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**WATER & SEWER SERVICES BY-LAW NO. 705**

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**A BY-LAW OF THE TOWN OF FORT SMITH** to provide for the establishment, operation, maintenance, and alteration of a water supply and sewage system and for the levying and collecting of water and sewage service charges;

**PURSUANT TO** the *Cities, Towns and Villages Act, R.S.N.W.T. 1988*, Chapter C-8, Sections 78-84, 89-94, 89-94, and 169 to 187. S.169

**NOW, THEREFORE, THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF FORT SMITH**, in regular sessions duly assembled, enacts as follows:

**PART 1 INTERPRETATION**

SHORT TITLE

101. This By-law may be cited as the Water and Sewer Services By-law.

INTENTION

102. In this By-law, unless a contrary intention appears, words importing the masculine gender include females, and words in the singular include the plural, and words in the plural include the singular.

DEFINITIONS

103. In this By-law, unless the context otherwise requires;

- 1) "Town" shall mean the Town of Fort Smith;
- 2) "Council" shall mean the Council of the Town of Fort Smith;
- 3) "Cross Connection" shall mean any connection or structural arrangement between a public or a customer's potable water system and any nonpotable source or system;

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- 4) "Customer" means any person who has entered into an arrangement with the Town to receive municipal services;
- 5) "Designated " Service Areas" are the Bell Rock Subdivision and Carl's Drive Subdivision;
- 6) "Freeze Protection Device" means a device or system to prevent service pipes from freezing, including, and limited to heat trace tape, which is approved by the Town;
- 7) "Lot lines" or "Property lines" mean the separating lines or limits identified by the location of the legal survey pins;
- 8) "Mains" means a pipe or pipes interconnected to transport water or collect sewage throughout the Town or several premises excluding private service pipes forming part of the municipal system;
- 9) "Municipal System" or "Municipal Service" means the pipe and accessories owned by the Town, either within a municipal road easement, to provide water or collect sewage from private property or premises, and includes the trucked system and piped system unless specifically noting one of either trucked or piped system;
- 10) "Officer" means any person who is appointed in accordance with the Cities, Towns and Villages Act as a By-law Officer to enforce the Bylaws of the Town of Fort Smith, and any Peace Officer who is entitled to enforce the Bylaws of the Town;
- 11) "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;
- 12) "Person" includes a corporation and the heirs, executors, administrators or other legal representative of that person;
- 13) "Potable" means water suitable for drinking;
- 14) "Property" means real property, and includes any buildings thereon;
- 15) "Private Service System" means the pipe and accessories intended to distribute water or collect sewage within private property, and connected to the municipal system or main;
- 16) "Public Piped Service" means water supply or sewage collection provided throughout the Town's mains and service pipes;
- 17) "Residential Customer" includes customers for a place of residence, private homes and rental accommodations;
- 18) "Senior Administrative Officer" shall mean the Senior Administrative Officer or his designate.

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- 19) "Schedule" means a schedule attached to and forming part of this by-law, except as otherwise provided;
- 20) "Self-Contained Unit" means a unit having separate plumbing, heating, entrance, and the like;
- 21) "Service Pipe" means the pipe intended to carry water or collect sewage from or to the main onto or across private property that includes a private service pipe and a municipal service pipe;
- 22) "To Discontinue Service" means to stop providing trucked water service and/or to turn off piped water service for a building or a property;
- 23) "To Establish Service" means to become a customer of the Town by entering into an arrangement to receive municipal service from the town;
- 24) "To Terminate Service" means to terminate the arrangement between the customer and the Town to receive municipal services from the Town, and may include to discontinue service, to disconnect or remove a municipal service pipe in whole or in part, and a final water meter reading;
- 25) "Trucked Service" means water delivery and/or sewage pump-out collection service provided using vehicles by or on behalf of the Town;
- 26) "Trucked Service Building Facilities" means a water storage tank and related accessories installed within a premise to receive trucked service from the Town;
- 27) "Wastage" means to lose, decrease, destroy, damage, use or consume extravagantly, inefficiently, or improvidently, for no purpose or inadequate objective or result.

**PART 2 GENERAL PROVISIONS**

**AUTHORITY TO PROVIDE MUNICIPAL SERVICES**

- 201. No person, except those authorized by Council, shall directly or indirectly engage in the provision of municipal services within the Town.

**AUTHORITY AND DUTIES OF SENIOR ADMINISTRATIVE OFFICER**

- 202. 1) The Senior Administrative Officer is authorized and directed to:
  - a) supervise, control and administer the provision of municipal services and the municipal system, and do all things necessary to fulfill his responsibilities and duties under this By-Law; and
  - b) control all construction, operations and maintenance related to the provision of municipal services; and

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- c) perform all acts that may be necessary for the efficient management, operation and protection of the municipal system; and
  - d) administer and enforce this By-Law.
- 2) The Senior Administrative Officer may, subject to subsection (4), prescribe:
- a) orders, and
  - b) specifications for:
    - i) Private Service Pipes
    - ii) Meters
    - iii) Freeze Protection device
    - iv) Sewage Discharge
    - vii) Trucked Service, and
    - viii) Other specifications necessary to carry out the provisions of this By-Law.
- 3) No person or customer shall fail to comply with such orders and specifications.
- 4) The Senior Administrative Officer may, subject to subsection (5), prescribe forms for:
- a) Application for Permit to use Town Water and Sewer Piped Services (W/S-1).
  - b) Application for Permit to Receive Town Water and Sewer Trucked Services (W/S-2)
  - d) Connection or disconnection
    - i) Moving Out Form (W/S-3)
    - ii) Application for Permit to Connect or Disconnect (W/S-4)
  - d) Registration of Non-Domestic Use (W/S-5)
  - e) Cross Connection and Backflow Prevention Tag (W/S-9)
- 5) All orders, specifications and forms prescribed by the Senior Administrative Officer shall be available for public inspection during regular Town business hours.

**FINANCING AND ACCOUNTING**

- 203
- 1) The Town will establish a Utility Fund separate from the General Revenue Fund of the Town. All financing and accounting respecting the Municipal System will be done in the Utility Fund.
  - 2) All costs for the provision of municipal services shall be financed through service charges and fees, as well as loans, grants, subsidies or other funding provided to the Town by the Government of the Northwest Territories or others.
  - 3) All monies collected for municipal services shall only be used to provide municipal services to customers including operation, maintenance, extension, repair, capital improvement and administration of the municipal system.
  - 4) All monies collected for the provision of municipal services shall be separately accounted for and disbursed by action of the Council and in accordance with an Annual Budget approved by Council.

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- 5) The Town will establish a Water Sewer Reserve account in accordance with a policy approved by Council. This Fund will be accounted for within the Utility Fund.

SERVICE AREA

204. 1) The Town may provide municipal services to properties in a designated service area, as established by the Senior Administrative Officer within the municipal boundaries of the Town.
- 2) The Town may provide municipal services, including bulk water supply and sewage disposal, to or for areas outside the Town, and will only be provided when such services will not impede the provisions of municipal services to customers within the Town.

DESCRIPTION OF SERVICES

205. 1) The Town shall furnish water supply for domestic, fire protection, municipal, and industrial purposes.
- 2) Notwithstanding subsection (1), when, in the opinion of the Senior Administrative Officer, the water supply for domestic and fire protection purposes is impaired, the Senior Administrative Officer may:
  - a) regulate the use of water supply; or
  - b) restrict or terminate the supply of water for municipal or industrial purposes.
- 3) The Town shall make every effort to provide safe, continuous and efficient municipal services. The Town shall not be liable for damages, including business losses:
  - a) caused by the break of any water pipe, sewer pipe, or the break of any ditch; or
  - b) caused by water delivered or sewage collected through the owner's or customer's facilities; or
  - c) caused by the interference or cessation of municipal services in connection with the repair, expansion, replacement, or proper operation and maintenance of the municipal system; or
  - d) caused by any increase or decrease in pressure in a water pipe; or
  - e) caused by the water supply containing sediments, deposits or other foreign matter; or
  - f) caused by the improper operation of the freeze protection devices; or
  - g) generally for any accident due to the operation of the municipal system, unless such action has been shown to be directly due to the negligence of the Town or its employees.

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- 4) Every person or customer requiring special municipal services, including continuous and uninterrupted municipal services, constant pressure of water, or particularly clear or pure water, shall at no cost or liability to the Town, provide such storage, treatment or other means for such special municipal services.

**AUTHORITY TO CEASE OR RESTRICT SERVICE**

206. 1) The Senior Administrative Officer may, without notice, cease or restrict municipal services to any customer or part of the Town if, in the opinion of the Senior Administrative Officer, an emergency makes such action necessary.
- 2) The Senior Administrative Officer may, in a non emergency situation, including scheduled repairs or alterations to the municipal system, cease or restrict municipal services to any customer or part of the Town, provided the Senior Administrative Officer shall, when it is practical to do so, provide public notice of such intended cessation or restriction of municipal services to all affected customers.
- 3) When the Senior Administrative Officer deems that a water shortage warrants, the Senior Administrative Officer may issue orders to impose, change or revoke restrictions upon the use of water, including uses at specified times of days, to a specified class of customer, or parts of the Town, provided the Senior Administrative Officer shall provide public notice of such intended restriction.
- 4) Failure to obey an order issued under subsection (3) is an offence.
- 5) Where public notice regarding the imposition, change or revocation of restrictions on water use as required to be given under this section, notice must be given to the general public according to subsection 207 (3) of this By-Law.
- 6) The Senior Administrative Officer may discontinue service for any of the following:
  - a) failure to establish services;
  - b) fraud in establishing service;
  - c) nonpayment of charges or fees levied pursuant to this By-Law.
  - d) failure to provide a deposit, if required;
  - e) failure to provide free access; or
  - f) contravention of any other section of this by-law until such time as there is no contravention of this By-Law and any outstanding service charges and fees are paid to the Town.
- 7) When service is discontinued, neither the Town, its employees, nor any municipal officials shall be liable for any costs or damages resulting from the discontinuance of service.
- 8) Where the Senior Administrative Officer authorizes service to be discontinued under subsection (6), the Senior Administrative Officer may, when in the opinion of the Senior Administrative Officer it is practical to do so, give notice prior to service being discontinued, indicating:

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- a) the infraction,
- b) the remedy,
- c) the date that service will be discontinued unless remedy is made.

