

THE MUNICIPAL CORPORATION OF THE VILLAGE OF FORT SIMPSON

BYLAW 2025-002

BEING A BY-LAW OF THE VILLAGE OF FORT SIMPSON TO PROVIDE FOR THE ESTABLISHMENT, OPERATION, MAINTENANCE AND ALTERATION OF A WATER SUPPLY AND SEWAGE SYSTEM AND FOR THE LEVYING AND COLLECTION OF WATER AND SEWAGE SERVICE CHARGES.

PURSUANT TO the provisions of the Cities, Towns and Villages Act, S.N.W.T., 2003, C-22, Sections 58-59, 61, 70, and 90.

AND PURSUANT TO the Community Water and Sewer Service Agreement between the Village of Fort Simpson and the Department of Municipal & Community Affairs.

NOW THEREFORE, the Council of the Corporation of the Village of Fort Simpson, in session duly assembled, enacts as follows:

Part 1: Short Title & Interpretation

101. Short Title

This by-law may be cited as the **Water and Sewage Services By-law.**

102. Interpretation

In this by-law, unless the content otherwise requires: -

- (A) 'Approved' means approved by the SAO.
- (B) 'Council' means the Council of the Village of Fort Simpson.
- (C) 'Commercial' means commercial profit-making organizations principally engaged in the sale of goods or services including retailers, offices, hotels and motels.
- (D) 'Customer' means any person who has entered an arrangement with the municipality to receive piped water and sewer services or trucked water services, or the owner or occupant of a building or land receiving piped water / sewer or trucked water services.
- (E) 'Government' means the Government of Canada, the Government of the Northwest Territories, the Northwest Territories Housing Corporation, the Municipality, or any agency of any of them.
- (F) 'Industrial' means any firm, organization, company, partnership, or sole proprietorship, whether incorporated or unincorporated whose primary business is resource exploration or development, manufacturing, fabrication, and marine and air transportation and includes but is not limited to the following premises:
 - (1) Electrical power plants

- (2) Airport and heliport and associated facilities
 - (3) Wharfs, piers and docks and associated facilities
 - (4)** Dry docks and associated facilities
 - (5) Construction and work camps
 - (6) Administrative, supply and maintenance bases and associated facilities for resource exploration and development.
- (G) 'SAO' means the Senior Administrative Officer of the municipality.
- (H) 'Municipal Service Pipe' means the pipe and appurtenances owned by the municipality, either within a municipal road or easement, intended to carry water or collect sewage from a main to private property.
- (I) 'Municipality' means the Village of Fort Simpson.
- (J) 'Owner' or 'Property Owner' means any person who is the registered owner of a property, or any person who is in lawful possession or occupation of buildings situated thereon.
- (K) A person includes a corporation and the heirs, executors, administrators or other legal representative of a person.
- (L) 'Piped Service' means water supply and/or sewage collection provided through the municipality mains and service pipes.
- (M) 'Premises' means real property and may include any buildings thereon.
- (N) 'Private Service Pipe' means the pipe and appurtenances intended to distribute water or collect sewage within private property and connected to the municipal service pipe or main.
- (O) Residential and Non-Profit' means private home owners, private renters and residential and non-profit establishments such as churches, clubs, associations and hostels.
- (P) 'Self-Contained Unit' means a unit having separate plumbing, heating, entrance and the like.
- (Q) 'Service or Municipal Service' includes trucked water service and piped water *I* sewage service unless specifically noting one or either trucked or piped service.
- (R) 'Service Pipe' means the pipe intended to carry water or collect sewage from the main onto or across private property and includes a private service pipe and a municipal service pipe.

- (S) 'System' or 'Municipal System' means the municipality's system to provide water and/or collect sewage and includes the trucked water system and piped water / sewer system unless specifically noting one or either trucked or piped system. No trucked sewage services are provided.
- (T) 'To Discontinue Service' means the cessation of trucked water services and/or turning off of piped water / sewer services for a building or a property and may include a final water meter reading.
- (U) 'To Establish Service' means to become a customer of the municipality by entering an arrangement to receive piped water / sewer services or trucked water service from the municipality.
- (V) 'To Initiate Service' means the commencement of trucked water services and/or the turning on of piped water / sewer services or trucked water service for a building or a property and may include an initial water meter reading.
- (W) 'To Terminate Service' means to terminate the arrangement between the customer and the municipality to receive piped water / sewer services or trucked water services from the municipality, to discontinue municipal service, and to disconnect or remove a municipal service pipe in whole or in part.
- (X) 'Trucked Service' means only water delivery service provided by vehicles by or on behalf of the municipality.
- (Y) 'Trucked Service Building Facilities' means a water storage tank and/or sewage holding tank and related appurtenances installed within a premises to receive trucked services from the municipality.
- (Z) 'Water / Sewer Services' means piped water / sewer service or trucked water service.

Part 2: General Provisions

201. Authority of the Municipality

No persons, except those authorized by Council, shall directly or indirectly engage in the provision of piped water/ sewer services or trucked water services within the boundaries of the municipality.

202. Authority and Duties of the SAO

- (1) The SAO is authorized and directed to:
 - (A) Supervise, control, and administer the provision of water / sewer services and the water sewer services system and do all things necessary to fulfill his responsibilities and duties under this by-law.
 - (B) Control all construction, operations and maintenance related to the provision of water / sewer services.
 - (C) Perform all acts that may be necessary for the efficient management and operation of water/ sewer services.
 - (D) Administer and enforce this by-law.

The SAO may delegate specific authorities, duties and responsibilities outlined in this by-law.

