

**RESORT VILLAGE OF KANNATA VALLEY
WATER BYLAW
BYLAW 79.5**

The Council of the Resort Village of Kannata Valley in the Province of Saskatchewan enacts the following articles and provisions:

PURPOSE

1. The purpose of this bylaw is to regulate the delivery of water to consumers.

DEFINITION OF TERMS:

2. The following definitions and the definitions contained in the Act and Regulations apply to this Bylaw

Act	the Municipalities Act
Administrator	the person appointed by council to perform defined administrative functions.
Municipality	the Resort Village of Kannata Valley
Council	the administrative body of the Municipality comprised of a mayor and councillors.
Owner	the person(s) or corporation listed as owner of private property in the Municipality
Occupant	the person(s) using property in the Municipality as owner or leaseholder
Ratepayer	the owner(s) of property in the Municipality
Property	land or improvements or both
Designated Officer (DO)	a person to whom power and authority is designated by council
Person	any member of the public or business owner affected by a matter under consideration
Visitor	a person or persons who are the guests of an owner or occupant
Administrative Authority (AA):	the Government of Saskatchewan - including the Provincial Rate Review Board
Service Control Valves	an under ground water shut-off valve to control water service to private property that may be of two varieties: A standpipe type valve (operated by hand lever above grade) or a curbstop type valve (operated by a special wrench which connects to a long stem attached to the valve body)
Water Service Fee	the annual flat rate to be charged to property owners connected to the water supply system.
Connection Levy	the fee charged for earthwork and materials to connect to the water distribution system and an assessed share of the water utility system infrastructure cost.

GENERAL PROVISIONS

3. The municipality shall be responsible for the installation, maintenance and repair of the four (4) inch diameter main distribution pipeline, the service connection fitting (saddle) and the one (1) inch diameter polyethylene pipe from the connection fitting to the owner's front yard property line.
4. The owner of a property connected to the water distribution system shall be responsible for the installation, maintenance, and repair of the one (1") inch diameter poly pipe between the front yard property line to a service control valve and all other water supply pipes, valves and fittings located above, on or under his/her property.
5. All work that involves the one (1") inch diameter poly pipe between the front yard property line up to and including the service control valve shall be done by contractors and/or persons who are approved by the municipality to complete such work.
6. Prior to making repairs as described in Article 5 above, the owner must submit to the municipality the name of the contractor or person that will be making repairs and a date and time when the work is to be started.
7. All work must comply with the municipal Waterworks Quality Assurance/Quality Control Policy.
8. New service control valve installations and service control valves installations that replace existing valves shall be installed on the owner's property within one (1) meter of the front yard property line.
9. Municipal approval for any deviation of the requirements of this bylaw shall be obtained prior to beginning any installation, maintenance or repair work.
10. Where water supply pipes, valves and fittings located above, on or under private property have failed, the owner of that property shall make the necessary repairs immediately of having detected the failure or having been notified by others that a failure has occurred.
11. Where the owner of property does not make the necessary repairs as required in Article 10 above or makes repairs that are not compliant with the municipal Water Quality Assurance/Water Control Policy, the municipality may enter any land or building to operate valves and to maintain, repair or replace water service pipes, valves and fittings at the expense of the owner.

12. Notwithstanding Article 10 &/or 11, in an emergency or where an owner cannot be located following a reasonable effort to do so, the municipality may, without the consent of the owner, enter any land or building to operate valves and to maintain, repair or replace pipes, valves and fittings located on private property at the expense of the owner.
13. The municipality shall have the right to operate a service control valve on any property without the owner's consent where deemed necessary to prevent damage to public and private property and/or to isolate one or more properties in order to continue to supply water service to other properties.
14. Repairs of damage to private property resulting from action taken under Articles 11, 12 &/or 13 shall be the responsibility of the property owner.
15. Where circumstances warrant, the municipality shall have the right to ration or limit the amount of water delivered to consumers connected to the distribution system.
16. The municipality shall have the right to close and lock out the service control valve to any property where there has been an infringement of any provision of this bylaw. Water delivery will be restored when the administration charge of One Hundred (\$100.00) dollars plus all municipal fees, arrears &/or penalties have been paid in full.
17. Private consumptive water systems are prohibited within the boundaries of the municipality.

FEES

18. Where an application for water service is submitted to the municipality, the applicant shall pay a connection levy of Ten Thousand (\$10,000) dollars within 30 days of the application.
19. The municipality shall invoice the owner of each property that is connected to the municipal waterworks subject to the provisions of Article 21 of this bylaw.
20. The municipality may waive the monthly water use fees on property connected to the distribution system subject to terms and condition of an "Agreement to Waive a Water Use Levy" between the owner and the municipality.
21. Water Rates shall be in accordance with the Water Rate Bylaw 86.1
22. Levies, fees and charges invoiced shall be due and payable within 30 days of the invoice date or as specified on the invoice

PENALTIES

23. Water Use Levies and fees unpaid by December 31 of the year invoiced will be deemed to be in arrears as of the first day of January of the following year.
24. A penalty calculated at the rate of Fifteen (15%) percent of the amount in arrears shall be assessed and added to the amount of arrears as of the first day of January.
25. All charges made under the authority of this bylaw shall constitute a charge on the property and may be added to the property tax roll to be collected in compliance with the provisions of the *Act*
26. A person who, after having been given an official Notice of Violation of any provisions of this bylaw and fails to comply with any notice or order given there under is guilty of an offence and liable to an action in accordance with the provisions of the municipal Penalty Bylaw.

SEVERABILITY

27. A decision of a Court that one or more provisions of this bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of the provisions of this bylaw.

REFERENCE BYLAWS

28. Bylaw 79.4 is hereby repealed and replaced with Bylaw 79.5

EFFECTIVE DATE

29. THIS BYLAW comes into force and takes effect immediately after having received third reading.

Resolution R127/17, First Reading of Bylaw 79.5 was "CARRIED" at the November 20, 2017 regular council meeting
Resolution R128/17, Second Reading of Bylaw 79.5 was "CARRIED" at the November 20, 2017 regular council meeting
Resolution R145/17, Third Reading of Bylaw 79.5 was "CARRIED" at a December 11, regular council meeting.

Seal

.....
Mayor: Ken MacDonald

.....
Administrator: Jack McHardy