**NOTIFICATION**

207. 1) Notice from the Town to a customer or owner 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 of the customer or owner.
- 2) Notice to the Town shall be made in writing to the Town, except that notice of complaint may be made by telephone or in person.
- 3) Public notice must be given to the general public in any one or more of the following ways:
- a) by inserting the notice at least once in a newspaper circulating in the municipality;
  - b) by mailing or delivering a copy of the notice to each voter in the municipality;
  - c) by causing announcements to be made on a radio or television station received in the municipality on at least three separate days; or
  - d) by posting a notice in at least five widely separated and conspicuous places in the municipality.

**TAMPERING**

208. 1) No person or customer shall tamper or interfere with any part of the municipal system, except as authorized by the Senior Administrative Officer.
- 2) No person or customer shall connect to or operate any pipe, valve, meter, hydrant, or any other part of the municipal system, except as authorized by the Senior Administrative Officer.
- 3) Any person or customer who damages, or causes to be damaged, any part of the municipal system, shall be liable for the cost of such damage.

**WORK DONE BY THE TOWN**

209. 1) The charge for work done by the Town will be "at cost", and shall include the direct and indirect amount expended by the Town for wages and benefits, support facilities and equipment, materials, equipment rental, contracts, administration charges, and any other expenditures incurred in doing the work.

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- 2) Where the Senior Administrative Officer requires a deposit, based on the estimated cost of work, to be paid by the applicant prior to the commencement of work done "at cost" by the Town, any additional cost shall be paid to the Town, and any surplus shall be refunded to the applicant.

**PART 3 ESTABLISH AND TERMINATE SERVICE**

TO ESTABLISH SERVICE

301. 1) Subject to subsection (2), every person requiring to establish service, shall submit to the Senior Administrative Officer either:
- a) "Application for Permit to use Town Water and Sewer Piped Services" form W/S-1, or
  - b) "Application for Permit to Receive Town Water and Sewer Trucked Services" form W/S-2, or
  - c) "Application for Permit to Connect or Disconnect" form W/S-4, and pay the applicable fees.
- 2) Where premises are occupied by a tenant or lessee, the Senior Administrative Officer may require that the application for service be submitted by the owner of the premises.

CONTENT OF APPLICATION FOR SERVICE

302. The "Application for Permit to use Town Water and Sewer Piped Services" form W/S-1 or "Application for Permit to Receive Town Water and Sewer Trucked Services" form W/S-2, shall include, but may not be limited to 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) category of customer and rate requested,
  - h) agreement to abide by and accept all the provisions of this by-law, and
  - i) any other information in such detail and form the Senior Administrative Officer deems appropriate.

DEPOSIT

303. 1) As a condition of providing service to individual customers, a meter deposit shall be required as follows:
- a) for a single family residential customer, an amount as provided for in Schedule "A";

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- b) for all other accounts the actual replacement cost of the meter;
  - c) the meter deposit shall be held in trust by the Town until such time as the water sewer account is closed;
  - d) no interest will be paid on the deposit when the deposit is refunded. All interest earned from meter deposits will be credited back to the Utility Fund.
- 2) As a condition of reconnecting services after discontinuance of service due to non payment of a water sewer account, the Senior Administrative Officer may require a deposit from the applicant provided that:
- a) the amount of the deposit shall be determined by the Senior Administrative Officer, based on the expected average monthly charge for two months;
  - b) subject to subsection (c), 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 limit allowed;
  - c) the deposit, less the amount of any unpaid balance due to the Town, shall be refunded upon termination of service; and
  - d) no interest will be paid on the deposit when the deposit is refunded. All interest earned will be credited back to the Utility Fund.

**TEMPORARY SERVICE**

304. 1) Subject to subsection (2), every person requiring to establish temporary service for construction or any other purpose shall:
- a) submit either an "Application for Permit to use Town Water and Sewer Piped Services" form W/S-1, or "Application for Permit to Received Town Water and Sewer Trucked Service" form W/S-2, or "Application for Permit to Connect or Disconnect" form W/S-4, to the Senior Administrative Officer, stating the expected duration service is requested;
  - b) pay the applicable service fees and any other appropriate fees; and
  - c) prior to the initiation of service, pay a deposit determined by the Senior Administrative Officer based on the estimated service charge during the period of temporary service. Any additional cost to be paid to the Town, and any surplus to be refunded to the applicant.
- 2) The Senior Administrative Officer may require that the application for service be submitted by the owner of the premises.
- 3) The service rate for temporary service shall be based on the category of the customer.
- 4) The Senior Administrative Officer may require an applicant for temporary piped water service to install an approved meter setting and/or meter.
- 5) The service charge for temporary piped water service shall be determined:

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- a) according to meter readings, if approved meter is installed, or
- b) where no meter is installed, based on an estimate by the Senior Administrative Officer of the quantity of water used.

**APPLICATION TO TERMINATE SERVICE**

- 305.
- 1) In order to terminate service, the customer shall submit to the Senior Administrative Officer either a "Moving Out" form W/S-3, or "Application to Connect or Disconnect" form W/s-4, stating the date the applicant desires to terminate service, and any other information, and in such form as may be prescribed by the Senior Administrative Officer
  - 2) All applications to terminate service must allow a minimum of five working days prior to the date the order is to become operative.
  - 3) The Town may continue to levy service charges in accordance with this By-Law until the Town terminates service.
  - 4) The owner of any structure or building which is: not fit to be occupied, planned to be demolished, or is otherwise abandoned, is responsible for application to the Town and after approval for disconnection of services.

**PART 4 RESPONSIBILITIES OF THE CUSTOMER**

**USE OF WATER**

- 401.
- 1) No person or customer shall willfully waste water or allow the continuous unattended flow of water without written permission from the Senior Administrative Officer
  - 2) No person or customer shall re-sell or convey water beyond the property served without written permission from the Senior Administrative Officer.
  - 3) Where the unauthorized wastage, continuous flow, or improper use of water occurs, the Senior Administrative Officer may issue an order to the customer to stop such wastage or improper use of water within the forty eight (48) hours or lesser time as may be specified in the notice.
  - 4) If the customer fails to comply with the order under subsection (3), the Senior Administrative Officer may discontinue service.
  - 5) Failure to comply with an order under subsection (3) is an offence.

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#### PREVENTION OF CONTAMINATION

402. No person or customer shall do anything that may allow water, sewage, or any harmful matter to enter the municipal potable water system. The Senior Administrative Officer may discontinue service to any customer contravening the provisions of this section, and shall be considered an offence under this By-Law.

#### PREVENTION OF DISCHARGE OF HARMFUL MATTER

403. 1) No person or customer shall discharge or deposit, or cause or permit the discharge into a municipal sewer pipe, private sewer service pipe, or private sewage tank, matter of any type or at any temperature, or in any quantity which may be or become harmful to any part of the municipal services system, or which may impair or interfere with the proper operation of any waste water works or treatment process.
- 2) Subject to Section 202, the Senior Administrative Officer may prescribe specifications to restrict or prohibit the discharge or deposit of any matter into a municipal sewer pipe, private sewer service pipe, or private sewage tank.
- 3) No person or customer shall directly or indirectly discharge any trade, industrial or manufacturing waste, or any unacceptable waste, into a municipal sewer pipe, private sewer service pipe, or private sewage tank, without such previous treatment works as the Senior Administrative Officer may order to be installed and operated by the customer.
- 4) Grease, oil or sand interceptors of sufficient size and approved design shall be installed on the building sewer pipes from every hotel, restaurant, laundry, garage and such other places as the Senior Administrative Officer may order.
- 5) No person or customer shall discharge or deposit, or cause or permit the discharge or deposit of, rainwater or ground water into a municipal sewer pipe, private sewer service pipe, or private sewage tank, except as authorized by the Senior Administrative Officer.
- 6) Failure to comply with any provisions of this section shall be considered an offence.

#### INSPECTION

404. An authorized agent or employee of the Town, who presents, if so requested, proper identification, as determined by the Senior Administrative Officer:
- a) shall be admitted to properties during the regular Town business hours, and;
  - b) may inspect any part of the property, expose and perform tests on any piping, fixtures or appliances being the property of the owner, the occupant, or the Town, to determine compliance with this By-Law.

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PRIVATE FACILITIES

405. 1) All private facilities, including plumbing, appliances, accessories, service pipes, and water and sewage tanks, shall comply with the most recent National Building Codes, National Plumbing Codes, Public Health Act, Town of Fort Smith's servicing standards and other municipal by-laws; provided always that, where any provisions in such a Code conflicts with any provisions of this By-Law, this By-Law shall prevail.
- 2) Every owner shall maintain his private facilities in proper order and free from leakage or wastage at his own expense.
- 3) Subject to sections 206 and 207 of this by-law, the Senior Administrative Officer may discontinue service to any property where unsanitary conditions, defective fixtures, leakage or wastage, or misuse may affect the safe and proper operation of the municipal system.
- 4) Subject to subsection (5), municipal services shall not be provided to premises in which the private facilities do not meet the provisions and specifications of this By-Law.
- 5) Municipal services may be provided during construction.