- (2) The SAO may, subject to the approval by resolution of the Council:
 - (A) Adopt and amend, from time to time, rules, and regulations necessary to carry out the provisions of this by-law, and no customer or person shall fail to comply with such rules and regulations.
 - (B) Adopt and amend, from time to time, specifications for private service pipes, meters, trucked services, bleeders, unaccepted waste and other specifications and no customer or person shall fail to comply with such specifications.
 - (C) Adopt and amend, from time to time, service routes and times for provision of trucked services.

And all such rules, regulations, specifications, and schedules shall be available for public inspection during regular business hours at the municipal office.

203. Finance and Accounting

- (1) All costs for the provision of water / sewer services shall be financed through customer charges and any grants, subsidies or other funding provided to the municipality by the Government of the Northwest Territories or others.
- (2) All monies collected for water / sewer services shall only be used to provide water / sewer services to customers including operation, maintenance, extension, repair, capital improvement and administration of the water / sewer services system.
- (3) The municipality may establish a non-grantable capital replacement reserve fund.
- (4) All monies collected for the provision of water/ sewer services shall be accounted for in accordance with the Tax Based Financial Handbook as a separate fund.

204. Service Area

- (1) The municipality shall provide water *I* sewer services to premises within the municipal boundaries.
- (2) The designated service area shall be the Island and Mainland developed areas of the municipality serviceable by existing municipal roads, or as designated by the Minister of Municipal and Community Affairs.
- (3) Any water *I* sewer services, including bulk water supply and sewage disposal, provided by the municipality to or for areas outside the municipal boundaries will only be provided when such services will not impede the provision of water *I* sewer services to customers within the municipality.

205. Description of Services

- (1) The municipality shall furnish water supply for the following purposes:
 - (A) Domestic
 - (B) Fire Protection
 - (C) Municipal
 - (D) Commercial, and
 - (E) Industrial
- (2) Notwithstanding subsection (1), when in the opinion of the SAO the water supply for domestic and fire protection purposes is impaired, the SAO may:
 - (A) Regulate the use of water supply, or
 - (B) Restrict or terminate the supply of water for municipal, commercial, or industrial purposes.
- (3) The municipality shall make every effort to provide safe, continuous, and efficient water *I* sewer services. Nevertheless, the municipality shall not be liable for damages, including business losses:
 - (A) Caused by the break of any water pipe, or the breach of any ditch,
 - (B) Caused by water delivered or sewage collected through the customers' facilities,
 - (C) Caused by the interference or cessation of water *I* sewer services in connection with the repair, expansion, replacement or proper operation and maintenance of the water *I* sewer services system,
 - (D) Caused by an increase or decrease in pressure in a water pipe,
 - (E) Caused by the interference or cessation of trucked services due to adverse weather conditions, road conditions, or vehicle mechanical problems,
 - (F) Caused by the water supply containing sediments, deposits, or other foreign matter, or
 - (G) Generally, for any accident due to the operation of the water *I* sewer services system, unless such action has been shown to be directly due to the negligence of the municipality or its employees.

- (4) Customers resuming special water / sewer services including continuous and uninterrupted water / sewer services, constant pressure of water, or particularly clear or pure water shall, at no cost or liability to the municipality, provide such storage, treatment, appurtenances, or other means for such special water / sewer services.

206. Authority to Cease or Restrict Service

- (1) The SAO may, without notice cease or restrict water / sewer services to any customers or part of the municipality should he decide an emergency makes such action necessary.
- (2) The SAO may, in a non-emergency situation, including scheduled repairs or alteration to the water / sewer services system, cease or restrict water / sewer services to any customer or part of the municipality provided the SAO shall, when it is practical to do so, give public notice of such cessation or restriction of water / sewer services to all affected customers.
- (3) When the SAO deems that a water shortage warrants, the SAO may impose, change or revoke restrictions upon the use of water, including restrictions to certain uses of water, to uses at specific times or days, to specified classes of customers, or parts of the municipality provided that the SAO shall give public notice of such intended restrictions and it shall be an offence for anyone to contravene such restrictions.
- (4) The SAO may discontinue service for any of the following reasons:
 - (A) Failure to establish services.
 - (B) Non-payment of charges or fees levied pursuant to this By-Law.
 - (C) Failure to provide a deposit, if required
 - (D) Failure to provide free access, or
 - (E) Contravention of any other section of this by-law.
- (5) When water / sewer services are discontinued, neither the municipality nor its employees or any municipal officials shall be liable for any costs or damages resulting from the discontinuance.
- (6) Where this by-law authorizes water / sewer services to be discontinued, the SAO shall, when it is practical to do so, give notice prior of water / sewer services being discontinued. Such notice shall indicate the infraction, remedy, and the date that water/ sewer services will be discontinued unless remedy is made. When water/ sewer services are discontinued, water / sewer services shall not be reinstated until such time as there is no contravention of this by-law and any outstanding service charges and fees, any appropriate disconnection fee, reconnection fee, reinstatement of service fee or any other fee or charge specified in this by-law are paid in full to the municipality.

207. Notification

- (1) Notice from the municipality to a customer for amount of bill due, contravention of any provision or requirement of this by-law, or for any other reasons, shall be in writing to the last known address.
- (2) Notice from the customer to the municipality shall be made, in writing to the municipal office, except that notice of complaint may be made by telephone or in person.

208. Unauthorized Use

- (1) No person shall make use of the water/ sewer services without the authorization of the SAO.
- (2) Every person who makes unauthorized use of the water / sewer services system shall be guilty of an offence under this bylaw and a charge shall be levied for the estimated amount of services used as determined by the SAO.

209. Tampering

- (1) No person shall tamper or interfere with any part of the water / sewer services system, except as authorized by the SAO.
- (2) No person shall connect to or operate any pipe, valve, meter, hydrant, or any other part of the water/ sewer services system, except as authorized by the SAO.
- (3) Any person who damages or causes to be damaged any part of the water/ sewer services system shall be liable for the cost of such damage.

