

The Rural Municipality of Dauphin

By-Law No. 3013 (Water Connection By-Law)



CONTENTS

PART 1 INTRODUCTION	2
PART 2 AUTHORITY	5
PART 3 GENERAL	7
PART 4 AUTHORIZED WATER CONTRACTOR REQUIREMENTS	12
PART 5 CONSTRUCTION REQUIREMENTS	13
PART 6 CONNECTION REQUIREMENTS	15
PART 7 BACKFLOW AND CROSS-CONNECTION CONTROLS	17
PART 8 WATER METERS AND OTHER DEVICES	18
PART 9 APPEALS, FEES, CHARGES AND METER READINGS	21

BEING A BY-LAW TO REGULATE THE WATER CONNECTION SYSTEM WITHIN THE RURAL MUNICIPALITY OF DAUPHIN.

WHEREAS subsection 232(1) of the Act provides authority for a Municipal Council to pass By-Laws with respect to, among other things, the safety, health, protection and well-being of people, the safety and protection of Property, as well as public utilities and the enforcement of By- Laws;

AND WHEREAS subsection 232(2) of the Act provides authority for a Municipal Council, by By-Law, to, among other things, regulate or prohibit, adopt, by reference or in part a code or standard and require compliance with the code or standard, and provide for a system of licenses, permits and approvals;

AND WHEREAS Section 250(2) of the Act provides general powers that:

a Municipality may for municipal purposes do the following:

- (b) construct, operate, repair, improve, and maintain works and improvements;
- (c) acquire, establish, maintain and operate services, facilities and utilities;
- (d) enter into agreements with one or more of the following regarding anything the Municipality has power to do within the Municipality:
 - (i) a Person,
 - (ii) the Government of Canada or one of its agencies,
 - (iii) the Government of Manitoba or one of its agencies,
 - (iv) a local authority,
 - (v) a band as defined in the Indian Act (Canada),
 - (vi) another municipality in Manitoba or a municipality in another province;
- (e) use municipal equipment, materials and labour to carry out private works on private Property."

THEREFORE BE IT RESOLVED THAT the Council of the Rural Municipality of Dauphin, in open meeting assembled, enacts as follows:

PART 1 INTRODUCTION

Short title

1 This By-law may be cited as the "Water Connection By-law".

Intent of By-Law

2 This By-Law outlines and controls the use of the Water System, as well as the construction and maintenance of Water Connections. The objectives of this By-Law are:

- to protect the Water System from damage and obstruction;
- to protect the public, municipal workers and Property from hazardous conditions;
- to prevent backflow into the Water System;
- to provide the Municipality with the necessary powers to enforce compliance with the condition and terms set forth in this By-law; and
- to assist the Municipality in maintaining compliance with the By-laws and regulations of the Municipality, and the laws of the Province of Manitoba and the Government of Canada

Definitions and interpretation

3(1) Unless the context requires otherwise, whenever used in this By-law,

"abandon", in the context of the waterworks system, means to physically disconnect a water service pipe from a water main;

"Act" means *The Municipal Act*, C.C.S.M. c. M225, as amended.

"air gap" means the unobstructed vertical distance through air between the lowest point of the water supply outlet and the flood level rim of the fixture or device into which the outlet discharges;

"American Water Works Association" or "AWWA" means the American Water Works Association founded in 1881, or any successor association;

"as-built drawing" means a drawing of a completed construction project that shows on-site changes to the original design documents;

"Authorized Water Contractor" means a contractor authorized to work on a water main or water service in the RM;

"Authorized Agent" means a Journeyman Plumber and/or Engineer authorized by the Municipality install, repair, replace, relocate, seal or remove water meters;

"auxiliary water" means any water other than water supplied by the waterworks system;

"backflow" means the flow of water, whether or not mixed with another substance, away from a point of use back into the Municipality's waterworks through a water service pipe;

"backflow preventer" means a device or assembly for a water service pipe which prevents backflow into the Municipality's waterworks and includes a premises isolation device;

"Canadian Standards Association" or "CSA" means the Canadian Standards Association founded in 1919, or any successor association;

"CAN/CSA-B64.10/B64.10.1" means the *Selection and installation of backflow preventers/Maintenance and field testing of backflow preventers manual* published by the Canadian Standards Association and any replacement document published by the Canadian Standards Association;

“Chief Administrative Officer” or **“CAO”** means the Chief Administrative Officer of the Rural Municipality of Dauphin.

“Construction Specifications” means the construction standards adopted by the Municipality to ensure the proper, safe, and reliable installation of materials and operation of the Wastewater infrastructure system.

“combined water service pipe” means a water service pipe that supplies water to a fire protection system as well as for other purposes;

“condominium” means a multiple-unit building that is subject to *The Condominium Act*;

“conforming water service pipe” means a water service pipe that is connected to a property from a fronting water main;

“Council” means the Council of the Rural Municipality of Dauphin;

“customer” means the owner of the property to which water is supplied, or any other person who has agreed to pay the charges for water supplied to a property;

“demolish”, in the context of a building, means to remove or destroy the entire building, including its foundation;

“Designated Officer” means the Chief Administrative Officer and any other Municipal employee or agent of the Municipality who has been authorized by the Chief Administrative Officer to operate the waterworks system and/or administer this By-law or exercise any of the powers given to the Chief Administrative Officer under this By-law;

“domestic water service pipe” means a water service pipe that is not a fire protection water service pipe, a combined water service pipe, or a seasonal water service pipe;

“downstream” in respect of a device installed on a water service pipe, means any point beyond the point where water supplied from a water main is designed to exit the device;

“feeder main” means a pipe connecting a pumping station to the water main network;

“fronting”, with respect to the relationship between a property and a water main, means that portion of the water main that lies within a road immediately adjacent to the property;

“Municipality” means the municipal corporation of the Rural Municipality of Dauphin as incorporated under the Act;

“municipality” means land within the boundaries of the Rural Municipality of Dauphin;

“Municipality’s infrastructure” means roads and the Municipality’s waterworks, land drainage and wastewater systems;

“Municipality’s waterworks” means that portion of the waterworks system whose maintenance is not the responsibility of the property owner under section 6 (*Responsibility for maintaining water service pipes*) of this By-law;

“non-conforming water service pipe” means a water service pipe that is connected to a property from a non-fronting water main;

“non-potable water” means water that fails to meet drinking water standards established under *The Drinking Water Safety Act* or other legislation governing the supply of drinking water;

“operating condition” in reference to a backflow preventer, means that it meets the standards for operation set out in CAN/CSA-B64.10/B64.10.1;

“owner” unless otherwise stated, means an owner of real property, and, if the property is divided into condominium units under *The Condominium Act*, includes the condominium corporation with respect to the common elements of the building or buildings to which water is being supplied;

“person” means an individual, firm, partnership, association or other body, whether incorporated or unincorporated;

“point of use” means

- (a) in the case of a domestic water service pipe, the domestic aspects of a combined water service pipe, or a seasonal water service pipe,
 - (i) the point at which water exits the meter that is required to be installed by Part 8 (*Water Meters and Other Devices*) or;
 - (ii) if a backflow preventer has been installed on the pipe, the point at which water exits both the meter that is required to be installed by Part 8 (*Water Meters and Other Devices*) and the backflow preventer; and

“premises isolation” means the isolation of the water located within a building or structure from the waterworks system;

“premises isolation device” means a device or assembly approved by the Canadian Standards Association for the premises isolation of a building or structure;

“private property” means property that is not a road;

“property” means real property identified on a civic address;

“property line” means the boundary between a road and a property;

“related components” means devices, mechanisms or hardware that are used to ensure that the object to which they are related functions as intended;

“repurpose”, in the context of the waterworks system, means to change the use of a water service pipe from a fire protection water service pipe, a combined water service pipe or a seasonal water service pipe to a domestic water service pipe;

“reuse”, in the context of the waterworks system, means to connect to a building or point of use a pipe that was previously a water service pipe which has remained connected to a water main since that time;

“road” includes roadways, lanes, sidewalks and ditches;

“seasonal water service pipe” means a permanent water service pipe that supplies water for temporary, seasonal purposes, such as irrigation, fountains, wading pools or other temporary structures or uses;