ABATEMENT OF NOISES AND PRESSURE SURGES

406. No apparatus, fitting or fixture shall be connected, allowed to be connected, or operated in a manner which will cause noises, pressure surges, water hammer or other disturbances, which may, in the opinion of the Senior Administrative Officer, result in annoyance to other persons or customers, damage to their water systems, or damage to the municipal system. The Senior Administrative Officer may discontinue service to any customer contravening the provisions of this section.

FREEZE PROTECTION

407. 1) The owner or occupant where required shall, at his expense, submit a "Registration of Freeze Protection Device" form W/S-6, and provide for the proper operation and maintenance of freeze protection devices according to the provisions, schedule, and specifications of this By-Law.
- 2) The owner or occupant shall be liable for any damage which may result from the improper or negligent operation and maintenance of the freeze protection device.
- 3) During the normal heating season, the owner or occupant shall ensure that, if he is away from his premises, that a competent person maintains the freeze protection device, and ensures that the water supply and sewer do not freeze.

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- 4) Should a homeowner's freeze protection device fail, the homeowner is responsible for all thawing costs or repairs from the home to the main.

**PART 5 PIPED WATER AND SEWAGE SERVICE**

**INSTALLATION OF SERVICE PIPES**

501. 1) Every owner requiring to install a service pipe
  - a) on a road, or
  - b) within an easement,shall submit to the Senior Administrative Officer an application in such form as may be prescribed by the Senior Administrative Officer.
- 2) Where an application is made under subsection (1), no work shall commence until the application has been approved by the Senior Administrative Officer.
- 3) Every service pipe within a property shall be installed at the cost of the owner of the property to be served.
- 4) Every service pipe from the main to the property line shall be installed by the Town, or its agent, and the owner of the property served shall be levied a fee to recover the Town's costs.
- 5) Every owner requiring a service pipe from the main to the property line shall submit to the Senior Administrative Officer an "Application for Permit to Connect or Disconnect" form W/S-4.
- 6) Where an application is made under subsection (5), no work shall commence until the application has been approved by the Senior Administrative Officer and the fees to recover the Town's costs have been paid.

**INSTALLATION OF SERVICE PIPE CONNECTIONS**

502. 1) Every service pipe connection to the main shall be done only by the Town or its agent.
- 2) The cost of the service pipe connection to the main shall be levied on the owner of the property served.

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**SPECIFICATIONS, DESIGN APPROVAL AND INSPECTION OF SERVICE PIPE**

503. 1) No service pipe shall be installed except in accordance with this By-Law and specifications.
- 2) Design plans for service pipes, 1-1/2 inches or 38 millimetres or less shall be:
- a) certified by a Journeyman Plumber, or Professional Engineer
  - b) submitted to the Senior Administrative Officer, and
  - c) approved prior to the commencement of construction
  - d) all water service pipe 2-1/2 inches or less from the curb valve to the water shut-off valve, shall be continuous copper piping with no joints or fitting
- 3) Design plans for service pipes, greater than 1-1/2 inches or 38 millimetres shall be:
- a) certified by a Professional Engineer, and
  - b) submitted to the Senior Administrative Officer, and
  - c) approved prior to the commencement of construction.
- 4) Two sets of "as built" plans shall be provided to the Senior Administrative Officer within sixty (60) days of completion of service pipes.
- 5) No service pipe shall be enclosed, covered or backfilled until the work has been inspected and approved by the Senior Administrative Officer.
- 6) All installation, maintenance, repair and disconnection work on service pipes shall be subject to the inspection and approval of the Senior Administrative Officer.

**OWNERSHIP OF SERVICE PIPES**

504. 1) Every below ground service pipe on private property shall remain the property of the property owner, and he shall be responsible for its maintenance.
- 2) After completion of construction, the ownership and maintenance of all below-ground service pipes and accessories on municipal roads from below-ground main to the property line or boundary of an easement, shall become the property and the responsibility of the Town, subject, however, to such charges as are in this By-Law made payable by any person.
- 3) Every owner shall establish and maintain the survey pins used to identify lot and property lines as and when required by the Town.
- 4) The curb valve is the property of the Town.
- 5) The Town of Fort Smith has the right to enter into or on any property within the municipality for the purpose of making any inspection, repair or disconnection with respect to the Water & Sewer Services bylaw.

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**MAINTENANCE OF PRIVATE SERVICE PIPES**

505. Every owner shall maintain his private service pipes, fittings, meter supports and fixtures in proper order, and free from leakage or wastage, at his own expense.

**REPAIR OF PRIVATE SERVICE PIPES**

506. 1) Should a frozen service pipe, leakage or wastage occur, the Senior Administrative Officer may give notice to the owner to effect the necessary repairs or replacement within forty-eight (48) hours, or such lesser period as may be specified in the notice.
- 2) If the owner fails to comply with such notice within the time specified, the Senior Administrative Officer may either:
- a) have the water service pipe turned off until the repairs or replacement have been done; or
  - b) in the case of unmetered service, have a meter installed; or
  - c) have the necessary work done, and any cost incurred shall be levied on the owner.
- 3) Failure to comply with any provisions of this section shall be an offence.

**INVESTIGATION OF SERVICE PIPE**

507. 1) Every owner requesting an investigation into a failure or interruption in service to his premises shall deposit with the Town the estimated cost of such investigation as determined by the Senior Administrative Officer.
- 2) Where it is determined by the Town, that the Town is the cause of the failure or interruption in service, then the deposit shall be returned.
- 3) Where it is determined by the Town, that the Town is not the cause of the failure or interruption in service, the expense incurred by the Town on an "at cost" basis in accordance with Section 209 shall be levied on the owner, and the amount of any deposit shall be applied against that expense.

**THAWING SERVICE PIPES WITH ELECTRICAL EQUIPMENT**

508. 1) No person or customer shall use electrical welding equipment to thaw water service pipe.
- 2) The Town shall not be liable for any damage or injury resulting from the use of equipment to thaw a water service pipe.

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REMOVAL, RELOCATION OR REPLACEMENT OF FACILITIES

509. 1) Subject to subsection (2), all costs of any approved removal, relocation or any other change in the municipal system requested by an owner, shall be payable by the owner making the request.
- 2) Where an owner has replaced his below-ground private service pipe, and requests the replacement of the municipal service pipe, the Senior Administrative Officer, with a minimum of twenty-four (24) hours notice, may authorize the installation of a replacement municipal service pipe equal in size to, or in the standard size for the capacity and use of the original installation, at no cost to the owner, if the Senior Administrative Officer is satisfied that the municipal service pipe is leaking or in danger of failure.

SIZE AND NUMBER OF SERVICE PIPES

510. 1) Subject to subsection (3), no property shall be supplied with more than one water service, including a water supply pipe and one sewer service pipe.
- 2) Subject to subsection (3), a separate water service pipe and a separate sewer service pipe shall be installed:
- a) for each property adjacent to a main;
  - b) for each unit of a semi detached duplex.
- 3) The Senior Administrative Officer may determine, specify and approve:
- a) the number,
  - b) the nature,
  - c) the size, and
  - d) the location
- of service pipes to be installed for any property.

SERVICE TO ADJACENT PROPERTIES

511. 1) Service pipes shall be constructed only to properties adjacent to a main, unless the Senior Administrative Officer authorizes otherwise.
- 2) Private service pipes shall not be extended from one lot to another.

WATER SHUT OFF VALVE

512. 1) A water service pipe shall be provided with an easily accessible, sealable water shut-off valve on the premises served, so located within the building plumbing system to allow water service to all of the building to be turned off while allowing.

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- 2) Where service is to be discontinued pursuant to this By-Law, the Senior Administrative Officer, or other authorized agent of the Town, may discontinue service either: by turning off and affixing a seal to the water shut-off valve, or by removing the water meter on the premises to which service is to be discontinued.
- 3) Where a seal has been affixed in accordance with subsection (2), no person, other than the Senior Administrative Officer or other authorized agent of the Town, shall cause or allow the seal to be broken without the prior written approval of the Senior Administrative Officer.
- 4) Failure to comply with the provisions of this section is an offence.

**CORRECTION TO NON-CONFORMING PRIVATE SERVICE PIPES**

- 513.
- 1) Where, in the opinion of the Senior Administrative Officer, an existing private service pipe is being operated in contravention of this By-Law, including the service pipe specifications, the Senior Administrative Officer shall issue an order to the owner of the private service pipe:
    - a) specifying the manner in which the owner is contravening the By-Law;
    - b) directing the owner to comply with the By-Law;
    - c) specifying the actions to be performed by the owner to comply with the By-Law, and
    - d) notifying the owner of the time and date by which such action is required to be taken.
  - 2) Failure to comply with an order issued under subsection (1) is an offence.

**PREVENTION OF WATER SYSTEM CONTAMINATION**

- 514.
- 1) No person or customer 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, waste water, or any harmful liquid or substance to enter the municipal water system.
  - 2) If a condition is found to exist which, in the opinion of the Senior Administrative Officer, is contrary to subsection (1), the Senior Administrative Officer may either:
    - a) discontinue service, or
    - b) issue an order to correct the fault within forty-eight (48) hours, or a specified lesser period, and if the customer fails to comply with such notice, the Senior Administrative Officer shall proceed to discontinue service.

