylaw be applied and enforced in accordance with its terms to the extent possible according to law.
- 10.9. This Bylaw shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the Town or by any government authority having jurisdiction to make such restrictions or regulations.

11. ENFORCEMENT OF PAYMENT

- 11.1 The payment of any penalties, deposits, fees, charges or violations, as provided by this Bylaw, may be enforced by all or any of the following methods:
 - a) by action in any court of competent Jurisdiction;
 - b) by sending amount owing to collections;
 - c) by shutting off the water service;
 - d) all amounts owing imposed under this Bylaw are a preferential lien and charge on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable.

12. COMPLIANCE WITH OTHER LEGISLATION

- 12.1 Nothing contained within this Bylaw relieves any person from complying with any provision of any Federal or Provincial Legislation or any other Bylaw of the Town.
- 12.2 No statement contained in this Bylaw shall be construed to interfere with any additional requirements that may be imposed by the Department of Public Health, Ministry of Environment or Water Security Agencies.

13. REPEAL AND COMING INTO FORCE


Bylaw 16-09, Bylaw 16-14, Bylaw 10-15 and Bylaw 05-18 are hereby repealed. This Bylaw shall come into force and be in effect on the final reading thereof.

Introduced and read a first time this 16th day of December 2019


Read a second time this 13th day of January 2020

Read a third time this 13th day of January 2020





MAYOR DEPUTY MAYOR (ACTING)



CHIEF ADMINISTRATIVE OFFICER

SCHEDULE "A"

A BYLAW OF THE TOWN OF KINDERSLEY TO REGULATE THE MAINTENANCE AND MANAGEMENT OF WATER, SANITARY, STORM WATER AND PLUMBING SYSTEMS

MANAGEMENT AND MAINTENANCE FEES

ITEM	FEE
Water Meter Deposit	
5/8 inch	\$200.00
5/8 x 3/4	\$200.00
3/4 inch	\$200.00
1 inch	\$475.00
1 1/2 inch	\$715.00
2 inch	\$850.00
5/8 inch x 3 inch (compound meter)	\$1000.00
Water Meter Testing Deposit	\$150.00
Curb Stop Shut off (Water on / off) – Regular Rate	\$60.00
Curb Stop Shut off (Water on / off) – November – April	\$500.00
Surcharge - No shut off valve located both sides of meter	\$250.00
Temporary Water Connection Fee (Weekly)	\$1000.00
Temporary Water Deposit Fee	\$1000.00
Sewer Auger Custom Work Rate per hour (minimum 1)	\$150.00
Sewer Camera Custom Work Rate per hour (minimum 1)	\$150.00

SCHEDULE "B" VIOLATIONS

List of offences for which a Notice of Violation may be issued and subsequent penalties:

OFFENCE	PENALTY			
	Penalty Sum At Time of Issuance		Late Penalty Sum 10 days After Issuance	
	Individual	Corporation	Individual	Corporation
Failure to have an interceptor or failure, omission or neglect to maintain interceptor where required by this bylaw	\$2,500	\$5,000	\$5,000	\$10,000
Tampering with, altering, removing or disconnecting a water meter	\$5,000	\$10,000	\$10,000	\$20,000
Operating, or having the bypass valve open contrary to Bylaw	\$5,000	\$10,000	\$10,000	\$20,000
Installing a bypass line around a water meter contrary to Bylaw	\$5,000	\$10,000	\$10,000	\$20,000
Improper usage or consumption of water	\$2,500	\$5,000	\$5,000	\$10,000
Discharge or release of prohibited substances into the Town's sanitary sewer system without authorization	\$2,500	\$5,000	\$5,000	\$10,000
Installing a water or sewer service connection without authorization.	\$2,500	\$5,000	\$5,000	\$10,000
Turning water services on or off by Homeowners without authorization	\$2,500	\$5,000	\$5,000	\$10,000
Improper care or protection of water meter (ie: freezing)	1 st Offence: Cost to repair	1 st Offence: Cost to repair	1 st Offence: Cost to repair	1 st Offence: Cost to repair
	2 nd Offence: \$500 + Cost to repair	2 nd Offence: \$500+ Cost to repair	2 nd Offence: \$1,000+ Cost to repair	2 nd Offence: \$1,000+ Cost to repair
	3 rd Offence: \$1,000+ Cost to repair	3 rd Offence: \$1,000+ Cost to repair	3 rd Offence: \$2,000+ Cost to repair	3 rd Offence: \$2,000+ Cost to repair