“Service Permit” means the service permit issued pursuant to subsection 18(2);

“shut off” means to shut off the supply of water to a point of use without abandoning the pipe supplying the water;

“shut-off valve” means a valve controlling the flow of water through a water service pipe which is located

- (a) at the water main, in the case of a combined or fire protection water service pipe; or
- (b) at or near the property line, in the case of a domestic water service pipe;

“Standard Construction Specifications” means the current edition of the Municipality's *Standard Construction Specifications*;

“tamper” includes breaking the seal of a water meter or of a water meter bypass;

“upstream” in respect to a device installed on a water service pipe, means any point before the point where water supplied from a water main is designed to enter the device;

“utility bill” means a demand for payment provided by the Municipality concerning the water charges imposed on a property;

“water main” means a pipe that

- (a) is located beneath the ground within a road or within Municipality-owned private property or other private property pursuant to an easement granted in favour of the Municipality; and
- (b) moves water from one or more feeder mains to water service pipes;

“water meter” means a device designed to measure and record the volume of water used and, where applicable, includes associated devices such as a remote reading device;

“water service pipe” means any pipe, or system of pipes, and related components which carry water underground from a water main to a point of use on private property and includes the following:

- (a) a domestic water service pipe,
- (b) a combined water service pipe,
- (c) a seasonal water service pipe; but excludes a water meter;

“waterworks system” means the pipes, equipment, facilities and structures within the municipality that carry water to points of use, including water service pipes, and the water within the system at any time;

“within”, in the context of a road or property, includes the area above or beneath the surface;

“work” unless the context indicates otherwise, includes installing, enlarging, repairing, altering, connecting, abandoning, or reusing any part of the waterworks system;

3(2) In this By-law, when authorization to take certain actions is identified as being given only to a specified individual or individuals, all other persons are prohibited from taking the action referred to, and any other person who takes such an action commits an offence.

PART 2 AUTHORITY

Chief Administrative Officer's authority

4(1) Subject to this By-law and to resolutions of Council, the Chief Administrative Officer is authorized to administer this By-law for the supply of water to and within the municipality.

4(2) Without restricting the general nature of the powers given to the Chief Administrative Officer in subsection (1), they include the authority to:

- (a) appoint Municipal employees as Designated Officer for this By-law;
- (b) determine which forms of payment will be accepted for a price, rate, fee, penalty, deposit or other charge related to the supply of water;
- (c) determine when water charges are due and payable;
- (d) collect a price, rate, fee, penalty, deposit or other charge related to the supply of water by any legal means, including
 - (i) adding the amount of the fees, rates or charges to the real property taxes imposed by the Municipality on the property to which the water was supplied pursuant to Part 9 (*Appeals, Fees, Charges and Meter Readings*); and
 - (ii) shutting off the water supply to the property pursuant to section 5 (*Shutting off water supply to a property*);
- (e) determine when inspections are required of work governed by this By-law; and
- (f) designate public water service outlets and establish rules that are not contrary to this By-law for their use.

Inspecting, enforcing and administering this By-law

4(3) Designated Officers are authorized to conduct inspections, administer and enforce this By-law, or remedy a violation of this By-law pursuant to Division 3 (Enforcement of Bylaws) of *The Municipal Act* and/or the Municipality's Enforcement By-law, as amended from time to time. For these purposes, they have the powers of a designated officer.

The powers given to Designated Officers in subsection (1) include the authority, after giving reasonable notice to the owner or the occupant, to:

- (a) enter upon private property at any reasonable time;
- (b) install water meters;
- (c) inspect water meters, seals, backflow preventers or any other thing that is required by this By-law to be installed, maintained or done on the property; and
- (d) collect and analyze samples of water; or
- (e) take other actions or measures authorized in this By-law, the Municipality's Enforcement By-law, as amended from time to time and/or *The Municipal Act*

4(4) After giving reasonable notice to the owner or occupant, a Designated Officer is authorized to enter property to administer this By-law, or to maintain, repair, expand, control, operate or otherwise do things reasonable to administer the waterworks system and the supply of water to and within the municipality.

4(5) In the event that entry to the place has been refused to a Designated Officer or where there are reasonable grounds to believe that entry will be refused to a Designated Officer, a Designated Officer may make an application to a justice for the issuance of a warrant authorizing a Designated Officer and any other person named in the warrant to enter the land or a building or other structure and carry out an inspection, remedy, enforcement or action, pursuant to section 240 of *The Municipal Act*.

Shutting off water supply to a property

5(1) After giving reasonable notice to the owner or occupant of the property, a Designated Officer is authorized for maintenance purposes to shut off the supply of water to a property, entering the property if necessary to do so.

5(2) In case of emergency or extraordinary circumstances, a Designated Officer shall disconnect the service. The following situations are deemed to be emergencies or extraordinary circumstances:

- (a) a backflow preventer has not been installed when or as required, or is not in an operating condition;
- (b) water supplied to a property is being used without its flow being metered in accordance with this By-law; or
- (c) water supplied to a property is leaking to the point where it is
 - (i) causing damage to the Municipality's infrastructure or to other properties; or
 - (ii) interfering with or posing a risk to vehicular or pedestrian traffic in a road

Accordingly, where there are reasonable grounds to believe that any of these circumstances exist, a Designated Officer is authorized to take any actions that are necessary to meet the emergency and to eliminate or reduce its effects. This includes the authority to shut off the supply of water to a property, by entering the property if necessary to do so without reasonable or any notice to, and without the consent of, the owner or occupant of the property.

5(3) Disconnection and reconnection policies and procedures shall be consistent with the "Conditions Precedent Allowing of Collection and Disconnection of Water and/or Sewer Services for Non-Payment of Accounts" as documented in Order 39/09 of the Manitoba Public Utilities Board and as set out in Schedule "A" of the Municipality's Utility Rate By-Law, as amended from time to time.

PART 3 GENERAL

Responsibility for installing water service pipes

6(1) The owner of any property that is supplied or is to be supplied with water from a water main is responsible for the installation of all water service pipes, including connections and related components, to supply water to the property.

6(2) Upon Application to Connect to the water services, each owner of any property shall have twelve (12) months to install all water services pipes including connections when the water services pipes front the property as defined herein.

6(3) This includes the responsibility to comply with section 18 (Service Permit and authorization required for all water service pipes), to pay the costs of installation, and to ensure that the installation is in accordance with this By-law.

Responsibility for maintaining water service pipes

7(1) Subject to section 22 (*Requirements for water service pipes when buildings demolished*) and section 23 (*Requirements for reusing water service pipes*), the owner of any property that is supplied with water from a water main through a conforming domestic water service pipe must ensure that the portion of the water service pipe that is not within a road is in an operable condition and is in accordance with this By-law.

7(2) The Owner is responsible for all maintenance and repairs for all service pipes on all private property including but not limited to from the curb stop to the residence.

7(3) The owner of any property that is supplied with water from a water main through any water service pipe except a conforming domestic water service pipe must ensure that the entire length of the water service pipe, from and including the devices connecting the water service pipe to the water main to the point of use on the owner's property, is in an operable condition and is in accordance with this By-law. Without restricting the general nature of this obligation, it applies to

- (a) a combined water service pipe;
- (b) any non-conforming water service pipe; and
- (c) a seasonal water service pipe.

7(4) For the purposes of subsection (3), a water service pipe identified in clauses (3)(a) to (c) that has not been repurposed in accordance with subsection 7(1) is deemed not to be a domestic water service pipe.

7(5) The obligation to maintain a water service pipe in an operable condition includes the obligation to maintain a water service pipe so that it does not leak and cause loss, harm or damage to the Municipality's infrastructure or to other property.

7(6) Where a single water service pipe supplies water to more than one property, the obligation imposed by this section applies to the owners of all the properties to which water is supplied.

Permits, licences and authorizations

8(1) When a permit, licence or authorization is required by or under this By-law, a Designated Officer is authorized to issue or renew the permit, licence or authorization if:

- (a) the applicant provides the information required to assess the application;
- (b) the applicant pays the applicable fee and, if applicable, a deposit for the permit, licence or authorization; and
- (c) the application meets the requirements set out in this By-law.