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- 3) Without limiting the generality of subsection (1), the Senior Administrative Officer may allow cross connection control devices to be installed on the water piping at the source of potential contamination, at no cost to the Town.
- 4) Where, in the opinion of the Senior Administrative Officer, a severe hazard exists, water service to a customer shall be provided only on the condition that the customer install on his water service pipe a cross-connection control device approved by the Senior Administrative Officer in addition to the cross-connection control devices installed on the customer's water piping at the source of potential contamination.
- 5) Where the property is supplied by two or more water service pipes, these service pipes are not to be interconnected within the property without the approval of the Senior Administrative Officer.
- 6) Where it has been determined that a cross-connection control device is required, that device shall be tested upon installation, and thereafter annually, or more often if required by the Senior Administrative Officer, by the personnel approved by the Senior Administrative Officer, to demonstrate that the device is in good working condition, at no cost to the Town. The customer shall submit a report, in a form approved by the Senior Administrative Officer, on any or all tests performed on a device within thirty (30) days of a test.
- 7) A "Cross-Connection and Back Flow Prevention Tag" form W/S-10 issued by the Town, shall be displayed on or adjacent to the cross-connection control device on which the tester shall record the name and address of the owner of the device, the location, type, manufacturer, serial number, and the size of the device; and the test date, the tester's initials, the tester's name and/or the employer's name, and the tester's Journeyman's licence number from the license issued by the Government of the Northwest Territories. The Town may recover all costs of issuing the tag.
- 8) Should a customer fail to have a cross-connection control device tested, the Senior Administrative Officer shall issue an order to the customer to have the device tested within forty-eight (48) hours, or a specified lesser period, and if the customer fails to comply with such notice, the Senior Administrative Officer shall discontinue service until the device is tested and approved by the Senior Administrative Officer.
- 9) Where a customer fails to comply with such an order issued under subsection (8), the Senior Administrative Officer shall discontinue service.
- 10) Should a test show that a cross-connection control device is not in good working condition, the Senior Administrative Officer shall issue an order to the customer to make repairs or replace the device within forty-eight (48) hours, or a specified lesser period, and
- 11) Where a customer fails to comply with such an order issued under subsection (10), the Senior Administrative Officer shall discontinue service until the private plumbing has been inspected and approved by the Senior Administrative Officer.

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- 12) Failure to comply with an order issued under this section is an offence.

**WATER USE FOR FIRE PROTECTION**

515. 1) Where water is supplied or made available for the purpose of fighting fires, no person shall use such water, or cause or allow such water to be used for any purpose other than fighting a fire.
- 2) Where water supplied or made available for the purpose of fighting fires, is used for purposes other than fighting a fire, the customer at the premises to which the water was supplied shall be charged for the cost of the water estimated by the Senior Administrative Officer to have been used other than fighting a fire.
- 3) Where water from a metered service is used to fight a fire, charges for the appropriate billing period may, at the request of the customer, be adjusted so that the customer does not pay for water so used.
- 4) No person or customer 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.
- 5) No person shall use water from a fire hydrant on the municipal system for any purpose other than to fight a fire, without the approval of the Senior Administrative Officer.

**ACCESS TO HYDRANTS, VALVES AND ACCESSORIES**

516. No person shall, in any manner, obstruct or impede the free access to any main, fire hydrant, valve or other accessories on the municipal system.

**MANDATORY CONNECTION TO PIPED SYSTEM**

517. 1) Every owner shall connect his premises to piped water and/or sewer mains installed abutting his premises within two (2) years of the time the Senior Administrative Officer certifies that the mains are operational and issues an order to connect to the mains.
- 2) The Senior Administrative Officer shall notify every owner that has not connected to the mains nine (9) months before the end of the two (2) year period.
- 3) After such a two (2) year period, the Senior Administrative Officer may discontinue trucked water service to such premises, or levy service charges to such premises based on the full cost of any trucked service.

**PART 6 TRUCKED WATER AND SEWER SERVICE**

SCHEDULED TRUCKED SERVICE

601. 1) The Senior Administrative Officer shall establish times for the provision of trucked service to each customer or part of the Town.
- 2) The Town shall endeavour to provide scheduled trucked service, weather, roads, and vehicle conditions permitting.
- 3) Every customer requesting trucked service at a time other than the normal working hours, shall be levied a fee to recover the Town's costs, in addition to the normal service charge, except when the previous scheduled trucked service was not received through no fault of the customer.

INSTALLATION OF TRUCKED SERVICE BUILDING FACILITIES

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

MAINTENANCE, REPAIR AND THAWING OF TRUCKED SERVICE BUILDING FACILITIES

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

SPECIFICATIONS, DESIGN APPROVAL AND INSPECTION OF TRUCKED SERVICE BUILDING FACILITIES

604. 1) No trucked service building facilities shall be installed except in accordance with this By-Law, and the Trucked Water Service Standards in the specifications.
- 2) Design plans for trucked service building facilities, which have four (4) or more water closets, showers, or other high volume fixtures shall be:
- a) certified by a Professional Engineer, and
  - b) submitted to the Senior Administrative Officer, and
  - c) approved prior to the commencement of construction.
- 3) Two sets of "as built" plans shall be provided when required by the Senior Administrative Officer within sixty (60) days of completion of trucked service building facilities.
- 4) No trucked service building facilities shall be enclosed, covered and backfilled until the work has been inspected and approved by the Senior Administrative Officer.

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- 5) All installation, maintenance, repair and disconnection of trucked service building facilities shall be subject to the inspection and approval of the Senior Administrative Officer.
- 6) All buried tanks shall be anchored to concrete pads to prevent floating to the surface.

**CORRECTION TO NON-CONFORMING TRUCKED SERVICE BUILDING FACILITIES**

605. Where, in the opinion of the Senior Administrative Officer, existing trucked service building facilities are being operated in contravention of this By-Law, including the Trucked Service Water Standards in the specifications, Section A-3 of Specifications A, the Senior Administrative Officer shall issue an order to the owner of the trucked service building facilities:

- a) specifying the manner in which the owner is contravening the By-Law, and
- b) directing the owner to comply with the By-Law, and
- c) specifying the actions to be performed by the owner to comply with the By-Law, and
- d) notifying the owner of the time and date by which such action is required to be taken.

If corrections are not completed in the time specified, service can be discontinued by the Senior Administrative Officer.

**NUMBER OF TRUCKED SERVICE BUILDING FACILITIES**

606. 1) No premises shall be supplied with trucked service to more than one water tank and one sewage tank, except upon submission of the plans for the approval of the Senior Administrative Officer.
- 2) The Senior Administrative Officer may allow trucked service to a separate water tank or sewage tank for self-contained units on the same property.

**ACCESS TO TRUCKED SERVICE BUILDING FACILITIES**

607. 1) The customer shall maintain, at his own expense, unimpeded access to the water fill point and sewage pump out point, which shall terminate within two (2) meters of a public roadway or driveway, including the removal of ice, snow, mud, vehicles, pets and yard material.
- 2) Where the water fill point or sewage pump-out point are not accessible, the Senior Administrative Officer shall cause a notice to be left at the premises and the offices of the Town, indicating the time and reason trucked service could not be provided and the corrective measures required before trucked service will be resumed.

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- 3) Failure to allow or maintain access shall, in addition to the discontinuance of service, cause the owner to be levied the cost of one direct return trip by the Town or its contractor.
- 4) Failure of any containers shall, in addition to the immediate discontinuance of service, cause the owner or occupant to be levied the cost of clean up and one direct return trip by the contractor for the Town, and is an offence under this By-Law.

**PART 7 METERS**

**METER REQUIREMENT**

701. Subject to this by-law, an approved water meter with an approved remote reading device shall be installed on every water service pipe, unless otherwise authorized by the Senior Administrative Officer

**SUPPLY AND INSTALLATION OF METERS BY THE OWNER**

702. 1) The Town shall supply and install meters, remote reading devices and accessories for water service pipes 3/4 inch or 20 millimetres in diameter or greater at the cost of the owner.
- 2) The location and the design of meters, remote reading devices and accessories shall be in accordance with the specifications of the Town, and shall be approved by the Senior Administrative Officer.
- 3) Every meter, remote reading device, and accessories installed in accordance with this section shall become the property of the Town, which shall, subject to Section 708, be responsible for its maintenance.
- 4) Nothing in this section shall be construed as to relieve the owner or customer of the obligation to pay any charges or fees required by this By-Law.
- 5) Truck water customers can install a water meter at their own cost, if they wish, however billing will be as recorded by the truck delivery meter.

**SUPPLY OF METERS BY THE TOWN**

703. The Town shall supply meters and remote reading devices for water service pipes less than 3/4 inch or 20 millimetres in diameter, and the owner shall be levied a fee, as per section 303, to recover the Town's costs at the time the meter is picked up by the owner from the Town, and prior to the final inspection.

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**SUPPLY AND INSTALLATION OF METER SETTING BY THE OWNER**

704. 1) Every owner, regardless of the size of the water service pipe, shall supply and install a horizontal meter setting and control valves immediately ahead of the meter setting, or obtain prior written approval of modifications from the Senior Administrative Officer.
- 2) The location and design of the meter setting and control valves shall be approved by the Senior Administrative Officer.
- 3) The meter setting and control valves shall be positioned as close as is practical to the point where the private water service pipe enters the building and positioned for easy access to read, repair, test or replace a meter.

**SUPPLY AND INSTALLATION OF WIRING FOR REMOTE READING DEVICE BY OWNER**

705. Every owner, regardless of the size of the water service pipe, shall supply and install wiring in its own conduit, for a remote reading device, for each meter to be installed, in accordance with the specifications, and approved by the Senior Administrative Officer.

**SUPPLY, INSTALLATION AND SEALING OF METER BYPASS**

706. 1) The owner shall supply and install a meter bypass with a sealable control valve for all water service pipes:
- a) having a diameter greater than 50 millimetres (two inches),
  - b) of any size, where the owner requires continuous service during the testing repairing or replacing of meters.
- 2) The Senior Administrative Officer may cause a seal to be affixed to any meter bypass control valve.
- 3) Where a seal has been affixed in accordance with subsection (2), no person or customer shall break the seal without the prior written approval of the Senior Administrative Officer.
- 4) Where the customer or occupant of premises where a seal has been affixed in accordance with subsection (2), determines that the seal has been broken, he shall notify the Senior Administrative Officer as soon as is practical.
- 5) Where a seal affixed in accordance with subsection (2) is broken, the customer shall be levied a charge for the quantity of water which the Senior Administrative Officer estimates has been used and shall be considered an offence.