210. Work Done by the Municipality

- (1) The charge for work done by the municipality 'at cost' shall include the direct and indirect amounts expended by the municipality for labour and benefits, materials, equipment rentals, contracts, or any other expenditures incurred in doing the work, plus administration charges.
- (2) The SAO may require a deposit to be paid by the applicant prior to the commencement of work done 'at cost' by the municipality. The SAO will determine the amount of the deposit based on the estimated cost of the work. Any additional cost shall be paid to the municipality and any surplus shall be refunded.

Part 3: Establishment and Termination of Services

301. To Establish Service

- (1) In order to establish service, every person shall submit an application for service to the SAO.

- (2) The SAO may require a property owner who rents or leases a property or self-contained unit to a tenant or lessee to apply to establish service.
- (3) The application for service shall include the application for service fees specified in Schedule C and any other appropriate fees, charges or deposit provided for in this by-law.
- (4) Every customer shall notify the SAO of any change in the information provided for in this by-law.

302. Content of Application for Service

The application for service shall include such particulars as the following:

- (A) Location of the premises.
- (B) Date applicant will be ready for service.
- (C) Type of structure erected or intended to be erected.
- (D) Whether the premises have previously received service.
- (E) Name and mailing address to which notices and bills are to be sent.
- (F) Whether the applicant is the owner or tenant of, or agent for the premises.
- (G) Classification of customer and rate schedule requested.
- (H) Agreement to abide by and accept all provisions of this by-law,
- (I) and any other information in such detail and form that the SAO deems appropriate.

303. Deposit

As a condition of providing municipal service, the SAO may require a deposit from the applicant provided that:

- (A) The amount of the deposit shall be determined by the SAO based on the expected service charge in the amount of \$300.00
- (B) The deposit shall be refunded after it has been held for twelve consecutive months during which all bills for service have been paid within the time allowed.
- (C) The deposit, less the amount of any unpaid balance due to the municipality, shall be refunded upon discontinuance of service, and
- (D) No interest will be paid on any deposit when the deposit is refunded.

304. Temporary Service

- (1) In order to establish temporary service for construction or any purpose, the owner shall:
 - (A) Submit an application for service to the SAO stating the expected duration of service required.
 - (B) Pay the application for service fee specified in Schedule C and any other appropriate fees, and

- (C) Prior to the initiation of service, pay a deposit determined by the SAO based on the estimated service charge during the period of temporary service and any additional cost shall be paid to the municipality and any surplus shall be refunded, without interest.
- (2) The SAO may require an applicant for temporary piped water service to install an approved meter setting and/or meter, and this meter reading shall be used to determine the service charge. Where an approved meter is not in place the quantity of water for the purposes of determining service charges shall be determined by the SAO based on the estimated use of water.
- (3) The service rate for temporary service shall be based on the category of the customer.

305. Application to Terminate Service

- (1) In order to terminate service, the customer shall submit to the SAO an account Termination application stating the date the applicant desires to terminate service and any other information and in such form as may be prescribed by the SAO.
- (2) All applications to terminate service must allow a minimum of five working days before the order is to become operative.
- (3) The municipality may continue to levy service charges in accordance with this by-law until the municipality terminates service.

Part 4: Use of Water Sewer Systems

401. Use of Water

- (1) No customer or person shall willfully waste water or allow the continuous unattended flow of water without the written permission of the SAO.
- (2) All sales of bulk water are to be used for non-potable purposes only within the municipal boundaries. Bulk water purchased may be used for potable purposes only outside the municipal boundaries.
- (3) No water shall be resold or conveyed beyond property served without written permission from the SAO.
- (4) Where any unauthorized wastage, continuous flow, or improper use of water occurs, the SAO may give notice to the customer to stop such wastage or improper use of water within 96 hours or lesser time as may be specified in the

notice. If the customer fails to comply with the notice the SAO may discontinue water service.

402. Prevention of Contamination

No customer or person shall do anything that may allow water, wastewater, or any harmful liquid or substance to enter the municipal water system. The SAO may discontinue municipal service to any person or customer contravening the provisions of this section.

403. Discharge of Harmful Waste

- (1) No customer or person shall discharge or deposit or cause or permit the discharge or deposit into a municipal sewer pipe, private sewer service pipe connection to a municipal sewer pipe, or private sewage tank, matter of any type or at any temperature or in any quantity which may be or become a hazard to any part of the water / sewer system, or which may impair or interfere with the proper operation of any waste water works or treatment process.
- (2) Without limiting the generality of (1), the SAO may prescribe unacceptable waste specifications to restrict or prohibit the discharge or deposition of any matter into a municipal sewer pipe, private sewer service pipe connection to a municipal sewer pipe, or private sewage tank.
- (3) No customer or person shall directly or indirectly discharge any trade, industrial or manufacturing waste or any unacceptable waste into a municipal sewer pipe, private connection to a municipal sewer pipe, or private sewage tank without such previous treatment as shall be prescribed by the SAO. Such treatment works so prescribed shall be installed and operated by the customer.
- (4) Grease, oil, or sand interceptors of sufficient size and approved design shall be installed on the sewer pipes from all hotels, restaurants, laundries, garages, and such other places as the SAO may direct.
- (5) No customer or person shall discharge or deposit or cause or permit the discharge or deposit into a municipal sewer pipe, private sewer service, pipe connection to a municipal sewer pipe or private sewage tank, rainwater, or ground water.

404. Inspection

Employees, or authorized agents, of the municipality shall be admitted to customers' premises or other premises during normal working hours, providing at least 24 hours' notice where possible, and shall have the power to inspect any part of any building, to expose piping, and do any tests on piping, fixtures, or appliances belonging to the owner, occupant or municipality to determine if this by-law is being complied with. Such employee or authorized agent shall, upon request, show proper identification.