8(2) A Designated Officer must not renew a permit, licence or authorization if the applicant's existing permit, licence or authorization:

- (a) is suspended; or
- (b) has been cancelled and the period of time referred to in subsection 9(5) has not expired.

8(3) A Designated Officer is authorized to issue or renew a permit, licence or authorization, with or without conditions, for either an indefinite or a limited period of time.

8(4) If a Designated Officer imposes conditions on a licence, permit or authorization under subsection (3),

- (a) the conditions must be related to:
 - (i) the criteria for issuing the permit, licence or authorization; or
 - (ii) administering or enforcing this By-law; and

- (b) the Designated Officers is authorized to take into account the previous relevant conduct of the applicant.

8(5) The Designated Officer is authorized to impose, as a condition under clause (4)(a), the requirement that the holder of the permit, licence or authorization indemnify the Municipality against loss, harm, damage and other consequences that could result from work or actions taken under the licence, permit or authorization.

8(6) It is a condition of any permit, licence or authorization issued under this By-law that the applicant consent to the entry of a Designated Officer to the property owned or occupied by the holder of the permit, licence or authorization at any reasonable time, without notice, in order to conduct an inspection or otherwise administer or enforce this By-law.

8(7) The holder of a permit, licence or authorization must comply with any conditions imposed on the permit, licence or authorization.

8(8) Subject to different requirements imposed as a condition of the permit, licence or authorization, the holder of the permit, licence or authorization must, within ten business days, inform a Designated Officer of any changes to the information submitted in the application, and a failure to do so will void the permit, licence or authorization.

8(9) Where a cheque or other bill of exchange used to pay for a permit, licence or authorization is returned for any reason, the permit, licence or authorization is void from the effective date and is deemed never to have been issued.

Suspending and cancelling a permit, licence or authorization

9(1) In this section and section 10 (*Emergency suspensions of a permit, licence or authorization*),

“suspension” means that the permit, licence or authorization is temporarily ineffective for a specified period of time.

“cancellation” means that the permit, licence or authorization no longer exists and the person must reapply for a new permit, licence or authorization in order to legally carry out the work or activity for which a permit, licence or authorization is required.

9(2) Unless otherwise specified in this By-law or in the licence, permit or authorization, a licence, permit or authorization is automatically

- (a) suspended if fees associated with the permit, licence or authorization have been outstanding for more than 30 days; or
- (b) cancelled if the fees associated with the permit, licence or authorization have been outstanding for more than 60 days.

9(3) A Designated Officer is authorized to suspend or cancel a permit, licence or authorization if:

- (a) the holder of the permit, licence or authorization has failed to comply with this By-law, other relevant legislation, or conditions imposed on the licence, permit or authorization;
- (b) the applicant provided false or misleading information in the application that had an effect on the decision to grant the permit, licence or authorization;
- (c) the past conduct of the holder of the permit, licence or authorization creates a reasonable concern that the authorized work or activity will not comply with this By-law, another by-law, other relevant legislation, or conditions imposed on the licence, permit or authorization; or

- (d) work or activity authorized by the permit, licence or authorization poses an undue risk to the Municipality's infrastructure, human health or safety, property or the environment.

9(4) Before suspending or cancelling a permit, licence or authorization under subsection (3), the Designated Officer must:

- (a) notify the holder of the permit, licence or authorization in writing that suspending or cancelling the permit, licence or authorization is being considered;
- (b) provide in writing the reasons why suspending or cancelling the permit, licence or authorization is being considered; and
- (c) give the holder of the permit, licence or authorization a reasonable opportunity to be heard.

9(5) If a Designated Officer decides to cancel a permit, licence or authorization, they must identify a date before which, or a time frame within which, the holder is not permitted to reapply for the permit, licence or authorization.

9(6) For greater clarity, a decision to suspend or cancel a permit, licence or authorization under this section must be given to the holder of the permit, licence or authorization and is subject to an appeal to Council within 14 days of being given notice of the decision.

Emergency suspensions of a permit, licence or authorization

10(1) A Designated Officer is authorized, without notice and without a hearing, to suspend a permit, licence or authorization for up to 30 days if work (including but not limited to construction requirements/guidelines that are not adhered to) or an activity authorized by the permit, licence or authorization poses an immediate and substantial risk to the Municipality's infrastructure, human health or safety, property or the environment. After imposing an emergency suspension, the Designated Officer must:

- (a) immediately notify the holder of the permit, licence or authorization of the
 - (i) suspension;
 - (ii) date the suspension will expire;
 - (iii) reasons why they have concluded that the work or activity authorized by the permit, licence or authorization poses an immediate and substantial risk to the Municipality's infrastructure, human health or safety, property or the environment; and
 - (iv) actions that must be taken or circumstances that must exist, if any, that will result in the suspension being lifted before the expiration date; and
- (b) lift the suspension as soon as the immediate and substantial risk to the Municipality's infrastructure, human health or safety, property or the environment no longer exists.

10(2) A Designated Officer is authorized, without notice and without a hearing, to suspend a permit, licence or authorization for up to 30 days if the information submitted in the application was incorrect and, had the correct information been known, the permit, licence or authorization would not have been issued. After imposing a suspension, the Designated Officer must:

- (a) immediately notify the holder of the permit, licence or authorization of the
 - (i) suspension;
 - (ii) date the suspension will expire; and

- (iii) incorrect information submitted in the application; and
- (b) lift the suspension if it was imposed in error.

10(3) Unless it is lifted earlier by the Designated Officer, an emergency suspension imposed under this section expires 30 days after it has been imposed. However, if the Designated Officer is considering imposing a suspension or cancellation under section 9 (*Suspending and cancelling a permit, licence or authorization*) and the holder of the permit, licence or authorization requests that their opportunity to be heard be deferred to a date beyond the 30-day period, the Designated Officer is authorized to extend the suspension for up to an additional 60 days to accommodate this request.

Operation of valves prohibited

11 A person must not operate

- (a) a valve on the waterworks system; or
- (b) the shut-off valve on a water service pipe.

unless they are certified operator under *The Water and Wastewater Facility Operators Regulation (77/2003)* and is a Designated Officer or is an authorized water contractor who is authorized by a Designated Officer.

Obstructing Municipality work prohibited

12 A person must not obstruct the authorized work of employees or agents of the Municipality while they are working on the waterworks system.

Damage to and obstruction of waterworks system prohibited

13(1) A person must not damage the waterworks system unless authorized by the person responsible for maintaining that portion of the waterworks system.

13(2) A person must not interfere with the operation of any part of the waterworks system unless authorized by a Designated Officer in accordance with section 8 (*Permits, licences and authorizations*).

Contamination of waterworks system prohibited

14 A person must not add any substance to the waterworks system unless this is authorized by the Chief Administrative Officer.

Rationing of water

15(1) The RM Council may impose restrictions on the use of water within the municipality if the Council considers that

- (a) the Municipality faces a shortage of water, and restrictions on the use of water are necessary to address the shortage; or
- (b) it is reasonably required to reduce the risk to the waterworks, wastewater or land drainage systems.

15(2) The authority referred to in subsection (1) is only effective if it is exercised by a written declaration that is:

- (a) dated and signed by the Reeve, or the other member of the RM Council designated for this purpose by the Reeve;
- (b) posted on the Municipality's website; and
- (c) released to the media by way of a communique.

15(3) The declaration referred to in subsection (2) must specify the time period, which may be indefinite, during which it is in effect, and may identify specific days, specific periods of the day, and specific areas of the municipality to which it applies.

15(4) The declaration referred to in subsection (2) may be extended or terminated by a further declaration that is in accordance with subsection (2).

15(5) A person must not violate the restrictions imposed by a written declaration under this section.

PART 4 AUTHORIZED WATER CONTRACTOR REQUIREMENTS

Authorized Water Contractor required

16(1) Only a Designated Officer or a person authorized as a Water Contractor is authorized to work on a water main, or water service pipe outside a building within the municipality.

16(2) Only Journeyman Plumbers may install water meters.