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**NUMBER OF METERS**

707. 1) The Senior Administrative Officer shall determine the number of meters that shall be installed for any premises.
- 2) Subject to subsection (1), single family dwellings and single unit buildings including apartment, commercial, institutional and industrial buildings, shall have a minimum of one (1) meter installed in each building.
- 3) Subject to subsection (1), commercial or industrial buildings containing (with) multiple side by side units shall have one meter per unit, and all such meters for the building shall be banked at one location where the service pipe enters the building or approved by the Senior Administrative Officer.

**METER PROTECTION**

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

**METER READINGS**

709. 1) Meters shall be read at intervals determined by the Senior Administrative Officer provided that, if possible, meters shall be read at quarterly.
- 2) Where a meter is not, or cannot, be read for the current billing period, the Senior Administrative Officer shall estimate the water consumption for the purpose of establishing a service charge, provided that the water consumption and account are reconciled when a meter reading is obtained.

**SPECIAL METER READINGS**

710. Where a customer requests a special meter reading, a fee to recover the Town's costs shall be levied on the customer.

**METER SEAL**

711. 1) The Senior Administrative Officer may cause a seal to be affixed to any meter.
- 2) Where a meter seal has been affixed in accordance with subsection (1), no person or customer shall cause, permit or allow such a seal to be broken without the prior written approval of the Senior Administrative Officer.

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- 3) Every person or customer who determines that a meter seal affixed in accordance with subsection (1) has been broken, including for the purpose of thawing the service line, shall notify the Senior Administrative Officer as soon as is practical.
- 4) Where a meter seal affixed in accordance with subsection (1) has been broken, the customer shall be levied a charge for the quantity of water which the Senior Administrative Officer estimates has been used and shall be considered an offence under this by-law.

**METER TESTING**

- 712.
- 1) The Senior Administrative Officer may cause any authorized meter to be tested.
  - 2) Where a customer makes written request for a meter test and pays the fee to recover the Town's costs, the Senior Administrative Officer may cause the meter to be tested.
  - 3) Where the inaccuracy of a meter test is 10 percent or greater,
    - a) the amount of any meter reading fee shall be refunded to the customer,
    - b) the Senior Administrative Officer shall estimate the amount of water for which the customer has been overcharged or undercharged for a period not exceeding six months prior to the date of testing,
    - c) the municipal services account of the customer shall be adjusted in accordance with paragraph (b) and the rates prescribed in the schedules, provided always that no refund shall be made other than to the current customer whose account was overcharged.

**METER MALFUNCTION**

713. 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 Senior Administrative Officer estimates has been used.

**ADJUSTMENT FOR UNDETECTED LEAKS**

- 714.
- 1) If a meter shows excessive high consumption in comparison to previous readings, the Senior Administrative Officer may notify the customer.
  - 2) Where an undetected leak is discovered, and where in the opinion of the Senior Administrative Officer the customer could not reasonably have been expected to be aware of such leak, the Senior Administrative Officer may adjust the service charge based on the average previous consumption, provided, however, that such leak is repaired within forty-eight (48) hours of the discovery. No such adjustment to the customer's account shall extend for a period beyond three (3) months prior to the discovery of the leak, and provided always that no refund shall be made other than to the customer whose account was charged.

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ACCESS TO PROPERTY FOR METER READING

715. 1) Employees of the Town and their authorized agents shall be admitted to premises during regular Town business hours in order to inspect, test, repair, or read an authorized meter or remote reading device upon such premises. Such employees or authorized agents shall, upon request, show identification as determined by the Town.
- 2) If access to a meter or remote reading device cannot be obtained, the Senior Administrative Officer shall cause a notice to be left at the premises indicating the corrective measure required, and the time and date by which the corrective measures must be carried out.
- 3) Where, after two unsuccessful attempts to access a meter or remote reading device by the employees of the Town, or their authorized agents,
- a) a meter reading fee to recover the Town's costs, shall be levied for each subsequent unsuccessful attempt to read the meter or remote reading device.
  - b) the Senior Administrative Officer may discontinue service to the premises.

**PART 8 BILLING AND COLLECTING**

RATES

801. The rates for the provision of municipal services shall be determined by the Town based on the cost incurred by the Town to provide trucked and piped water and sewage services to customers.

SERVICE CHARGES

802. 1) Subject to subsection (2), service charges shall be levied in accordance with the rates specified in the schedules 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
  - b) where an approved meter or truck meter is not in use, in accordance with the appropriate type of premises, unit of measurement, and quantity of water use as determined by the Senior Administrative Officer.

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**INDUSTRIAL USE OF WATER**

803. Where, in the opinion of the Senior Administrative Officer, water is used for industrial purposes, the service charge shall be determined at the rates in the schedules for non-domestic users.

**PAYMENTS**

804. 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 the end of the month following service.
- 2) Bills are considered to be paid when the payment is received at Town Hall, or at such other place as may be determined by the Senior Administrative Officer, and specified on the bill.
- 3) Overdue bills shall be subject to the Late Payment Charge equal to one and one half percent (1.5%) of the unpaid balance on the first day of default, and one and one half percent (1.5%) of the unpaid balance of the account on the first day of each calendar month thereafter until sums due under this By-Law in respect of the interest and charges shall have been paid. Payments are considered received when they are physically received at Town Hall.
- 4) Liability to pay bills shall not be affected by any defect in the form of bill or non-receipt of bill.

**OWNER LIABILITY**

805. Where payment is in default over two months, the owner shall be liable for all service charges and other charges specified in the Schedules for water supply or the use of the sewage system levied pursuant to this By-Law with respect to that property, and the Town may make the balance of any account in respect of which payment is in default over two months, a charge against the owner of the property.

**CHANGES IN USE, OCCUPANCY OR PROPERTY SERVED**

806. The customer shall notify the Senior Administrative Officer in writing of any change in the use, occupancy, site served, or any other matter which may affect the service charges and fees payable under this By-Law.

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**ADJUSTMENT FOR CHARGES FOR PARTIAL PERIOD**

807. Where any service charges or fees are prescribed by the month or for any other period, the amount payable for a partial period shall be calculated by the Senior Administrative Officer on a proportional basis, unless otherwise provided in this By-Law.

**PART 9 ENFORCEMENT**

**ENFORCEMENT OF PAYMENTS**

901. 1) 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 municipal services after two months from the month when service was provided in respect of which payment is in default, plus the imposition of fees as to recover the Town's costs;
  - b) action in any Court of competent jurisdiction; or
  - c) distress or sale of goods and chattels of the customer in arrears.
- 2) Service charges, fees and other charges specified in the schedules for water supply or the use of the sewage system levied pursuant to this By-Law that have not been paid by the end of the fiscal year in which they have been levied, shall be a charge against the lands or premises in respect of which the charges are levied, subject to the same penalties and collectable in the same manner as arrears of property taxes.

**OFFENSES**

902. 1) Any person or customer who contravenes any provisions or requirements of this by-law is guilty of an offence, and is liable, upon summary conviction, to a fine not exceeding:
- a) two thousand dollars (\$2,000.00) for an individual;
  - b) ten thousand dollars (\$10,000.00) for a corporation; or
  - c) imprisonment for a period not exceeding six (6) months, in default of payment of a fine.
- 2) Pursuant to Section 902 (1) of this By-Law, an Officer may issue a Summary Offence Ticket Information in a form accepted by the Summary Conviction Procedures Act, to any person who violates any provision of this By-Law, and such person may, in lieu of prosecution, pay the Town the voluntary penalty per Section J of Schedule A, for the offence, prior to the court date specified on the ticket.
- 3) Any charges for offenses under this section do not preclude any other costs owed to the Town due to contravention or for services provided by the Town within the provisions of this By-Law.

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**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

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**PUBLIC HEALTH**

903. 1) If any condition exists which, in the opinion of the Senior Administrative Officer, or contractor, requires the Department of Health to be notified, such notification shall be done immediately.
- 2) Any condition noted under subsection (1) may require the Senior Administrative Officer, or contractor, to discontinue water or sewer services and shall be considered an offence under this By-Law.
- 3) Discontinue service if ordered to by the Environmental Health Officer.

**PART 10 ADMINISTRATION**

**SEPARABILITY**

1001. The provisions of this by-law are separable, and invalidity of any part of this By-Law shall not affect the rest of the By-Law.

**REPEAL**

1002. By-law No. 637 and amendments thereto are hereby repealed.

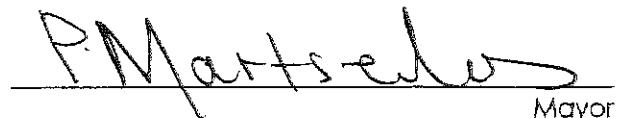
**EFFECT**

1003. This By-Law shall come into force and effect on receiving Third Reading and otherwise meeting the requirements of Sections 78-84, 89-94, 169, 170-173, and 181-183 of the Cities, Towns and Villages Act, R.S.N.W.T. 1987 C-8, S. 169.

Read A First Time this 23 day of September AD 2003

Read A Second Time this 14 day of October AD. 2003

Read A Third and Final Time this 28 day of September AD. 2004

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Senior Administrative Officer

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "A" - TARIFFS**

**SECTION A - PUBLIC PIPED SERVICE USERS**

- 1) Residential piped service fees shall be set at \$38.00 per month for the first 18,000 litres. All additional volumes shall be charged out at the economic rate to a maximum of \$150.00 during any reading period.
- 2) All government, institutional and Housing Corporation properties shall pay full economic rate for consumed water. Economic rate shall be established on an annual basis by Administration.
- 3) All residential customers shall provide a meter deposit in accordance with Clause 303.1 a) of One hundred twenty-five dollars (\$125.00).