405. Private Facilities

- (1) All private facilities, including plumbing, appliances, appurtenances, service pipes, and water and sewage tanks, shall comply with the most recent National Building Codes and National Plumbing Codes, provided that if any of these provisions are in conflict with this by-law, this by-law shall prevail.
- (2) Water / sewer services shall not be provided to premises in which the private facilities do not meet the requirements of this by-law, except that water / sewer services may be provided during construction of unfinished buildings.
- (3) Every customer shall maintain his private facilities in proper order and free from leakage or wastage at his own expense. The SAO may discontinue service to any premises where unsanitary conditions, defective fixtures, leakage or wastage, or misuse may affect the safe and proper operation of the water / sewer services system.

406. Abatement of Noises and Pressure Surges

No apparatus, fitting or fixture shall be connected, allowed to be connected, or operated, in a manner which will cause noises, pressure surges or other disturbances which may, in the opinion of the SAO, result in annoyance to other customers, damage to their water systems, or damage to the water / sewer services system. The SAO may discontinue municipal service to any person contravening the provisions of this section.

Part 5: Piped Water and Sewage Service

501. Installation of Service Pipes

- (1) Every service pipe from the main or property line to and within the premises shall be installed by, and at the cost of, the owner of the property.
- (2) Every service pipe connection to the main shall be done only by the municipality or its authorized agent and the owner of the property served shall be levied a service pipe connection fee specified in Schedule C.
- (3) All applications to install a service pipe on a road or within an easement or to have the municipality install a service pipe connection shall be made in writing by the owner of the property or his agent to be served in such form as may be prescribed by the SAO.

502. Specifications, Design Approval & Inspection of Service Pipes

- (1) No service pipe shall be installed unless it conforms to the service pipe specifications of the municipality.
- (2) The owner shall submit proposed design plans, duly signed by a professional engineer, or duly certified plumber in the absence of an engineer, for the installation of service pipes to the SAO for review and approval prior to the start of construction. The owner shall furnish two sets of 'as built' plans to the SAO within 60 days of completion of service pipes.
- (3) All work of any kind connected with the installation, maintenance, repair, or disconnection of a service pipe shall be under the inspection by the SAO.
- (4) No service pipe shall be enclosed, covered, or backfilled until the work has been inspected and approved by the SAO.

503. Ownership of Service Pipes

- (1) Every below ground service pipe on private property shall remain the property of the customer and he shall be responsible for its maintenance.
- (2) Every above ground service pipe, whether on private property or in an easement, from an above ground main to the building served shall remain the property of the customer and he shall be responsible for its maintenance.
- (3) After the completion of construction, the ownership and maintenance of all below ground service pipes and appurtenances on municipal roads from a below ground main to the property line or boundary of an easement shall become the property and the responsibility of the municipality, subject however to such charges as are in this by-law made payable by any person.

504. Maintenance, Repair and Thawing of Private Service Pipes

- (1) Every customer shall maintain his private service pipes, fittings, meter supports and fixtures in proper order and free from leakage or wastage.
- (2) Should a frozen service pipe, leakage or wastage occur, the SAO may give notice to the customer to effect the necessary repairs or replacement within 96 hours or such lesser period as may be specified in the notice.

If the customer fails to comply with such notice within the time specified, the SAO may either:

- (A) Have the water service turned off until the repairs or replacement have been done,
- (B) In the case of non-metered service, have a meter installed, or

- (C) Have the necessary work done, and any cost incurred may be levied on the customer.
- (3) Every owner requesting an investigation into a failure or interruption in service to his premises shall deposit with the municipality the estimated cost of such investigation as determined by the SAO. The municipality shall undertake the investigation and if the municipality's investigation reveals that the municipality is the cause of the failure or interruption in service, then the deposit shall be returned. If the SAO determines that the municipality is not the cause of the failure or interruption in service, the expense incurred by the municipality on an 'at cost' basis shall be levied on the owner but the amount of any deposit shall be set off against that expense.
- (4) **No** person or customer shall use electrical or electrical welding equipment to thaw a water service pipe unless a continuous circuit is maintained, and the water meter and all electrical ground wires are disconnected from the water service pipe and the undertaking is authorized by the SAO. The municipality shall not be liable for any damage or injury resulting from the use of electrical welding equipment to thaw a water service pipe.

505. Removal or Replacement of Facilities

- (1) Where an owner has replaced his below ground private service pipe, the municipality will, at his request, replace at no charge, an old municipal service pipe with a new municipal service pipe equal in size to the old pipe, or in the standard size for the capacity and use of the original installation if the municipal service pipe is leaking or in danger of failure.
- (2) Except as provided in (1) and subject to the approval of the SAO, anyone desiring the removal, relocation, or any other change in the municipal service system, shall bear all costs of such removal, relocation or other change.

506. Size and Number of Pipes

- (1) No premises shall be supplied with more than one water and one sewer service pipe except with the approval of the SAO.
- (2) A separate water service pipe and a separate sewer service pipe shall be installed for each premises adjacent to a main, except with the approval of the SAO.
- (3) The SAO may determine and specify what service pipes are required, the location of service pipes, and the size of service pipes to be installed for any premise.
- (4) Any person desiring a larger service than that approved or existing may, subject to the approval of the SAO, install such service pipes provided that such installation is applied for and the appropriate fees are paid to the municipality. The SAO may

require that any existing service pipes be disconnected or removed, and the applicant shall bear all costs.

507. Service to Adjacent Premises

- (1) Service shall be constructed only to properties adjacent to a main unless the SAO authorizes otherwise.
- (2) Private service pipes shall not be extended from one lot to another without the approval of the SAO.