Authorization requirements

17(1) A Designated Officer may authorize a Water Contractor only if:

- (a) the Water Contractor submits the indemnification and certificate of insurance outlined in this section, and
- (b) the Designated Officer is satisfied that the applicant can satisfactorily perform the work for which the authorization is being issued.

17(2) A Designated Officer must not authorize a Water Contractor unless the applicant agrees, in a written form approved by the Municipality's Solicitor, to indemnify the Municipality against any lawsuits or other claims for damages resulting from the work done by the applicant or the applicant's employees or agents on a water main or a water service pipe and related components.

17(3) A Designated Officer must not authorize a Water Contractor until the applicant files with the Municipality a Certificate of Insurance demonstrating that the holder has in place a commercial general liability insurance policy in an amount determined by the Chief Administrative Officer to be sufficient to address the risk to the Municipality and which includes:

- (a) the Municipality as an additional insured;
- (b) evidence of cross-liability coverage;
- (c) unlicensed motor vehicle liability;
- (d) products and completed operations coverage;
- (e) 15 days' notice of cancellation; and
- (f) deductible which is expressly stated on the certificate.

17(4) The Water Contractor's Authorization is immediately void if the insurance policy required by subsection (3) is not maintained.

PART 5 CONSTRUCTION REQUIREMENTS

Service Permit and authorization required for all water service pipes

18(1) A person must not install a new water service pipe, reuse or repurpose an existing water service pipe, or abandon a water service pipe unless the owner has applied for, and a Designated Officer has authorized in accordance with section 8 (*Permits, licences and authorizations*).

18(2) A person must not do any work on a water service pipe outside a building unless a Service Permit which authorizes the person to carry out the work has been issued in accordance with section 8 (*Permits, licences and authorizations*).

18(3) In deciding whether to issue an authorization under subsection (1) or a Service Permit under subsection (2), a Designated Officer must consider the impact of the work and the effect of the proposed water service pipe on the Municipality's infrastructure.

18(4) Where a Designated Officer reasonably considers it to be necessary, they are authorized to require that the applicant submit plans as well as a statement that the plans meet the standards set out in the Standard Construction Specifications for the proposed works, both of which must be signed and sealed by a professional engineer registered to practise in the Province of Manitoba.

18(5) Where the work being authorized in subsections (1) or (2) could have a significant impact on the Municipality's infrastructure, a Designated Officer is authorized to require, as a condition of the authorization or Service Permit, that the permit holder submit an as-built drawing showing the completed work within 90 days of the completion of the work.

18(6) Where work, including construction and excavation, places at risk a feeder main, a Designated Officer is authorized to impose as a condition of the authorization or Service Permit a requirement that no work be done without a safety watch on site which is provided by the Municipality at the expense of the permit holder.

18(7) It is a condition of all Service Permits for the installation or the reuse of domestic water service pipes that, if the pipe leaks within the road within one year of being installed or reused, the permit holder must repair the leak at their expense within 24 hours of being informed of it.

Complying with construction standards required

19(1) Subject to this section, anyone doing any work on the waterworks system that is referred to in the Standard Construction Specifications must ensure that the work complies with the standards set out in the Standard Construction Specifications.

19(2) Despite the standards set out in the Standard Construction Specifications, the portion of a water service pipe that is the responsibility of the owner to maintain under section 7 (*Responsibility for maintaining water service pipes*) is permitted to be constructed of any material that is approved by the American Water Works Association (AWWA).

19(3) Despite subsection (1), a Designated Officer is authorized to allow in writing a variation to the Standard Construction Specifications proposed by a professional engineer registered to practise in the Province of Manitoba if the variation meets the intent of the Standard Construction Specifications. If a Designated Officer has authorized a variation, the person doing work on the waterworks system must comply with the variation.

19(4) As well as complying with the Standard Construction Specifications, a person doing the work must follow directions and requirements imposed by a Designated Officer to minimize risks to the Municipality's infrastructure, the waterworks system, human health and safety, property, and the environment.

Authorization required before backfilling

20(1) A Service Permit holder must not backfill an excavation on the road or private property until authorized by a Designated Officer.

20(2) Where an excavation is backfilled without the authorization of a Designated Officer, in addition to any enforcement action taken, a Designated Officer is authorized to require the work to be exposed so that an inspection can take place.

Non-compliant water service pipe

21(1) A Designated Officer is authorized to allow water to be supplied to a property only if the water service pipe is in accordance with the requirements of this By-law.

Requirements for water service pipes when buildings demolished

22(1) In addition to any other requirements, no person shall demolish a building unless the owner, or a person on behalf of the owner:

- (a) has abandoned the water service pipe in accordance with the Standard Construction Specifications; or
- (b) has paid a fee in an amount established by Council.

22(2) Despite subsection 7(1), where a Demolition Permit has been issued by the Building Inspector/development officer, the owner is responsible for all costs associated with the entire water service pipe, from the water main to the point of use, including the costs of repair and maintenance, until the pipe is either reused or abandoned.

22(3) If the owner has provided the applicable fee under clause (1)(b), within 18 months of the demolition of the building, they must either:

- (a) reuse the water service pipe after complying with section 18 (*Service Permit and authorization required for all water service pipes*); or
- (b) ensure that the water service pipe is abandoned in accordance with the Standard Construction Specifications.

22(4) If ownership of the property changes at any point before the water service pipe is abandoned or reused,

- (a) the new owner must:
 - (i) provide the applicable fee required by clause 1(b); and
 - (ii) comply with subsection (3); and

22(5) If the current owner fails to comply with subsection (3), a Designated Officer is authorized, after giving at least 30 days' notice to the current owner, to:

- (a) abandon the water service pipe as required by the Standard Construction Specifications, and
- (b) charge the current owner the cost of doing so.

Requirements for reusing water service pipes

23(1) A Designated Officer must not issue an authorization to reuse a water service pipe unless they are satisfied that, when reused, the water service pipe will meet the Standard Construction Specifications with respect to material, depth, size, location, functionality and other relevant factors.

23(2) Despite subsection (1), a Designated Officer must not authorize the reuse of a water service pipe that has been frozen or identified as being at risk of freezing.

23(3) Despite section 7 (*Responsibility for maintaining water service pipes*), where a domestic water service pipe is being reused after the building to which it supplied water has been demolished, the owner must ensure that the entire water service pipe, from the water main to the point of use including the shut-off valve, is in accordance with criteria or requirements established by the Chief Administrative Officer with respect to material, depth, size, location, functionality and other relevant factors.

Requirements for abandoning existing water service pipes

24(1) Once a building has been demolished, the owner must abandon all existing water service pipes connected to the building.

24(2) Subject to subsection (3), the owner must not install, or permit to be installed, new water service pipes to a building unless all existing water service pipes have been abandoned.

24(3) Subsection (2) does not apply when an additional water service pipe is required to service an extension to an existing building.

PART 6 CONNECTION REQUIREMENTS

Responsibility for complying with this Part

25 Unless otherwise specified, the owner to which water is supplied and any authorized water contractor doing work on the property are each responsible for meeting the requirements of this Part.

Temporary water connections

26(1) Unless a Designated Officer authorizes otherwise,

- (a) a person may supply water to a property from the Municipality's waterworks only through a water service pipe; and
- (b) the owner of a property may only allow the property to be supplied by water from the Municipality's waterworks through a water service pipe.

26(2) A Designated Officer is authorized to allow a person to use a connection other than a water service pipe to supply water from the Municipality's waterworks to a property on a temporary basis where:

- (a) the Municipality's waterworks system is able to supply the water;
- (b) the owner demonstrates that the risk of backflow can be adequately addressed; and
- (c) no undue risk will be posed to the Municipality's infrastructure, human health or safety, property or the environment.

Water supply to single property

27(1) A Designated Officer is authorized to allow a single property to be supplied with water from more than one domestic water service pipe or combined water service pipe after taking into account:

- (a) the size, use and nature of the property,
- (b) the capacity of the water service pipes, and
- (c) the impact of this action on the Municipality's infrastructure.