SCHEDULE "C"

Cost of Constructing and Reconstructing of Service Connections

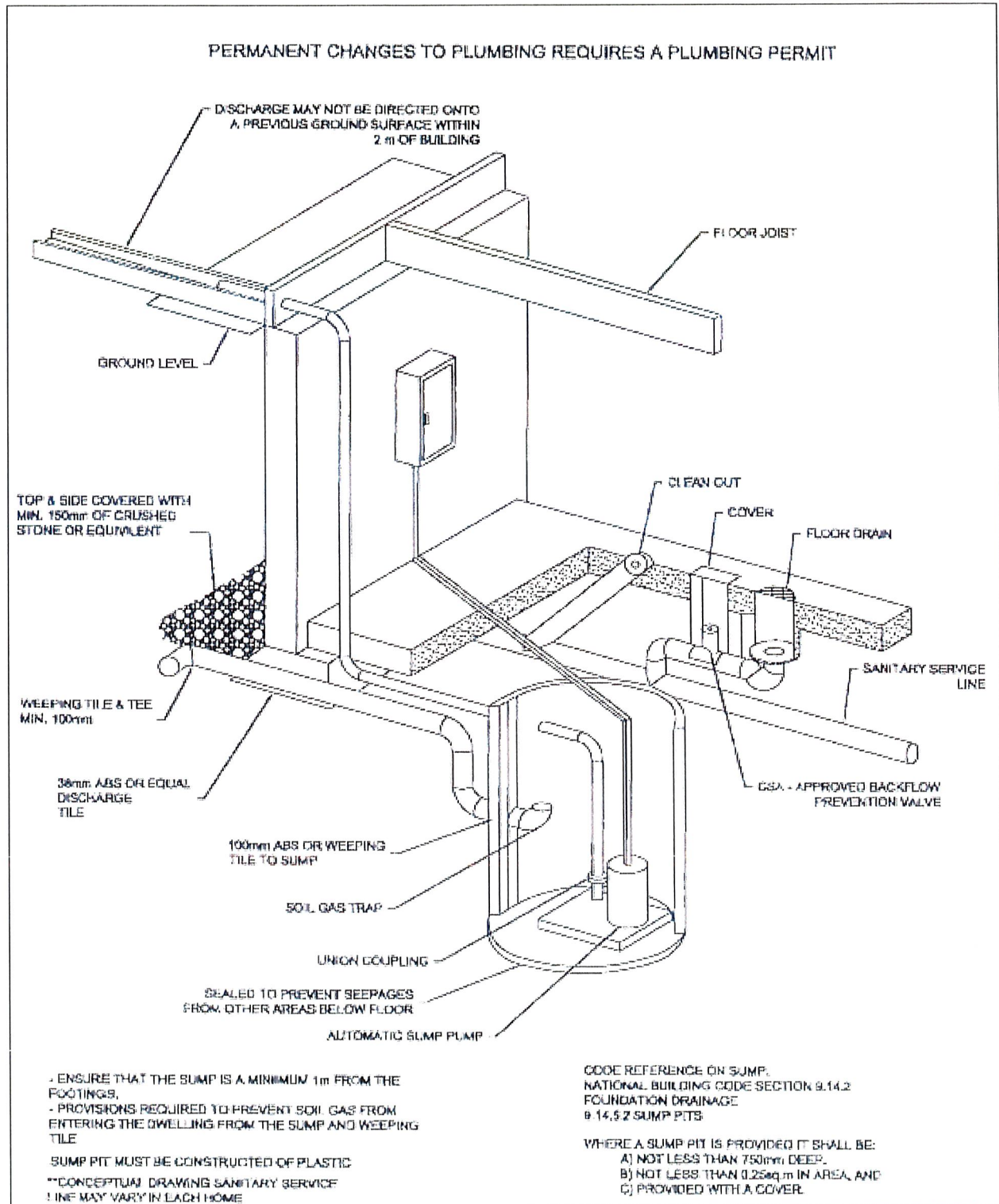
The following rates shall apply to nineteen (19) – twenty five (25) millimeters or three quarter ($\frac{3}{4}$) - one (1) inch water service connections and one hundred (100) millimeters or four (4) inch sanitary sewer service connections and include all labour, supervision, materials, including stopcocks, valves, equipment costs:

Construction Item	Cost
For the original construction of a single water service connection and a single sanitary sewer service connection from the main lines to the lot line	\$248.79 per lineal meter
For the original construction of a single water service connection and a single sanitary sewer service connection from the lot line to the connected building	\$171.00 per lineal meter
For the original construction of a single water service connection and a single sanitary sewer service connection from the main lines to connected building:	
For the portion from the mainline to the lot line	\$209.74 per lineal meter
For the portion from the lot line to the building connected:	\$145.32 per lineal meter
<u>Additional charge</u> for construction or reconstruction provided for by this schedule during the months of November, December, January, February, March and April	
for the portion from the main lines to the lot line	\$150.70 per lineal metre
for the portion from the lot line to the building connected	\$22.00 per lineal metre
<u>Additional charge</u> for hard surface crossing in the course of construction or reconstruction provided for by this schedule	\$247.12 per lineal metre or \$1,500.00 whichever is greater

The cost for water service connections in excess of nineteen (19) millimetres and/or of sewer lines in excess of one hundred (100) millimetres shall be calculated on a cost plus or firm price basis as determined by and at the discretion of the Town.

SCHEDULE "D"

Sump Pit Design



SCHEDULE "E"



TOWN OF KINDERSLEY WATERING RESTRICTION SCHEDULE

LEVEL 1:

When Water Tower Capacity level is at or below 70%.

Water Treatment Plant reserves are not taken into account and is assumed to be at 100% capacity.

All outdoor water use is prohibited (e.g.: washing cars, sidewalks, pads, exteriors of buildings, recreational use of sprinklers and like water toys).

ODD AND EVEN WATERING DAYS: Using the last number of your address (odd or even) determines which days you may water your lawn.

Excepting:

ODD numbered addresses may water lawns: Thursday and Sunday.

WATERING may occur only during the following hours:

6:00 a.m. — 8:00 a.m.

4:30 p.m. — 9:30 p.m.

Odd numbered address consumers who use sprinkling system on timers, can water their own lawn from 10.00 p.m. to 5.00 a.m. on Thursday and Sunday**.

EVEN numbered addresses may water lawns: Wednesday and Saturday.

WATERING may occur only during the following hours:

6:00 a.m. — 8:00 a.m.

4:30 p.m. — 9:30 p.m.

Even numbered address consumers who use sprinkling system on timers, can water their own lawn from 10.00 a.m. to 5.00 a.m. Wednesday and Saturday**.

Flowerbeds and vegetable gardens may be watered by hand, at any time, using a watering can or a hose with a nozzle with a trigger shut off to restrict water flow. Children's pools (capacity not more than 1000 liters) may be used.

Requests for site and condition specific irrigation scheduling for commercial or industrial operations using metered irrigation systems may be approved by the Town.

** Consumers can set up their system to start as early as 10 p.m.

LEVEL 2:

When Water Tower Capacity is at or below 62%

Water Treatment Plant reserves are not taken into account and is assumed to be at 100% capacity.

All outdoor water use is strictly prohibited for all consumers (e.g.: washing cars, sidewalks, pads, exteriors of buildings and lawns.)

Flowerbeds and vegetable gardens may be watered by hand, at anytime, using a watering can or a hose with a nozzle with a trigger shut off to restrict water flow.

Requests for site and condition specific watering by commercial or industrial operations using metered hand watering or continually monitored systems for the establishment and protection of new plant material, including trees, may be approved by the Town.

Shut down the "Splash Park", and all irrigation systems on the Town of Kindersley's property.

Bulk water sales for all user classes are suspended.

LEVEL 3:

When Water Tower Capacity level is at or below 40%

Water Treatment Plant reserves are not taken into account and is assumed to be at 100% capacity.