508. Alteration to Service Pipes

Every person desiring to alter or repair existing service pipes on the municipal roadway shall make application to the SAO in such form as may be prescribed by the SAO and pay all costs to restore the municipal roadway.

509. Water Shut Off Valve

- (1) Each water service pipe shall be provided with an easily accessible water shut off valve within the building served located to allow water service to all the building to be turned off while allowing any circulation pump on the water service pipe to operate.
- (2) Whenever it is deemed necessary by the SAO within the confines of this by-law to discontinue service, the SAO may turn off and have a seal affixed to the water shut off valve in a building. This seal shall not be broken until written permission is obtained from the SAO. No person shall cause, permit, or allow such a seal to be broken or otherwise cause, permit or allow water to be used from the municipal system when water service has been discontinued.

510. Correction to Non-conforming Private Service Pipes

Upon notice to any customer that an existing private service fails to meet the requirements of this by-law and the service pipe specifications of the municipality, the customer shall effect the changes required in the notice.

511. Prevention of Water System Contamination

- (1) No customer or person shall connect, cause to be connected, or allow to remain connected, any piping, fitting, container or appliance, in a manner which, under any circumstances, may allow water, wastewater, or any harmful liquid or substances to enter the municipal water system.
- (2) If a condition is found to exist which in the opinion of the SAO is contrary to (1), the SAO may either:
 - (A) Discontinue water service, or

- (B) Give notice to the customer to correct the fault within 96 hours, or a specified lesser period, and if the customer fails to comply with such notice, the SAO shall proceed to discontinue water service.
- (3) Without limiting the generality of (1), the SAO may allow cross connection control devices to be installed on the customer's piping at the source of potential contamination and/or on the water service pipes, at no cost to the municipality.
- (4) Where, in the opinion of the SAO, a severe hazard exists, water service to a customer shall be provided only on the provision that the customer install on his water service pipe a cross connection control device approved by the SAO in addition to the cross-connection devices installed on the customer's water piping at the source of potential contamination.
- (5) Where premises are supplied by two or more water service pipes and these service pipes are interconnected within the premises, the customer shall install and maintain an automatic check valve of a type approved by the SAO on all private water service pipes in such location so as to prevent back flow from any private service pipes into the municipal water system.
- (6) Where a cross connection control device is required by the SAO, that device shall be tested upon installation, and thereafter annually, or more often if required by the SAO to demonstrate that the device is in good working condition, at no cost to the municipality. The customer shall submit a report in a form approved by the SAO, on any or all tests performed on a device within 30 days of a test.
- (7) Should a customer fail to have a cross connection control device tested, the SAO shall give notice to the customer to have the device tested within 96 hours, or a specified lesser period, and if the customer fails to comply with such notice the SAO shall discontinue water service until the device is tested and approved by the SAO.
- (8) Should a test show that a cross connection control device is not in good working condition, the SAO shall give notice to the customer to make repairs or replace the device within 96 hours, or a specified lesser period, and if the customer fails to comply with such notice the SAO shall discontinue water service until the private plumbing has been inspected and approved by the SAO.

512. Bleeding of Water and Bleeders

- (1) No customer or person shall cause, permit, or allow water to bleed waste without the approval of the SAO.
- (2) The SAO may authorize a customer to bleed water in the event of a failure of a freeze protection device or other failure during a period when repairs are not practical and the water service pipe would otherwise be in danger of freezing.

Such failure shall be documented by a certified electrician or plumber in a form approved by the SAO. The customer shall make repairs and eliminate bleeding as soon as it is practical.

- (3) Where the SAO authorizes a customer to bleed water, the customer shall install and operate a bleeder as specified in the bleeder specifications of the municipality. The bleeder shall be installed on the building side of the water meter and must have a check valve on the water pipe prior to the discharge to the sewer pipe. The bleeder shall be turned off during the summer period when there is no danger of the water service pipe freezing.
- (4) The customer shall register a bleeder with the SAO and inform the SAO when the bleeder has been removed.
- (5) Where the SAO authorizes a customer to bleed water and registers the customer's bleeder, the customer shall be levied a service charge based on the following:
 - (A) During the first year, the average monthly consumption, based upon historical data if available. If historical data is unavailable, standard monthly consumption as outlined in Schedule 8 of this agreement.
 - (8) During the second year, the consumption for the customer as determined in Subsection A plus an additional bleeder quantity specified in Table 2 of Schedule B, and
 - (C) During subsequent periods, the total volume of water consumed at the economic rate.

513. Water Use for Fire Protection

- (1) Any water supplied or made available to fight fires shall not be used for any other purpose. The customer shall be liable to pay for any quantities of water which the SAO estimates to have been used.
- (2) Where water from a metered service is used to fight a fire charge for the appropriate billing period will, at the request of the customer, be adjusted so that the customer does not pay for water so used.
- (3) No person shall allow a continuous flow of water from the municipal piped water system during a fire or fire alarm except for the purpose of extinguishing a fire.

514. Access to Hydrants, Valves and Appurtenances

No person shall in any manner obstruct or impede access to any main, fire hydrant, valve, or other appurtenances on the municipal system. Any cost incurred by the municipality to remove obstructions or impediments shall be borne by the offending party and may be added to the service charge.

515. Mandatory Connection to New Piped System

- (1) Every owner shall connect his premises to piped water and/or mains installed abutting his premises within three years of the time the SAO certifies that the mains are operational.
- (2) After such a three year period, the SAO may discontinue any trucked services to such premises or levy service charges to such premises based on the full cost of any trucked service.

Part 6: Trucked Water Service

601 Scheduled Trucked Services

- (1) The frequency of trucked water delivery service if applicable, provided to specified building types shall be as follows:
 - (A) Water delivery
 - Single family buildings - 2 times per week
 - Other buildings - As determined by the SAO in consultation with the customer.