27(2) Where two or more water service pipes supply water to a building, the internal plumbing connected to the two water service pipes must not be interconnected unless authorized by a Designated Officer. A Designated Officer is authorized to allow the interconnection of the two plumbing systems only if the owner has submitted valve and piping layout drawings which show the location of

- (a) check valves on each water service pipe to prevent reverse flow; and
- (b) water meters to ensure appropriate metering of the water supply.

27(3) Where more than one building on a single property is supplied with water through a single water service pipe, the owner must, at the time of the installation of the water service pipe to a building, install a shut-off valve at a location that will permit the water supply to be shut off from the building without affecting the water supply to the other building or buildings.

Requirements for non-conforming water service pipes

28(1) Subject to this section, a Designated Officer is authorized to allow the installation of a non-conforming water service pipe to serve a property only if

- (a) subject to subsection (2), there is no water main fronting the property;
- (b) it is not reasonable to require the installation of a water main that would front the property, as determined by the factors set out in subsection (3);
- (c) in the case of a proposed non-conforming water service pipe that would cross another property between the water main and point of use, the owner of the property has submitted drawings of the proposed non-conforming water service pipe signed and sealed by a professional engineer registered to practise in the Province of Manitoba which shows the location of the pipe; and
- (d) the property owner:
 - (i) agrees to accept full responsibility for, and to indemnify the Municipality against, any damage, loss or expense because of the construction, existence or abandonment of the non-conforming water service pipe;
 - (ii) has provided to a Designated Officer a Certificate of Insurance, which in the opinion of the Chief Administrative Officer is sufficient to support the indemnifications set out in the agreement;

28(2) Despite clause (1)(a) but subject to clauses (1)(b), (c) and (d), a Designated Officer is authorized to allow a non-conforming water service pipe to be connected to a water main even where there is a water main adjacent to the property if

- (a) it is not technically feasible to connect a property to the fronting water main; or
- (b) connecting to the fronting water main would place the Municipality's infrastructure at risk.

28(3) For the purposes of clause (1)(b), the installation of a water main that would front the property proposed to be served by a non-conforming water service pipe is not reasonable

- (a) where the installation of the water main would jeopardize the Municipality's infrastructure, or is not feasible based on elevation or other reasons; or
- (b) where
 - (i) the property that is proposed to be served by a non-conforming water service pipe is immediately adjacent to a property that fronts on a water main;
 - (ii) the land under which the pipe is located is unlikely ever to be subdivided; and

- (iii) the non-conforming water service pipe will connect with the water main at a point that fronts on the adjacent property.

28(4) Despite subsection (1), a Designated Officer is authorized to refuse to allow the installation of a non-conforming water service pipe if they determine that the proposed non-conforming water service pipe poses a risk to or interferes with:

- (a) the Municipality's infrastructure;
- (b) human health or safety or the environment.

Requirement to abandon a non-conforming water service pipe and connect to the Municipality's waterworks

29(1) When a non-conforming water service pipe

- (a) has failed or there is a structural defect so that it is not operable;
- (b) poses a risk to the Municipality's infrastructure or interferes with the Municipality's operations; or
- (c) poses a risk to human health or safety or the environment

the owner of a property served by this pipe must abandon the non-conforming water service pipe in accordance with this By-law and connect the property to the Municipality's waterworks system, either by way of a conforming water service pipe where a fronting water main exists or by way of a non-conforming water service pipe where a fronting water main does not exist, within a reasonable period specified in a notice issued by and given to the owner by a Designated Officer.

Connection charge - non-conforming water service

30(1) In this section,

"connection charge" means a fee equivalent to the fee that would have been imposed on the property if the property had fronted on a water main at the time of the water main construction.

30(2) Subject to subsections (3) and (4), the owner of the property must, at the time of connecting the property to the water main, pay the connection charge.

30(3) Where the owner of a property fails to pay the entirety of a connection charge imposed under subsection (2) at the time that it is imposed, the connection charge must be added to the property taxes payable in respect of the property pursuant to and collected in the same manner as local improvement taxes.

30(4) Despite subsection (2), no connection charge is payable in respect of a property when a water main has been installed adjacent to a property as a condition of a subdivision or other agreement and this agreement includes the property.

PART 7 BACKFLOW AND CROSS-CONNECTION CONTROLS

Backflow risk prohibited

31(1) Subject to subsection (2), a person must not connect or cause to be connected, and the owner and occupant of premises must not permit to be connected, a pipe, fixture, fitting, container or appliance in a manner which, under any circumstances, permits or facilitates backflow into the Municipality's waterworks system.

31(2) Without restricting the general nature of subsection (1), the owner and occupant of premises must not permit a supply of auxiliary water to be connected to the Municipality's waterworks system. This requirement may be met by ensuring that an air gap exists always between the supply of auxiliary water and the Municipality's waterworks

system. The vertical distance between the supply pipe and the flood level rim should be at least two times the diameter of the supply pipe, but never less than 25 mm.

31(3) Despite subsection (1), the owner or occupant of a building, or a point of use that is not located within a building, is not in violation of subsection (1) if

- (a) a Designated Officer has authorized the installation of a backflow preventer to prevent non-potable water or other fluid from flowing into the Municipality's waterworks system; and
- (b) the backflow preventer has been properly installed and is maintained in accordance with this Part.

PART 8 WATER METERS AND OTHER DEVICES

Definition of "owner"

32 In this Part,

"owner" means the owner of property that is, or is proposed to be, supplied with water through a water service pipe.

Diversion of water upstream of a water meter prohibited

33(1) An owner must ensure that a water meter has been installed on any water service pipe that is connected to the property, unless the water meter has been removed under subsection 34 (6).

33(2) An owner must ensure that water supplied to the property that is used for any purpose is metered before it is used or distributed from a water service pipe on the property. For greater clarity, the owner of a property is in contravention of this By-law if the property is supplied with unmetered water.

33(3) Without restricting subsection (1) and subject to section 39 (*Water meter bypass*), a person must not install, and the owner must not allow to exist or be installed, a branch line on a water service pipe that is supplying water, on the upstream side of a water meter installed under section 34 (*Installing, repairing, sealing, replacing, relocating and removing water meters*).

33(4) Without restricting subsection (1), other than in accordance with section 39 (*Water meter bypass*), a person must not install, and the owner must not allow to exist or be installed, a pipe that will allow water to bypass a water meter.

Installing, repairing, sealing, replacing, relocating and removing water meters

34(1) Only a Designated Officer is authorized to approve the number, size and type of water meters that must be installed to determine the volume of water supplied to a property.

34(2) Water meters remain the property of the Municipality even after they are installed. Accordingly, only Designated Officer or Authorized Agents (Journeyman Plumbers) of the Municipality are authorized to install, repair, replace, relocate, seal or remove water meters.

34(3) The costs of supplying and installing the initial water meters must be paid by the owner.

34(4) If the Owner damages the water meter, the Owner shall be required to pay all costs associated with the replacement of a new water meter.

34(5) A Designated Officer is authorized to have a water meter relocated only if the relocation will be in accordance with the requirements set out in this Part.

34(6) A Designated Officer is authorized to remove a water meter without installing a new water meter only if

- (a) the water service pipe to which it is connected is abandoned in accordance with this By-law;
- (b) a building is being demolished but the owner has paid the fees and deposit to permit a water service pipe to be reused, in which case the water meter may be removed pending the construction of a new building and the reuse of the water service pipe in accordance with this By-law; or
- (c) the water meter is installed on a seasonal water service pipe.

Minimum Quarterly charge payable after water meter installed

35(1) Subject to subsection (2), a minimum quarterly charge is payable (in accordance with the Water Rates By-Law approved the Public Utility Board) by the owner to the Municipality's Utility after a water meter has been installed with respect to a point of use until the water meter is removed.

35(2) The Chief Administrative Officer is authorized to waive the minimum quarterly charge referred to in subsection (1) at his or her discretion.

35(3) If a Designated Officer installs, or requires the installation of, a sealable control valve as a condition of waiving the minimum quarterly charge under subsection (2), in addition to paying any applicable fee, the owner must ensure that the valve seal is not broken and must notify a Designated Officer immediately if the valve seal is broken for any reason.