**SECTION B - UNMETERED USERS**

- 1) The following monthly rate shall be assessed and charges based thereon shall be made respecting all single family residential water users serviced from and connected to the Town's Public Piped Service and not otherwise provided for in this By-Law:  

A minimum charge based on an average consumption of 4,000 gallons (18,000 litres) shall be used.
- 2) Any other water users connected to the Town's public piped service and are not metered shall be charged an amount which will be determined by the Senior Administrative Officer based on an estimated load, line size and estimated consumption.

**SECTION C - TRUCK WATER DELIVERY AND SEWAGE PUMP OUT**

- 1) Residential trucked water customers within town boundaries shall be billed a flat monthly rate based on their prior year's average monthly consumption. The customer's consumption will be reviewed annually to determine the flat rate that they will be charged for the subsequent twelve-(12) months. The amount of the monthly charge for users will be as follows:

<b>Prior Year's Average Consumption (Per Month)</b>	<b>Monthly Fee</b>
Less than 1,000 Litres	\$ 10.00
1,001 to 7,000 Litres	\$ 40.00
7,001 to 12,000 Litres	\$ 60.00
12,001 to 17,000 Litres	\$ 80.00
Greater than 17,001 Litres	\$100.00

- 2) All customers outside the Town boundaries will be billed at full economic rate, as determined by the Senior Administrative Officer, for trucked water service.

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "A" - TARIFFS**

- 
- 3) There shall be a charge of Fifty Dollars (\$50.00) if a customer requests delivery on a day other than their normal delivery day, but during normal business hours for customers within Town boundaries.
  - 4) In the event a customer within Town boundaries requests delivery after normal business hours, there shall be a charge of Eighty Dollars (\$80.00).
  - 5) Delivery of potable water shall be provided by the Town twice weekly, on designated days, between the hours of 8:00 AM and 5:00 PM, subject to the provisions of the Water and Sewer Services By-law. This schedule applies to all Town of Fort Smith clients based within municipal boundaries.
  - 6) All residences receiving trucked municipal services shall conform to the specifications as appended to the Water and Sewer Services By-Law.

**SECTION D - FLAT RATE BILLING**

Where the Senior Administrative Officer is unable to obtain access for the purpose of meter reading, the consumption shall be based on:

- a) the average actual readings from the previous six (6) months, or
- b) in the event of inadequate readings, the consumption shall be calculated on the average gallonage. If no basis for averaging exists, the consumption shall be calculated on a gallonage of Five Thousand (5,000) gallons or 22,750 litres.

**SECTION E - SUMMER RATES RESIDENTIAL PIPED ONLY**

The summer months are designed to be consumption periods beginning June 1<sup>st</sup> and ending July 31<sup>st</sup> annually. The summer water rate for customers on the piped water and sewer system and the piped water only system shall be \$38.00 for consumption up to a maximum of 36,000 litres in each month. Excess use shall be billed at the applicable rate.

**SECTION F - CONNECT OR DISCONNECT PERMIT FEE**

The connection or the disconnection fee shall be Twenty-Five Dollars (\$25.00) plus the Goods and Service Tax. If a disconnection is the result of a payment which is in default there shall be an additional Twenty Five Dollar (\$25.00) service fee.

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "A" - TARIFFS**

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**SECTION G - VOLUNTARY FINES**

Water wastage, Section 401	\$200.00
Contamination, Section 402	\$200.00
Discharge of harmful matter, Section 403	\$100.00
Failure to abide by order, Section 506	\$200.00
Breaking a shut off seal, Section 512	\$500.00
Non-conforming service pipe, Section 513	\$100.00
Failure to test a cross connection control device, Section 514	\$250.00
Failure to install a cross connection control device, Section 514	\$500.00
Installing a bleeder without authority,	\$500.00
Improper use of water, Section 516	\$200.00
Failure to provide access to water fill or sewage pump out points, Section 607	\$250.00
Failure to install a meter, Section 704	\$250.00
Broken meter seal, Section 711	\$500.00
Failure to provide access after two unsuccessful attempts, Section 715	\$100.00

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "B" - FORMS**

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TOWN OF FORT SMITH  
WATER & SEWER SERVICES BYLAW

**APPLICATION FOR PIPED WATER SEWER CONNECTION**

FORM W/S-1

UTILITY ACCOUNT NO: \_\_\_\_\_ OUR FILE: \_\_\_\_\_

NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CIVIC ADDRESS: \_\_\_\_\_

HOME PHONE NUMBER: 872-\_\_\_\_\_ WORK PHONE NUMBER 872-\_\_\_\_\_

NO OF OCCUPANTS: \_\_\_\_\_

LEGAL DESCRIPTION: LOT: \_\_\_\_\_ BLK: \_\_\_\_\_ PLAN: \_\_\_\_\_

IF RENTAL PROPERTY, OWNERS NAME & ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

METER SIZE: \_\_\_\_\_ SERVICE SIZE: \_\_\_\_\_ SERIAL #: \_\_\_\_\_ COM OR RES

METER DEPOSIT: \$ \_\_\_\_\_ RECEIPT #: WS \_\_\_\_\_ PAID BY: \_\_\_\_\_

TRANSFER FROM/BY: \_\_\_\_\_

NOTES: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

WITNESS SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PREVIOUS OCCUPANT: \_\_\_\_\_

UTILITY NO: \_\_\_\_\_ F.O. DATE: \_\_\_\_\_

BY-LAW NO. 705

THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH

SCHEDULE "B" - FORMS

TOWN OF FORT SMITH  
WATER & SEWER SERVICES BYLAW

APPLICATION FOR TRUCKED WATER CONNECTION

FORM W/S-2

UTILITY ACCOUNT NO: \_\_\_\_\_ OUR FILE: \_\_\_\_\_

NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CIVIC ADDRESS: \_\_\_\_\_

HOME PHONE NUMBER: 872- \_\_\_\_\_ WORK PHONE NUMBER 872- \_\_\_\_\_

NO OF OCCUPANTS: \_\_\_\_\_

LEGAL DESCRIPTION: LOT: \_\_\_\_\_ BLK: \_\_\_\_\_ PLAN: \_\_\_\_\_

IF RENTAL PROPERTY, OWNERS NAME & ADDRESS: \_\_\_\_\_

\_\_\_\_\_

DEPOSIT:\$ \_\_\_\_\_ RECEIPT #: WS \_\_\_\_\_ PAID BY: \_\_\_\_\_

TRANSFER FROM/BY: \_\_\_\_\_

NOTES: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

WITNESS SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PREVIOUS OCCUPANT: \_\_\_\_\_

UTILITY NO: \_\_\_\_\_

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "B" - FORMS**

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TOWN OF FORT SMITH  
WATER & SEWER SERVICES BYLAW

**APPLICATION FOR PIPED AND TRUCKED DISCONNECTION**

FORM W/S-3

UTILITY ACCOUNT NO: \_\_\_\_\_ OUR FILE: \_\_\_\_\_

NAME: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CIVIC ADDRESS: \_\_\_\_\_

HOME PHONE NUMBER: 872-\_\_\_\_\_ WORK PHONE NUMBER: 872-\_\_\_\_\_

NO OF OCCUPANTS: \_\_\_\_\_

LEGAL DESCRIPTION: LOT: \_\_\_\_\_ BLK: \_\_\_\_\_ PLAN: \_\_\_\_\_

DATE TO DISCONNECT \_\_\_\_\_ FINAL METER READING \_\_\_\_\_

METER DEPOSIT: \$ \_\_\_\_\_ PAID BY: \_\_\_\_\_

FORWARDING ADDRESS: \_\_\_\_\_

I UNDERSTAND THAT MY METER DEPOSIT WILL BE APPLIED AGAINST MY FINAL UTILITY BILL, AND THAT THE BALANCE WILL BE REFUNDED.

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

WITNESS: \_\_\_\_\_ DATE: \_\_\_\_\_

NOTE: You may consider having your lines blown out after disconnection to avoid any freezing. The Town is not responsible for any frozen lines due to disconnection. A new application for reconnection must be made through the Town office before service will be restored.

*INTERNAL USE ONLY*

WATER DISCONNECTED AT CURB STOP: YES/NO

DATE OF DISCONNECTION \_\_\_\_\_ WORK CONFIRMED: \_\_\_\_\_

SIGNATURE

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "B" - FORMS**

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TOWN OF FORT SMITH  
WATER & SEWER SERVICES BYLAW

**APPLICATION FOR PERMIT TO CONNECT OR DISCONNECT**

FORM W/S-4

I, \_\_\_\_\_, do hereby apply to connect/disconnect water/sewer Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_, on or after the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ to the Town of Fort Smith's water/sewer system. It is understood and agreed that the permission hereby applied for is subject to compliance with the provisions of the Water & Sewer Services Bylaw of the Town of Fort Smith. The cost of all excavation, backfilling and street repairs required for a connection/disconnection shall be recovered from the property owner. All connection/disconnection to the Town's lines shall be done by Town employees. The property owner shall be responsible for the payment of the Town's time and material.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

Approved by:

\_\_\_\_\_  
Lands Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Department

\_\_\_\_\_  
Date

\_\_\_\_\_  
Public Works

\_\_\_\_\_  
Date

\_\_\_\_\_  
Senior Administrative Officer

\_\_\_\_\_  
Date

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "B" - FORMS**

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TOWN OF FORT SMITH  
WATER & SEWER SERVICES BYLAW

**REGISTRATION OF NON-DOMESTIC USE OF WATER/SEWER**

FORM W/S-5

I, \_\_\_\_\_, do hereby apply for permission to use water for non domestic use. The use of the water will be for \_\_\_\_\_ and I will obtain water from \_\_\_\_\_, which is controlled by the Town of Fort Smith. I will be responsible for all costs associated with this use, including the cost of supplying the water.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

Note: In addition to this form the applicant will be required to fill out an application for connection to the Town's Water system, w/s 1 for billing purposes.