(2) Notwithstanding (1), the SAO may allow more frequent scheduled trucked water delivery service to buildings if, in the opinion of the SAO, the frequency of trucked service specified in (1) would result in a chronic shortage of water for the customer.

- (3) The SAO shall establish scheduled times for the provision of trucked services to each customer or part of the municipality.
- (4) The municipality shall endeavor to provide scheduled trucked services, weather, roads and vehicle conditions permitting.
- (5) Every customer requiring trucked service at a time other than scheduled time for such customer shall be levied an unscheduled trucked service fee specified in Schedule C in addition to the normal service charge, except when the previous scheduled trucked service was not received through no fault of the customer.

602. Installation of Trucked Service Building Facilities

All trucked service building facilities shall be installed by, and at the cost of the owner and shall remain the property of the owner.

603. Maintenance, Repair & Thawing of Trucked Service Building Facilities

- (1) Every customer shall maintain his trucked service building facilities in proper order and free from leakage or wastage.
- (2) The municipality may, in the case of an emergency, repair any trucked service building facilities and the cost of such repair work shall be levied to the customer.

604. Specification, Design Approval and Inspection

- (1) No trucked service building facilities shall be installed unless it conforms to the requirements in this by-law and the trucked service specifications of the municipality.
- (2) All work of any kind connected with the installation, maintenance, repair, or disconnection of trucked service building facilities shall be under the inspection of the SAO.
- (3) No trucked service building facilities shall be enclosed or covered until it has been inspected and approved by the SAO.

605. Correction to Non-Conforming Trucked Service Building Facilities

Upon notice to any customer that his trucked service building facilities fail to meet the requirements of this by-law, including the Trucked Service Specifications of the municipality, the customer shall effect the changes required in the notice within the time period specified in the notice. If the customer fails to comply with the time specified, the SAO may discontinue service.

606. Number of Services

- (1) No premises shall be supplied with trucked service to more than one water tank except with the approval of the SAO.
- (2) The SAO may allow trucked service to a separate water tank for a self-contained unit on a premises.

607. Access to Trucked Service Building Facilities

- (1) The customer shall maintain, at his own expense, unimpeded access to the water fill point and sewage pump-out point, including the removal of ice, snow, mud, vehicles, pets and yard material.
- (2) Where the water fill point or is not accessible, a notice shall be left at the premises indicating the time and reason trucked service could not be provided and the corrective measures required before trucked service will be resumed.

Part 7: Meters

701. Meter Requirement

- 0
- (1) An approved water meter shall be installed on every water service pipe, unless otherwise provided under this by-law or unless otherwise authorized by the SAO.
 - (2) An approved remote reading device shall be installed for every meter.

702. Supply and Installation of Meters by the Customers

- (1) The customer shall supply and install meters and remote reading devices for water service pipes greater than 20 mm (three quarter inch) in diameter.
- (2) The location and the design of meters, remote reading devices and appurtenances shall be in accordance with the meter specifications of the municipality and shall be approved by the SAO.
- (3) After installation, the ownership and maintenance of every meter and remote reading device approved by the SAO shall become the property and the responsibility of the municipality, subject however to such charges as are in this by-law made payable to any person.

703. Supply and Installation of Meters by the Municipality

The municipality shall supply and install meters and remote reading devices for water service pipes 20 mm (three quarter inch) in diameter or less and the owner shall be levied a meter installation fee specified in Schedule C.

704. Supply and Installation of Meter Setting by the Customer

- (1) Every customer, regardless of the size of the water service pipe shall supply and install a meter setting and meter control valves ahead of and after the meter setting.
- (2) The location and design of the meter setting shall be in accordance with the meter specifications of the municipality and shall be approved by the SAO.
- (3) The meter setting and control valves shall be located as close as is reasonable to the point where the private water service pipe enters the customer's building and easily accessible for reading, repairing, testing, or replacing a meter.

705. Supply and Installation of Remote Reading Device

For new construction, the owner shall supply and install wiring for a remote reading device for each meter to be installed in accordance with the meter specifications of the municipality and approved by the SAO.

706. Supply and Installation of Meter By-Pass

- (1) The Customer shall supply and install a valved bypass for all water service pipes greater than 50 mm (two inch) in diameter and for any other water service during the testing, repairing or replacing of meters.

- (2) The SAO may cause a meter by-pass control valve to be sealed and it shall be unlawful to break any such seal without authorization of the SAO, the customer or occupant of any premises in which any such seal has been broken shall notify the manager within 24 hours.
- (3) Where a seal is broken, the customer shall be liable to pay for the quantity of water which the SAO estimates has been used.

707. Number of Meters

- (1) The SAO shall determine the number of meters that may be installed in any premises.
- (2) Where two or more water service pipes supply one premises or where water service pipes are interconnected, a meter shall be installed on each water service pipe.
- (3) Single-family dwellings and single unit buildings including apartment, commercial, institutional, and industrial buildings, shall have a single meter installed, unless otherwise determined by the SAO.
- (4) Multi-family residential buildings side by side (semi-detached) shall have a meter installed for each unit, unless otherwise determined by the SAO
- (5) Commercial or industrial buildings with multiple side by side units shall have one meter per unit, unless otherwise determined by the SAO. Such meters shall be banked at one location where the service pipe enters the buildings, unless otherwise determined by the SAO.

708. Meter protection

- (1) Where meters are located on private property, the customer shall protect the meter, meter setting, control valves, meter wire and remote reading device from loss or damage from frost and any other causes within his control.
- (2) The customer shall indemnify and pay to the municipality all costs incurred by the municipality to replace lost meters or repair damage to meters, meter wire, or remote reading devices caused by frost or any other causes within the control of the customer.