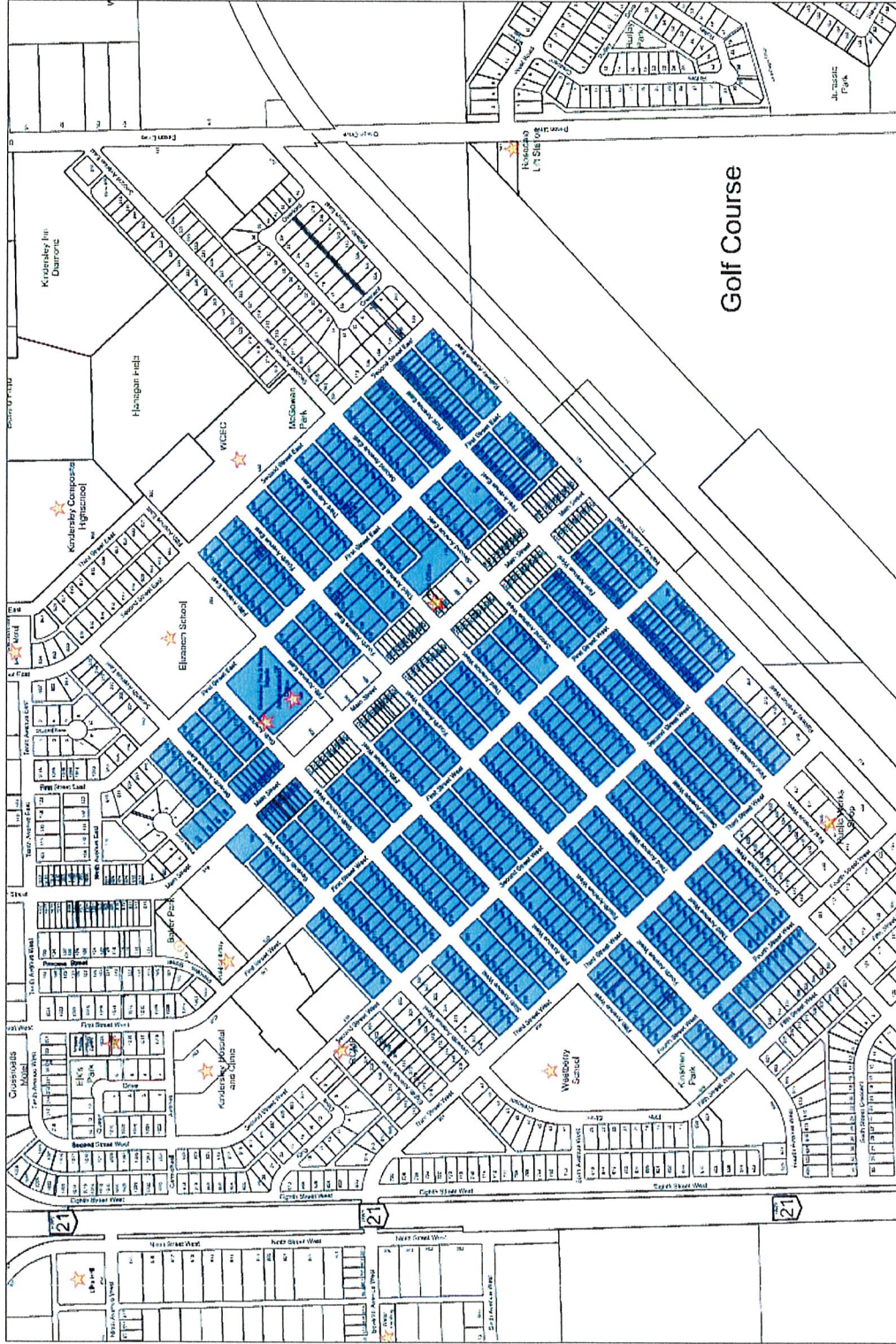
All outdoor water use is prohibited. Household and non-residential use is controlled through district flow restrictions.

The Town may at any time make orders restricting the use of water either by all consumers or by any particular class of consumers and either throughout the Town or in any particular area or areas of the Town.

For ALL Levels of Water Conservation

The restrictions may also include the regulation, restriction or prohibition of the use water supplied by the Town for consumers or by any particular class of consumer, by any method including but not limited to restricting amounts supplied on an ongoing basis, closing off the water supply during certain times of the day, or totally prohibiting use of water by permanent closure of water supply valves for extended periods of time.

SCHEDULE "F"



Town of Kindsley
Engineering, Planning
and Development

Eligible Sewer Auger Locations