Logistics of installing water meters and other devices

36(1) The owner that is supplied with water from a water main must, for each metered water service pipe entering the building,

- (a) provide a Designated Officer with information reasonably required to determine an appropriate size and type of water meter for the building or buildings on the property;
- (b) subject to subsection (3), ensure that, when a new building is constructed or a building is reconstructed in a way that affects the location of the water meter, the design and construction of the building provide for a suitable site for the installation, in accordance with the Standard Construction Specifications, of a water meter and other devices required by this Part, including, if required, a backflow preventer, strainer, flow straightening device and testing apparatus. A suitable site is one that
 - (i) is sufficiently close to the point where the water service pipe enters the building that it would not be possible to divert water undetected from the pipe supplying water to the building in order to bypass the water meter;
 - (ii) is on the downstream side of the control valve inside the building that is required by the Manitoba Plumbing Code;
 - (iii) permits the water meter to be installed in a horizontal/vertical and upright position; and
 - (iv) permits the water meter to be installed so that it is accessible to be read, examined, repaired, removed or replaced in a manner consistent with subsection (2);
- (c) with respect to a water meter that has been previously installed, ensure that the water meter is accessible to be read, examined, repaired, removed or replaced and, if necessary, relocate the water meter in order to ensure its accessibility; and
- (d) ensure that the control valve required by the Manitoba Plumbing Code is installed as close as possible to the point where water enters the water meter.

36(2) For the purposes of this section, a water meter is not accessible if, in order to read, examine, repair, remove or replace the water meter:

- (a) it is necessary to crawl, climb or crouch;
- (b) it is necessary to move or remove items located in front of the control valve or water meter.

36(3) Despite clause (1)(b), a Designated Officer is authorized to allow the placement of a water meter so that it is not in accordance with the Standard Construction Specifications if the authorized placement would achieve the purposes of the Standard Construction Specifications and this By-law.

36(4) Where compliance with subsection (1) requires plumbing or other alterations to a building, the owner is responsible for making the alterations and paying these costs.

Property owner responsibilities for water meters

37 The owner of property that is supplied with water from a water main must for each water meter that has been installed

- (a) ensure that the ambient temperature around a water meter is sufficient to prevent the water meter from freezing;
- (b) ensure that the water meter is not damaged by hot water backflow;
- (c) ensure that the water meter is not damaged, tampered with, or rendered inoperable; and
- (d) notify a Designated Officer immediately if the water meter is damaged or tampered with or, if it breaks, stops or fails to function in any way.

Multiple water meters

38(1) Upon application by the owner, a Designated Officer is authorized to allow the installation by the Municipality of separate water meters for individual dwelling units or occupancies within the building even though a building has a single point of entry by a water service pipe. However, a Designated Officer is authorized to allow only if

- (a) the Designated Officer is satisfied that the water meters installed will collectively measure the water supplied to the property accurately;
- (b) the water meters can be installed, and the owner agrees to have them installed, in a single room within the building that is accessible at all reasonable times; and
- (c) the owner provides the Designated Officer with information required to determine the appropriate number, size and type of water meters for each of the units or areas of the building to be metered.

38(2) Where multiple water meters have been installed under subsection (1), the owner of the property, which may be a condominium corporation, is responsible for complying with section 37 (*Property owner responsibilities for water meters*).

Water meter bypass

39(1) Despite section 33 (*Diversion of water upstream of a water meter prohibited*), if the internal diameter of a water service pipe is 38 mm or greater, the owner must install a bypass around the water meter in accordance with the Standard Construction Specifications to permit replacement, repairs and testing of the water meter without interrupting the supply of water to the building.

39(2) Where a bypass is approved under this section, the owner and occupant must each ensure that the installation and the existence of the bypass is in accordance with the Standard Construction Specifications and, in particular, that a valve to operate the bypass is installed on the bypass and is sealed by a Designated Officer as soon as it is installed.

39(3) A person must not break a valve seal on a bypass or open a bypass valve, and the owner and occupant are each responsible for ensuring that the valve seal on a bypass is not broken and the valve is not opened, unless there is a leak or a stoppage in the water meter or connections.

39(4) Whenever a valve seal on a water meter or a bypass is broken,

- (a) the person who broke it must notify a Designated Officer immediately; and
- (b) the owner and occupant of the property, are each responsible for ensuring that a Designated Officer is notified as soon as they learn that the seal has been broken.

39(5) A Designated Officer is authorized, by written order, to require the removal of a bypass within a specified period of time if

- (a) valve seals installed on a bypass are broken frequently;
- (b) a Designated Officer is not notified of a valve seal being broken in accordance with subsection (4); or
- (c) the bypass no longer meets the requirements for installation set out in subsection (2).

39(6) For greater clarity, an order under subsection (5) must be given to the owner and is subject to an appeal under section 41 (*Appeals*) within 14 days of being given the order or the time specified in the order, whichever is sooner.

Well Use

40(1) Once municipal water is connected to the property, the plumbing must be altered so that the well can only be used for outdoor purposes, unless otherwise approved by a Designated Officer.

40(2) No property shall be permitted to use well water for business purposes (including washing of vehicles/trucks) once the property has been connected to the water utility and water is being supplied to the property.

PART 9 APPEALS, FEES, CHARGES AND METER READINGS

Appeals

41(1) Any appeal permitted by the Act may be made to the Municipal Council by written notice no later than 14 days after an order was made.

41(2) Any appeal permitted by this By-law may be made to the Municipal Council by written notice within 14 days after the date of the order or decision of a designated officer was received, or such longer period as a by-law specifies.

41(3) Appeals must be in writing.

Annual water meter readings may be required

42 The owner and customer of a property to which water is supplied are each responsible for ensuring that if requested by the municipality, either

- (a) an accurate water meter reading is provided to a Designated Officer; or
- (b) arrangements are made to allow a Designated Officer to enter the property to read the water meter.

Estimated charges authorized

43(1) The Chief Administrative Officer or designate is authorized to estimate the amount of water supplied to a property and calculate the amount owed by a customer on the basis of that estimate unless:

- (a) the customer has provided a water meter reading within seven days of being requested to do so by a Designated Officer; or
- (b) a Designated Officer has read the water meter within seven days before the utility bill is issued.

43(2) Even if a customer has provided a water meter reading or a Designated Officer has read the water meter in accordance with subsection (1), the Chief Administrative Officer or designate is authorized to estimate the amount of water supplied to a property and calculate the amount owed by a customer on the basis of that estimate if

- (a) a Designated Officer concludes that the amount of water supplied to the property has not or might not have been accurately measured for any reason, including the following:
 - (i) a water meter was not installed, has been removed, is not in working order or has been tampered with; or
 - (ii) a water meter bypass seal or a sealable control valve has been broken or tampered with; or
 - (ii) the water from a water service pipe has been used or distributed before it is metered in contravention of section 33 (*Diversion of water upstream of a water meter prohibited*); or
- (b) the water meter reading appears to have been reported inaccurately.

43(3) If the Chief Administrative Officer or designate has issued a statement of account on the basis of an estimate made under subsection (1) or (2), the customer must pay the amount owing as set out in the statement of account unless the customer provides evidence that the amount is incorrect.

Charges for condominiums

44(1) Any price, rate, fee, penalty, deposit or other charge with respect to water supplied to a dwelling unit or occupancy within a condominium building is payable by the owner of the unit to which water was supplied.

44(2) If separate water meters have not been installed to measure the water supplied to individual condominium units, any price, rate, fee, penalty, deposit or other charge with respect to water supplied to the units within the condominium building is payable by the owners of the units on the basis of the percentage of the common element costs assigned to each unit under the Condominium Declaration that is in effect for that building.

44(3) Despite subsection (2), in order to collect the amount payable by the owners of individual condominium units, the Chief Administrative Officer or designate is authorized to issue the utility bill for any charges to the condominium corporation that is responsible for the control, management and administration of the common elements of the building in which the condominium unit is located. However, if the condominium corporation fails to pay the utility bill, the Chief Administrative Officer or designate is authorized to collect the amount owing on an overdue utility bill from the owners of the condominium units located in the building to which the water was supplied on the basis of subsection (2).

No interest on deposits

45 The applicable Interest is not payable on a deposit paid under this By-law.

Fees and Charges

46 The applicable fees and charges for this bylaw are set out in the Municipality's Fees and Charges By-law, as amended from time to time.