709. Meter seal

- (1) The SAO may cause a meter to be sealed and it shall be unlawful to break any such seal without authorization of the SAO. The customer or occupant of any

premises in which any such seal has been broken shall notify the SAO within 24 hours.

- (2) Where a seal is broken, the customer shall be liable to pay for the quantity of water which the SAO estimates has been used.

710. Meter Testing

- (1) The municipality may test any meter and will test a meter, on written request by the customer and upon deposit of a meter test fee specified in Schedule C.
- (2) If the inaccuracy of the meter does not exceed 2%, the test fee shall be retained by the municipality to offset the cost of the test. If the inaccuracy exceeds 2%, the test fee shall be returned.
- (3) If the meter is found to be inaccurate by more than 2% the SAO shall estimate the resultant over-charge or undercharge, and settle with the customer accordingly. No such settlement shall extend for a period beyond 6 months prior to the test, and any refund shall be made only to the person who overpaid the service charge.

711. Meter Malfunction

If a meter fails to register or to properly indicate the flow of water the customer shall be liable to pay for the quantity of water which the SAO estimates has been used.

712. Adjustment for Undetected Leaks

- (1) If a meter shows excessive high consumption in comparison to previous readings the SAO may notify the customer.
- (2) When a previous undetected leak is discovered, and where in the opinion of the SAO the customer could not reasonably have been expected to be aware of such leak, the SAO may adjust the service charge based on the average previous consumption, provided, however, that such leak is repaired within 96 hours of the discovery. No such adjustment shall extend for a period beyond three months prior to the discovery of the leak, and any refund shall be made only to the person who paid the service charge.

713. Access to property for meter readings

- (1) Employees of the municipality or their authorized agent shall be admitted to the customer's premises during normal working hours, providing at least 24 hours notice where possible, in order to inspect, test, repair, or read a meter or remote reading device upon such premises. Such employees or authorized agents shall, upon request, show proper identification.

- (2) If access to a meter or remote reading device cannot be obtained, the municipality will leave a notice at the premises indicating the time and corrective measure required and the municipality shall send estimated bills for service charges. If, after two (2) successive reading attempts access is still not afforded, the SAO may levy a meter reading fee for each subsequent attempt to read the meter and discontinue municipal service.

714. Meter Readings

Meters shall be read at intervals as determined by the SAO provided that where practical, meters shall be read at least every three months. If a meter is not or cannot be read for the billing, the SAO shall estimate the water consumption for the purpose of establishing a service charge.

715. Special Meter Readings

- (1) If the occupant or customer of a premises changes, the customer may request a special reading of the meter and the SAO may authorize such special reading.
- (2) Where a customer requests a special reading that does not involve the change of an occupant or customer, a meter reading fee specified in Schedule C shall be levied on the customer.

Part 8: Billing, Collection and Reimbursement

801. Service Charge

- (1) Service charges shall be levied in accordance with the rates specified in Schedule A for various categories of customers and service.
- (2) Unless otherwise provided for in this by-law, service charges shall be calculated:
 - (A) Where an approved meter or truck meter is in use, according to the quantity of water indicated by such meter, or
 - (8) Where no meter is in use, in accordance with the appropriate type of premises, unit of measurement and quantity of water used in Table 1 for trucked service and Table 2 for piped service specified in Schedule 8.
- (3) The quantity of water used shall be expressed in metric units of volume.
- (4) Service charges shall be due and payable monthly.
- (5) The bill for service charges shall state the amount of any rate subsidy provided, the net amount payable and the date payment is due and payable.

802. Payment

- (1) Bills for service charges, fees and all other penalties and charges levied pursuant to this by-law are due and payable no later than 30 days after the date of billing
- (2) Bills are considered to be paid when the payment is received at the municipal office, or at such other place as may be determined by the SAO and specified on the bill.
- (3) Overdue bills shall be subject to the late payment charge specified in Schedule C.
- (4) Liability to pay bills shall not be affected by any defect in the form of bill or non-receipt of a bill.

803. Owner Liable to Pay

The owner of a premises receiving water / sewer services shall be liable for all service charges, fees and all other penalties and charges levied pursuant to this by-law and the municipality may make the balance of any account in arrears over sixty (60) days a charge against the owner.

804. Enforcement of Payment

Enforcement of payment of service charges, fees and all other penalties and charges levied pursuant to this by-law may be by:

- (A) Discontinuance of water / sewer services after ninety (90) days from the date of mailing of the bill, in respect of which payment is in default plus the imposition of a reinstatement fee as specified in Schedule C.
- (B) Action in any court of competent jurisdiction.
- (C) Distress or sale of goods and chattels of the customer in arrears.

Services charges, fees and all other penalties and charges levied pursuant to this by-law shall form a charge on the lands or premises in respect to which water / sewer services are provided, subject to the same penalties and collectable in the same manner as taxes levied by the municipality in the year which the default occurred.

805. Economic Rate

The economic rate per litre for the provision of water / sewer services shall be determined by the municipality based on the blended average cost incurred by the municipality to provide trucked and piped water and piped sewage services to customers, as outlined in Schedule A.

806. Industrial Use of Water

Where, in the opinion of the SAO, water is used for industrial process, the service charge shall be determined at the economic rate.

807. Changes in Use, Occupancy or Property Served

The customer shall notify the SAO in writing of any change in the use, occupancy, site served, or any other matter which may affect the service charges or fees payable under this by-law.

808. Adjustment for Charges for Partial Period

Where any service charges or fee is prescribed by the month or any other period, the amount payable for a partial period shall be calculated by the SAO on a proportional basis, unless otherwise provided in this by-law.

809. Reimbursement for Wastewater Pump Out Charges

Any trucked water customer who receives wastewater pump out services through a third party contractor, shall be reimbursed as outlined in Schedule A.