Approved by \_\_\_\_\_  
Senior Administrative Officer

\_\_\_\_\_  
Date

BY-LAW NO. 705

THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH

SCHEDULE "B" - FORMS

---

TOWN OF FORT SMITH  
WATER & SEWER SERVICES BYLAW

**CROSS CONNECTION & BACKFLOW PREVENTION INSPECTION REPORT**

FORM W/S-9

This is to certify that \_\_\_\_\_ who is a journey plumber  
licence number \_\_\_\_\_ did hereby install a cross connection and back  
flow prevention device at \_\_\_\_\_

(Civic Address)

This device was installed as per manufacture's requirements.

Type of device: \_\_\_\_\_

Manufacture: \_\_\_\_\_

Model Number: \_\_\_\_\_

Serial Number: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "C" - SPECIFICATIONS**

---

**A. WATER SERVICES**

**A-1 PIPED WATER SERVICE STANDARDS**

Standards

- a) All water service lines shall meet National Building Code and National Plumbing Code and other municipal By-Law requirements, except as superseded by specifications contained in this By-Law.
- b) All services shall be located within two (2) meters of the centre lot line, unless otherwise authorized by the Senior Administrative Officer of the Town, or a designate.

Freeze Protection

- c) Any services that require freeze protection devices shall be subject to Section 407 of this By-Law, and Section 2 of Specifications A of this By-Law.
- d) Any services that require freeze protection devices shall be insulated with a water proof equivalent of 50 mm. of urethane lining which shall extend 300 mm past the point of entry into the heated portion of the structure which it services.

Bedding/Backfill

- e) All services shall be bedded and backfilled using 3/4" or 20 mm crush, to the standards of Specifications C of this By-Law.
- f)
  - i) No single family dwelling shall be serviced with a water supply line of greater than 3/4" or 20 millimetres unless otherwise authorized by the Senior Administrative Officer.
  - ii) Every water distribution system shall be designed to provide peak demand flow when the flow pressures at the supply openings conform to Table 6.3A of the Canadian Plumbing Code (6.3.1), but shall not be less than 3/4" or 20 millimetres.
- g) All services greater than one and one half (1 1/2) inches or thirty eight (38) millimetres in diameter or for commercial or industrial use must be approved by the Senior Administrative Officer in writing. Engineering drawings must be submitted by the Senior Administrative Officer, and "Registration of Non-domestic use of Town Water and Sewer Services form W/S-5, must be completed at the time of application for a Development Permit.

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "C" - SPECIFICATIONS**

---

Single Line Service

- h) i) Where single line services are permitted the service line from the Town main to the meter shall be of Type "K" soft copper.

Flared Ends for all Service Types

- j) All water service lines of diameters less than or equal to two (2) inches or Fifty (50) millimetres must have flared fittings on both ends and/or compression fittings.

Valve and Union for Shut-Off

- k) A threaded valve must be installed before the meter inside the building. This is the building shut-off valve. The valve shall be suitable to have a lock wire and seal attached.

Fittings

- l) Any joints outside the building shall be made with a flared copper to copper fitting or compression fittings.
- m) There shall be no soldered or brazed fittings between the main line and the shut-off valve.

Grade/Angles

- o) i) Only gradual bends shall be incorporated into the service line to provide directional change if necessary. Owners shall not install service lines from buildings to lot lines prior to installation of the property service from main to lot line by the Town.
- ii) A minimum positive slope of 1 in 50 shall be maintained.

Mobile Homes

- p) All water service lines to mobile homes shall:
- i) Not be less than 3/4" or 20 millimetres in diameter for the supply line;
- ii) Terminate above ground;
- iii) Incorporate a tamper-proof connection that is capable of being repeatedly connected, disconnected and sealed;
- iv) Incorporate a means of draining, heating or circulating water within that part of the line from the Town main to the property when not in use.

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "C" - SPECIFICATIONS**

---

**A-2 FREEZE PROTECTION**

Any services that require freeze protection devices, shall be insulated with a waterproof equivalent of two inches or 50 millimetres or more, urethane lining which shall extend 300 millimetres past the point of entry into the structure if services.

Single Service Lines

- a) Any services that require freeze protection devices shall incorporate a Town approved freeze protection device, being an improved heat tape as indicated in these specifications.
- b) Freeze protection devices shall be installed and operated according to the manufacturer's specifications except where superseded by this By Law.
- c) Where single lines that require freeze protection devices are excavated for repair they shall be replaced as otherwise determined by the SAO.

Heat Tapes

Repairs

- h) To ensure adequate protection of the single line water service, each owner or occupant shall ensure that all heat tapes currently in use on a single line service shall meet the specifications of this By-Law.
  - i) The heating cable shall be rated at 20 watts per meter at 115 volts, and shall not exceed 100 meters in length.
  - ii) The heating cable shall be installed securely along the top side of the water service line using a 2 inch or 50 millimetre wide adhesive aluminium type AL-20. At 12 inch or 300 millimetre intervals, circumferential bands of AL-20 or any heat resistance adhesive tape shall be used.
  - iii) The heating cable shall be looped around the service connection and the Town water main.
  - iv) The heating cable shall be warmed prior to and during installation to attain continuous contact between the water service pipe, the corporation stop, the Town main and the heating cable.
  - v) The heating cable and water service line unit shall be insulated with two (2) inches or fifty (50) millimetres urethane insulation. Heating cable not in contact with the pipe shall be left uninsulated. Two (2) inches or fifty (50) millimetres of insulation shall be used on unburied piping. The insulation shall be checked using a Five Hundred (500) volt D.C. insulation tester between each bus wire and neutral, the pipe. A minimum reading is ten 10 megohms.

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**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "C" - SPECIFICATIONS**

---

- vi) The heating cable shall not be spliced, except according to manufacturer's directions and specifications using the manufacturer's splice kits.

Operation

- vii) The owner or occupant shall install and operate a property insulated thermostat capillary bulb on the opposite side of the pipe from the cable at the anticipated coldest area, such as above ground, away from the insulated portion of the building.
- viii) The owner or occupant shall operate the heating cable thermostat at approximately ten (10) degrees Celsius during the period of November through June.
- ix) The heating cable shall be tested for conductivity to the manufacturer's specifications before and after bedding and backfilling of the trench.

**A-3 TRUCKED WATER SERVICE STANDARDS**

All trucked water service systems shall conform to the Canadian Building and Plumbing Codes unless superseded by this By-Law.

Access

- a) Unimpeded access, including the removal of mud, ice, snow, pets, vehicles, and yard material to the water fill point shall be maintained.
- b) The water fill point shall not exceed a distance of Fifty Five (55) feet or Seventeen (17) meters from the Town roadway, and must extend out the wall facing the roadway. The owner or occupant of fill points in excess of Fifty Five (55) feet or Seventeen (17) meters must obtain written approval from the Senior Administrative Officer.
- c) The water fill point shall be greater than five (5) feet or (one point five) 1.5 meters in a horizontal distance from the sewage pump-out point straight line access path.
- d) The water fill point shall be of a sufficiently small diameter that the sewer pump-out hose could not be inserted.
- e) The water fill point shall be clearly labeled at all times.

THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH

SCHEDULE "C" - SPECIFICATIONS

---

- f) Minimum water tank size for new construction is to be determined by the following formula:

$$\text{Tank Volume} = \# \text{ of bedrooms in unit} \times 2 \text{ people/bedroom} \times 113 \text{ litres per person} \times 3 \text{ days storage}$$

Minimum water tank volume to be two thousand two hundred seventy (2,270) litres (500 IG).

Water Tanks shall be inspected by Town personnel prior to backfilling. All buried water tanks shall have adequate freeze protection.

Service connection to be 1.5 inch diameter pipe with male 1.5 inch camlock fitting.

Water delivery to be two (2) times per week within municipal boundaries and one (1) time per week to customers outside of municipal boundaries. All additional deliveries may be charged at full economic rate.

Freeze Protection

- g) The water holding tank shall be housed in an insulated heated portion of a building or have adequate freeze protection if placed in a non heated area or buried.
- h) Structural support of the water tank shall be sufficient to support one and one-half (1 1/2) times the weight of a full water tank.

Line and Tank Specifications

- i) The connection point of the water fill point shall be a minimum of 36 inches or 914 millimetres and a maximum of 48" or 1,219 millimetres from the ground surface in all seasons.
- j) The water service line shall have a back grade such that the water does not free-flow from the tank or sit in the service line, or the water service line shall have a check valve to prevent free-flow and a heat tape to prevent freezing.
- k) An overflow discharge point shall be installed at the same height as the fill point, a minimum of 12 inches or 305 millimetres in horizontal distance from the fill point and be directed away from the building, stairwells, walkways and fill point.
- l) Where in the opinion of the Senior Administrative Officer additional tank level indicators shall be provided at the sole cost of the owner.
- m) If the water holding tank is elevated, a valve shall be installed at the line-tank connection point to prevent backflow.

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**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "C" - SPECIFICATIONS**

---

- n) Water fill lines shall be one and one half (1 1/2") inch diameter copper pipe, a minimum of six (6) inches (150 mm) long securely anchored to the exterior of the wall structure at the fill connection point.
- o) All overflow and water fill lines shall be insulated with a foil back covered insulation a minimum of one and one half inches (1 1/2") or thirty eight millimetres (38 mm) and six feet (6') or one point eight meters (1.8 M) in from the point of penetration of the exterior building envelope.

**B. SEWER SERVICES**

**B-1 PIPED SEWAGE SERVICE STANDARDS**

Standards

- a) All piped sewer services shall meet National Building Code and National Plumbing Code requirements except as superseded by this By-Law.
- b) All services shall be located within two (2) metres of the centre lot line in the same trench as and below the water line unless otherwise authorized by the Senior Administrative Officer.