Repeal

47 That By-Law No. 2987 be hereby repealed upon passing of this by-law.


Effective Date

48 This By-law comes into force on June 9, 2020.

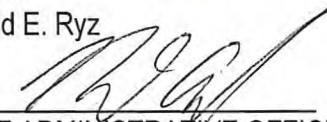
DONE AND PASSED, this 9th, day of June, 2020.

Read a FIRST time May 26, 2020
Read a SECOND time June 9, 2020
Read a THIRD time June 9, 2020

For:	Against:	Abstained:	Absent:
Ronald E. Ryz Midge Sametz Jack Bremner David Johnston Don Seeley Dennis Forbes Tom Gibbs			



REEVE:
Ronald E. Ryz



CHIEF ADMINISTRATIVE OFFICER:
Nicole Chychota

Schedule "A" Water Connection Form within Phase – Included within Borrowing By-law

Rural Water Connection Form (Phase 3 Construction) Borrowing By-Law
(Schedule "A" Water Connections By-law)



It is very important that ALL owners of the Property sign this Application.

ALL registered owners are required to sign this application. If your spouse or any other person is on the title to this property, they **MUST** sign the application or consent to the Application.

If all owners have not signed or consented to the Application, or you fail to disclose all owners of the Property; you will forfeit your deposit and you may also be ineligible to connect to the water distribution system.

This Application is binding upon the Property Owners, their heirs and successors in title and the Municipality.

Schedule "A" (*Project Application*) and Schedule "B" (*Change Order*) form part of this Application.

***Application for and commitment to connect to the R.M. of Dauphin (the "Municipality")
Rural Water Distribution System (the "Project")***

Registered Owner name(s): _____

Mailing address: _____

Postal code: _____

Phone number(s): _____

Email address: _____

Legal description of property to be connected: _____
(the "Property")

Civic address of property to be connected: _____



Rural Water Connection Form (Phase 3 Construction) Borrowing By-Law
(Schedule "A" Water Connections By-law)

I will be utilizing the water for these purposes (check all that apply):

- Residential
- Commercial
- General farm use
- Cattle
- Spraying

Please check off if you would like to be considered for these optional services ("Optional Services"):
(check all that apply):

- Larger meter
- Larger line

I/We, the registered owner(s) of the subject property, hereby acknowledge that I have read the entire application including Schedule "A". Schedule "A" reflects the terms, conditions, and costs that may be incurred. This includes the imposition of charges on the title in that nature of real property taxes.

Signature(s) of Applicant(s)

Date: _____

Date: _____

Signature of Municipality's Representative

Date: _____

Rural Water Connection Form (Phase 3 Construction) Borrowing By-Law
(Schedule "A" Water Connections By-law)



Schedule "A"
Project Application

BETWEEN

R.M. of Dauphin
(the "Municipality")

and

INSERT NAMES
(the "Project Applicant(s)")

These terms and conditions of Schedule "A" form a part of your application to be connected to the rural water distribution system (the "Project"). To be considered, your Application must be accompanied with a deposit of \$1,000.00 payable to the Municipality by cash, cheque or online payment. Your Application will not be considered unless the deposit is provided with this Application.

By signing this Application, you are agreeing and will be bound to the following terms and conditions:

1. You are confirming your interest and commitment to participate in Phase 3 of the rural water distribution system including your share of the Project Costs. You acknowledge and confirm that once you have signed this Application you have committed to the Project Costs and if you fail to pay the Project Costs, the Project Costs may be collected by the Municipality from you and may be added to your property as part of the real property taxes in accordance to clause 4(b) herein and collected in the same manner as the Property taxes.
2. Once your Application has been approved you will have the right to connect to the water distribution system so long as the Project is considered financially attainable or viable by the Municipality.
3. The estimated maximum Project Costs to each Applicant is \$00,000.00 (the "Project Costs").
4. You may pay the Project Costs in one of the following manners:
 - (a) \$00,000.00 as a one-time payment (less the one time \$1,000.00 deposit); the date of payment will be determined by the Municipality. The payment shall be paid within 30 days of the notice by the Municipality and shall be by cash, cheque or online payment.
 - (b) by way of an annual amount added to your property taxes calculated by a maximum cost of \$00,000.00 divided by 00 years plus interest of 0% per annum or approximately \$0,000.00 per year. (This amount may be adjusted downward once the interest rate has been confirmed)
5. You acknowledge that as a Project Applicant the Project Costs shall be paid in accordance with clause 4(a). Failure to confirm that the Project Costs payment in accordance with clause 4(a) will result in the amount to be paid in accordance with clause 4(b) and the amount owing to be added to your annual property taxes in accordance with clause 4(b).

Rural Water Connection Form (Phase 3 Construction) Borrowing By-Law

(Schedule "A" Water Connections By-law)



6. The deposit of \$1,000.00 is non-refundable. If the Project construction does not proceed either in its entirety or for your property because it is cost ineffective or otherwise not viable due to construction inefficiencies as determined in the sole discretion of the Municipality, you will not be responsible for any Project Costs.
7. You have received a copy of and have reviewed the Municipality's by-laws. You confirm you understand that the bylaws are subject to change. Please review the Municipality's website at: www.rmofdauphin.ca
8. If during the course of the construction, you determine that you require an amendment to your specific connection construction, the Municipality requires a project change order ("Change Order"). The Municipality reserves the right to review the Change Order. The Change Order should be submitted promptly. The Municipality cannot guarantee the approval of any Change Order. The Municipality may approve the Change Order subject to an agreement by you to pay the additional costs incurred for the Change Order and the additional costs shall be paid immediately by you to the Municipality upon approval of the Change Order.
9. The Municipality cannot guarantee full restoration of your lands to pre-project conditions. The Municipality will only guarantee that the construction effects will be reasonably restored to a condition that is deemed reasonable as determined by the Designated Officer/Project Manager in their sole discretion.
10. This commitment is binding on you as a Project Applicant unless the Project and/or connection cannot be completed due to costs or engineering issues which make your connection to the Project ineffective.
11. The Municipality anticipates reasonable water rates. Water rates are set by the Public Utilities Board ("PUB"). Water rates can only be reviewed and changed by the PUB. Therefore, the Municipality cannot confirm the rates of the water costs. You have a right to make representations to the PUB with respect to whether the rate you are being charged is fair and reasonable. Please visit the PUB website is <http://www.pubmanitoba.ca/v1/>
12. Should you increase the size of the line and/or meter to accommodate higher usages (subject to approval by the Designated Officer/Project Manager) ("Optional Services") there will be an additional cost for these options and these additional costs will not be eligible to be added to your tax bill. To proceed with the addition of Optional Services, the Municipality requires a Change Order. Payments for Optional Services made in the Change Order must be made by the deadline set by the Municipality and only by cash, cheque or online payment. The Change Order for the Optional Services must be made upon signing this Agreement to ensure that they can be considered for approval. The Municipality cannot guarantee the approval of any Change Order. Change Orders that are approved will be considered binding and the landowner will have to pay the associated additional costs by the payment deadline.

Signature(s) of Applicant(s)

Date: _____

Date: _____

Signature of Municipality's Representative

Date: _____

For internal use only:

Payment method: _____

Roll #: _____



Rural Water Connection Form (Phase 3 Construction) Borrowing By-Law
(Schedule "A" Water Connections By-law)

Schedule "B"
Change Order Form

I will be utilizing the Change Order Form for (check all that apply):

- Amendment to Specific Construction for the Property
- Optional Services for the Property
 - Larger Meter
 - Larger Line

Details of Request:

For internal use only:

- Change Order Submitted to Manitoba Water Services Board on: _____
- Change Order Received by Municipality from MWSB on: _____
 - Accepted
 - Denied
 - Accepted in Part

Describe accepted changes of Change Order: _____

If accepted:

Estimated Cost of Total Change Order: _____

Total Estimated Cost Breakdown:

Estimated Cost of Contractor: _____
Estimated Cost of Engineer: _____
Estimated Cost of Other(s): _____

Description of the Works to be completed in the Change Order:

Rural Water Connection Form (Phase 3 Construction) Borrowing By-Law
(Schedule "A" Water Connections By-law)



Engineer: _____

Contractor: _____

Other Information: _____

Signature(s) of Applicant(s)

Date: _____

Date: _____

Signature of MWSB Representative

Date: _____

Signature of Municipality's Representative

Date: _____

Schedule "B" Water Connection Form within Phase – No Borrowing Option

Rural Water Connection Form (Phase 3 Construction) No Borrowing Option
(Schedule "B" Water Connection By-Law)



It is very important that ALL owners of the Property sign this Application.