Part 9: Offenses

901. Offenses

Any customer or person who contravenes any provision or requirement of this by-law is guilty of an offence and upon summary conviction is liable to a fine of not more than five hundred (\$500.00) dollars and, in addition, to a fine of not more than one hundred (\$100.00) dollars for every day the offence continues, and in default of payment, of imprisonment for a term not exceeding thirty (30) days.

Part 10: Administration

1001. Separability

The provisions of this by-law are separable and invalidity of any part of this by-law shall not effect the rest of the by-law.

1002. Repeal

By-law numbers 415,428,433, 558,590,604,617, and 621 are hereby repealed.

1003. Schedules

Schedules attached to the by-law form a part of this by-law.

1004. Effective Date of By-law

This by-law shall become into force and effect after third reading.

Schedule A

Water-Wastewater

Rates

1. Economic Rate: \$0.01200 per litre (\$12.00 per m3)

2. A1) **Residential and Non-Profit Customers**
100% of Consumption at the rate of:
\$0.00425 PER LITRE (\$ 4.25 per m3)

- B) **Commercial Customers**
100% of Consumption at the rate of:
\$0.01200 PER LITRE (\$12.00 per m3)

- C) **Government and Industrial Customers**
100% of Consumption at the rate of:
\$0.01200 PER LITRE (\$12.00 per m3)

3. Bulk Water delivered within the municipal boundaries of the Village of Fort Simpson
\$0.009 per litre (\$9.00 per m3)

4. Bulk Water delivered outside the municipal boundaries of the Village of Fort Simpson
\$0.12 per litre. (\$12.00 per m3)

- The minimum monthly charge for Water/Sewer Services will be \$26.00 per month.

5. No trucked sewage services will be provided.

Wastewater and septic Pump out Rebate

6. **Waste Water Reimbursement for Third Party Pumpout**
The amount of reimbursement will be the total of the actual paid receipts during a calendar year, to a maximum of \$2,000.00.

Schedule B

Unmetered Quantity of Water Use

Table 1.
Unmetered premises receiving unmetered Trucked Water service

TYPE OF PREMISES OF	UNIT MEASUREMENT	QUANTITY WATER USE (LITRES/MONTH)
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Residence		
Non-pressure	Per Residence	1,500
Water conservation	Per Residence	9,000
Single Family	Per Residence	12,000
Row Housing	Per Unit	12,000
Apartment	Per Unit	12,000
Air Terminal Building	Per Washroom	10,000
Business-Retail	Per Washroom	10,000
Church	Per Washroom	10,000
Club or Organization	Per Washroom	10,000
Hospital/Nursing Station	Per Washroom	10,000
Hostel Per Washroom		10,000
Office Per Washroom		10,000
RCMP Station/Office	Per Washroom	10,000
Restaurant	Per Washroom	10,000
School	Per Washroom	10,000
Hotel/Motel	Per Room Without Bath	7,500
Hotel/Motel	Per Room With Bath	10,000
Hotel/Motel	Per Room With Kitchenette	12,000
Laundromat	Per Laundry Machine	30,000

Non-Pressure Residence' means any residence that does not have a pressure water system.

Water Conservation Residence' means any residence with toilets that require no more than three (3) litres of water per use, including bagged sewage toilets.

Per Washroom' means per separate washroom, or where a washroom contains two or more toilets or urinals, for every two toilets or urinals.

Schedule B

Unmetered Quantity of Water Use

**Table 2:
 Unmetered Premises Receiving Unmetered Piped Water Service**

TYPE OF PREMISES	UNIT OF MEASURE WATER USE	QUANTITY OF (LITRES/MONTH)
Residence (Government, Industrial, Commercial)		
Single Family	Per Residence	37,500
Row Housing	Per Unit	37,500
Residence (Private)	Per Residence	25,000
Apartment	Per Unit	30,000
Church	Per Washroom	25,000
Club or Organization	Per Washroom	25,000
Hostel	Per Washroom	25,000
Business-Retail	Per Washroom	25,000
Office	Per Washroom	25,000
RCMP Station/Office	Per Washroom	25,000
Air Terminal Building	Per Washroom	25,000
Hospital/Nursing Station	Per Washroom	25,000
Hotel/Motel	Per Room Without Bath	18,750
Hotel/Motel	Per Room With Bath	25,000
Hotel/Motel	Per Room With Kitchenette	30,000
School	Per Washroom	25,000
Restaurant	Per Washroom	25,000
Laundromat	Per Laundry Machine	30,000
Bleeder	Each	20,000

'Per Washroom' means separate washroom or, where a washroom contains two or more toilets or urinals for every two toilets or urinals.

Schedule C

Fees and Charges

GENERAL FEES:

Application for Service Fee	\$ 300.00
Reinstatement of Service Fee	\$ 50.00
Late Payment Charge	Two Percent (2%) Per Month

TRUCKED SERVICE FEES:

Unscheduled Trucked Service Fee	\$95.00
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MONTHLY ACCESS FEE	\$15
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PIPED SERVICE FEES:

	At Cost
Meter Installation Fee	\$100.00
Meter Test Fee	\$ 25.00
Meter Reading Fee	At Cost
Service Pipe Installation Fee	At Cost
Service Connection Fee	At Cost
Disconnection Fee	At Cost
Reconnection Fee	At Cost

F

WHERE:

'At Cost' is the actual costs incurred in providing a service to a customer.

Schedule D

Bulk Water Permit

Permit Holder: _____
Address: _____
Telephone: _____

I hereby agree that the bulk water purchase is for non-potable use within the municipal boundaries, or for potable or non-potable use outside the municipal boundaries, and will be delivered to the following locations:

Note: Any contravention of this agreement is subject to a Fine as outlined in section 901 of this by-law.

APPLICANT

SENIOR ADMINISTRATIVE OFFICER

DATE