Specialized or Heavy Use

- c) The owner or occupant of all sewage service pipes from multi-family dwellings, commercial or industrial establishments, must complete the "Registration of Non-Domestic use of Town Water and Sewer Services" form W/S-5, of this By-Law for submission with the application for a Development Permit and submit properly engineered drawings containing water and sewer service system details.

Excavation/Fill

- d) All services shall be bedded and backfilled according to the standards of Specifications C of this By-Law.

Material

- e) The sewer service line shall be of PVC SDR 28 or SDR 35 piping unless otherwise authorized by the Senior Administrative Officer as indicated on the approved drawings.

THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH

SCHEDULE "C" - SPECIFICATIONS

---

Size

- f) Single family dwellings shall have a sewer service line of four (4) inches or one hundred two (102) millimetres in diameter, otherwise the sewer service line diameter shall meet the size specifications of the Senior Administrative Officer as determined by the occupancy of the building and the number of fixtures and appurtenances.

Entrance to Building

- g) The sewer service line shall extend to the inside of the building foundation wall and the wall shall be sealed with an approved grouting material to prevent the inflow of water or moisture.

Grade

- h) The sewer service line shall be equipped with a combination back water valve and clean out immediately upon entry to the building.
- i) All sewer service lines shall be laid to a uniform grade sloping to the main line at a minimum grade of one (1) in fifty (50). Total cumulative bends shall not exceed one hundred eighty (180) degrees with individual bends not exceeding forty five (45) degrees. Directional changes and alternate grade patterns must be approved by the Senior Administrative Officer.

Non Domestic Discharges

- j) All non-domestic discharges into the sanitary sewer main shall be indicated to the Senior Administrative Officer using the "Registration of Non-Domestic Use of Town Water and Sewer Services" form W/S-5, of this By-Law.
- k)
  - i) Where a fixture discharges sewage that, in the opinion of the Senior Administrative Officer, may damage or impair the sanitary sewer system or the functioning of the Town or private sewage disposal system, provision shall be made for the treatment of the sewage before it is discharged into the sanitary sewer system.
  - ii) A sampling manhole suitable for determining the sewage quality, temperature and rate of flow, shall be provided where required by the Senior Administrative Officer.
- l)
  - i) Where a fixture discharges sewage that includes grease is located in a public kitchen, restaurant, or in an institution, an appropriate grease interceptor shall be installed when and where it is required by the Senior Administrative Officer.

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**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "C" - SPECIFICATIONS**

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- ii) Where a fixture discharges sand, grit or similar materials, an appropriate interceptor shall be installed.
- iii) Where the discharge from a fixture may contain a petroleum product, an appropriate interceptor shall be installed.
- iv) Every interceptor shall have sufficient capacity to perform the service for which it is provided.

Run-Off and Ground Water

- m) Rainwater leaders shall not be connected to the sanitary sewer system.
- n) During construction, builders shall not allow ground water to enter the sanitary sewage system.

**B-2 TRUCKED SEWAGE STANDARDS**

All trucked sewage pump-out service systems shall meet the standards of the National Building and Plumbing Code and other municipal by-laws, unless superseded by this By-Law.

Access

- a) The owner or occupant shall maintain an access free of mud, ice, snow, pets, vehicles or other obstructions to the sewage pump-out service point.
- b) The sewage pump-out point must be no greater than sixty feet or eighteen meters from the Town roadway such that the service vehicle need not leave the maintained roadway unless written approval of pump-out point location has been given by the service provider.
- c) There shall be a minimum of five horizontal feet or 152 centimetres between the connection point for sewage pump-out and the fill point for water such that a crossing of established pathways by connection hose shall not occur.
- d) The sewage pump-out connection shall be 4" diameter female camlock fitting.
- e) The sewage holding tank shall be twice the volume of the water storage tank to accommodate sewage and grey water discharge.
- f) The sewage holding tank shall be a minimum of 1000 imperial gallons or 4,500 litres for new developments.

THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH

SCHEDULE "C" - SPECIFICATIONS

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Structure

- g) Structural support of the sewage holding tank shall be sufficient to support one and one-half times the weight of the tank.

Freeze Protection

- h) The sewage holding tank shall be of a suitable material as approved by the Senior Administrative Officer, shall be well insulated and kept within the heated portion of the building, or shall be buried a minimum of 1 meter, to the top of the tank, within 3 meters of the foundation of the house.

Line and Tank Specifications

- i) The service pump-out point shall be kept a minimum of 18 inches or 457 millimetres, and a maximum of 48 inches or 1,219 millimetres from the ground, including snow and ice accumulations.
- j) The service pump-out point shall be fitted with an approved tightly fitting cap, and kept closed at all times except during pump-out.
- k) The sewage holding tank shall have a large water-tight manhole with a removable cover such that the owner or occupant may clean and flush the tank. The Senior Administrative Officer is authorized to direct that a sewage holding tank shall be cleaned and flushed.
- l) The pump-out line from the service point to the tank shall have at least a 5 degree slope to the building such that no sewage is allowed to stand in the line or drain to the outside of the building and the line within the holding tank shall not exceed a grade of 30 degrees.
- m) The sewage holding tank shall incorporate a vent line of a minimum interior diameter of 3 inches or 75 millimetres such that the tank is vented to the outside of the building or back vented to the highest interior point in the building such that air escape or supply will occur as the tank is being filled or emptied.
- n) The pipe from the sewage pump-out service point to the sewage holding tank shall have an interior diameter of a minimum of 4 inches or 100 millimetres.
- o) If the holding tank is buried, the ground cover shall be sloped such that surface liquids, including run-off or sewage, drain away from the tank, and anchored to concrete pads or pinned to bedrock to prevent floating to the surface.
- p) All holding tanks shall incorporate a high and/or level indicator device where required by the Senior Administrative Officer. Where required a high level switch must be wired in such a way as to cut the power supply to the domestic water pump in the event of a full sewage tank.

**BY-LAW NO. 705**

**THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH**

**SCHEDULE "C" - SPECIFICATIONS**

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- a) When the storage tank elevation is one (1) meter or greater above the road level a valve shall be installed at the point of connection to the sewage pump-out line to prevent a continuous siphon condition.
- r) All sewage pump-out lines shall be rigidly secured or anchored at the point of connection, and further to this, all lines in excess of three meters (3 m) in developed length shall be anchored every three meters (3 m). Buried lines do not require anchors except at the point of connection.
- s) The use of chemical toilets shall be prohibited.
- t) The Senior Administrative Officer may require that a storage tank be certified as to its integrity. Certification will consist of a minimum test of 24 hours, with the tank full, isolated from the house in a manner approved by the Senior Administrative Officer. Water loss shall not exceed 10% for the 24 hour test period. The test results shall be certified by a journeyman plumber or a professional engineer.

**C. EXCAVATION, BEDDING AND BACKFILL**

**C-1 EXCAVATION**

- a) The owner or occupant shall not excavate, or have excavated on his behalf, any trench under a Town roadway or sidewalk without the authorization of the Senior Administrative Officer, and accompanied with the payment of the required fee to the Town.
- b) Where excavation shall proceed for the purpose of connecting or disconnecting a water or sewer service, the owner or occupant shall have the authorization of the Senior Administrative Officer given by the approval of the "Application for Permit to Connect or Disconnect" form W/S-4, of this By-Law and accompanied with the payment of the required fee to the Town.
- c) Excavation within three feet of a Town main shall occur only when a Town employee representing the Senior Administrative Officer is on site. The owner or occupant shall give to the Town proper notification.
- d) Tunneling excavation shall be done in adherence to the Mining Safety Act of the Northwest Territories, the Northwest Territories Industrial Safety Regulations, and shall require written permission from the Senior Administrative Officer.
- e) All excavation material shall be stockpiled and used for backfill subject to Section 2 of Specifications C or disposed of as directed by the Senior Administrative Officer.

THE MUNICIPAL CORPORATION OF THE TOWN OF FORT SMITH

SCHEDULE "C" - SPECIFICATIONS

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C-2 BEDDING AND BACKFILL

- a) Peat or high organic soil, silt-clay or highly compressible materials, or other materials which would compromise the stability or drainage of an area, shall not be used for foundations, bedding, or backfilling.
- b) Where service lines are installed underground, sand backfill shall be carefully placed and tamped to a height of 150 millimetres over the top of the pipe. This material shall be thoroughly tamped with a heavy iron hand tamper or other approved device under and on each side of the pipe or pipe boxes, to assure that all spaces under and adjacent to the same are completely filled and well tamped. Above this zone, backfilling may be done by machines, using native backfill, however material shall be rolled, not dropped, into trenches and must be compacted in lifts not exceeding 450 millimetres.
- c) Only sand shall be placed in the trench, below and above the pipe or pipe boxes, within a space of at least 600 millimetres of width.
- d) Compaction shall be for the full depth of the trench, particularly under parking lots and driveways.
- e) Backfill and compaction shall be such that natural drainage is not compromised and the adjacent surface area does not deteriorate. This is affected by the mounding of backfill and the placement of excessive fines in the upper layer of the backfill to prevent excessive drainage into the trench. If the stability of adjoining structures, walks, walls or services may be endangered by the work of excavating, adequate underpinning, shoring and bracing shall be provided to prevent damage to, or movement of, any part of the adjoining structure, or the creation of a hazard to the public.
- f) Rocks or boulders shall be removed to provide a clearance of at least 150 millimetres below all pipes or pipe boxes.
- g) All water accumulated in the trench shall be disposed in compliance with all government regulations including but not limited to all environmental protection legislation.
- h) All waste excavation material shall be disposed of in a manner such that the surface drainage is not compromised.
- i) Where Town sidewalks or roadways are dug up, the premise owner or occupant shall use suitable sub-base material compacted to a minimum 95% Proctor Density and reinstate the sidewalk, curb or roadway to prevailing Town specifications.