ALL registered owners are required to sign this application. If your spouse or any other person is on the title to this property, they **MUST** sign the application or consent to the Application.

If all owners have not signed or consented to the Application, or you fail to disclose all owners of the Property; you will forfeit your deposit and you may also be ineligible to connect to the water distribution system.

This Application is binding upon the Property Owners, their heirs and successors in title and the Municipality.

Schedule "A" (*Project Application*) and Schedule "B" (*Change Order*) form part of this Application.

***Application for and commitment to connect to the R.M. of Dauphin (the "Municipality")
Rural Water Distribution System (the "Project")***

Registered Owner name(s): _____

Mailing address: _____

Postal code: _____

Phone number(s): _____

Email address: _____

Legal description of property to be connected: _____
(the "Property")

Civic address of property to be connected: _____

Rural Water Connection Form (Phase 3 Construction) No Borrowing Option
(Schedule "B" Water Connection By-Law)



I will be utilizing the water for these purposes (check all that apply):

- Residential
- Commercial
- General farm use
- Cattle
- Spraying

Please check off if you would like to be considered for these optional services ("Optional Services"):
(check all that apply):

- Larger meter
- Larger line

I/We, the registered owner(s) of the subject property, hereby acknowledge that I have read the entire application including Schedule "A". Schedule "A" reflects the terms, conditions, and costs that may be incurred. This includes the imposition of charges on the title in that nature of real property taxes.

Signature(s) of Applicant(s)

Date: _____

Date: _____

Signature of Municipality's Representative

Date: _____

Rural Water Connection Form (Phase 3 Construction) No Borrowing Option
(Schedule "B" Water Connection By-Law)



Schedule "A"
Project Application

BETWEEN

R.M. of Dauphin
(the "Municipality")

and

INSERT NAMES
(the "Project Applicant(s)")

These terms and conditions of Schedule "A" form a part of your application to be connected to the rural water distribution system (the "Project"). To be considered, your Application must be accompanied with a deposit of \$1,000.00 payable to the Municipality by cash, cheque or online payment. Your Application will not be considered unless the deposit is provided with this Application.

By signing this Application, you are agreeing and will be bound to the following terms and conditions:

1. **You are confirming your interest and commitment to participate in Phase 3 of the rural water distribution system including your share of the Project Costs.** You acknowledge and confirm that once you have signed this Application you have committed to the Project Costs and if you fail to pay the Project Costs, the Project Costs may be collected by the Municipality from you and may be added to your property as part of the real property taxes in accordance to clause 4(b) herein and collected in the same manner as the Property taxes.
2. Once your Application has been approved you will have the right to connect to the water distribution system so long as the Project is considered financially attainable or viable by the Municipality.
3. The estimated maximum Project Costs to each Applicant is **\$00,000.00** (the "Project Costs").
4. You may pay the Project Costs in one of the following manners:
 - (a) **\$00,000.00** as a one-time payment (less the one time \$1,000.00 deposit); the date of payment will be determined by the Municipality. The payment shall be paid within 30 days of the notice by the Municipality and shall be by cash, cheque or online payment.
 - (b) In the event that you do not pay the Municipality within the timeframe set out in clause 4(a), the Municipality will collect the amount by adding the sum to your property taxes.
5. You acknowledge that as a Project Applicant the Project Costs shall be paid in accordance with clause 4(a). Failure to confirm that the Project Costs payment in accordance with clause 4(a) will result in the amount to be paid in accordance with clause 4(b) and the amount owing to be added to your annual property taxes in accordance with clause 4(b).
6. The deposit of \$1,000.00 is non-refundable. If the Project construction does not proceed either in its entirety or for your property because it is cost ineffective or otherwise not viable due to construction inefficiencies as determined in the sole discretion of the Municipality, you will not be responsible for any Project Costs.

Rural Water Connection Form (Phase 3 Construction) No Borrowing Option
(Schedule "B" Water Connection By-Law)



7. You have received a copy of and have reviewed the Municipality's by-laws. You confirm you understand that the bylaws are subject to change. Please review the Municipality's website at: www.rmofdauphin.ca
8. If during the course of the construction, you determine that you require an amendment to your specific connection construction, the Municipality requires a project change order ("Change Order"). The Municipality reserves the right to review the Change Order. The Change Order should be submitted promptly. The Municipality cannot guarantee the approval of any Change Order. The Municipality may approve the Change Order subject to an agreement by you to pay the additional costs incurred for the Change Order and the additional costs shall be paid immediately by you to the Municipality upon approval of the Change Order.
9. The Municipality cannot guarantee full restoration of your lands to pre-project conditions. The Municipality will only guarantee that the construction effects will be reasonably restored to a condition that is deemed reasonable as determined by the Designated Officer/Project Manager in their sole discretion.
10. This commitment is binding on you as a Project Applicant unless the Project and/or connection cannot be completed due to costs or engineering issues which make your connection to the Project ineffective.
11. The Municipality anticipates reasonable water rates. Water rates are set by the Public Utilities Board ("PUB"). Water rates can only be reviewed and changed by the PUB. Therefore, the Municipality cannot confirm the rates of the water costs. You have a right to make representations to the PUB with respect to whether the rate you are being charged is fair and reasonable. Please visit the PUB website is <http://www.pubmanitoba.ca/v1/>
12. Should you increase the size of the line and/or meter to accommodate higher usages (subject to approval by the Designated Officer/Project Manager) ("Optional Services") there will be an additional cost for these options and these additional costs will not be eligible to be added to your tax bill. To proceed with the addition of Optional Services, the Municipality requires a Change Order. Payments for Optional Services made in the Change Order must be made by the deadline set by the Municipality and only by cash, cheque or online payment. The Change Order for the Optional Services must be made upon signing this Agreement to ensure that they can be considered for approval. The Municipality cannot guarantee the approval of any Change Order. Change Orders that are approved will be considered binding and the landowner will have to pay the associated additional costs by the payment deadline.

Signature(s) of Applicant(s)

Date: _____

Date: _____

Signature of Municipality's Representative

Date: _____

For internal use only:

Payment method: _____

Roll #: _____

Rural Water Connection Form (Phase 3 Construction) No Borrowing Option
(Schedule "B" Water Connection By-Law)



Schedule "B"
Change Order Form

I will be utilizing the Change Order Form for (check all that apply):

- Amendment to Specific Construction for the Property
- Optional Services for the Property
 - Larger Meter
 - Larger Line

Details of Request:

For internal use only:

- Change Order Submitted to Manitoba Water Services Board on: _____
- Change Order Received by Municipality from MWSB on: _____
 - Accepted
 - Denied
 - Accepted in Part

Describe accepted changes of Change Order: _____

If accepted:

Estimated Cost of Total Change Order: _____

Total Estimated Cost Breakdown:

Estimated Cost of Contractor: _____
Estimated Cost of Engineer: _____
Estimated Cost of Other(s): _____

Description of the Works to be completed in the Change Order:

Rural Water Connection Form (Phase 3 Construction) No Borrowing Option
(Schedule "B" Water Connection By-Law)



Engineer: _____

Contractor: _____

Other Information: _____

Signature(s) of Applicant(s)

Date: _____

Date: _____

Signature of MWSB Representative

Date: _____

Signature of Municipality's Representative

Date: _____

Schedule "C" Water Connection Form – No Phase

Rural Water Connection Form
(Schedule "C" Water Connection By-Law)



It is very important that ALL owners of the Property sign this Application.

ALL registered owners are required to sign this application. If your spouse or any other person is on the title to this property, they **MUST** sign the application or consent to the Application.

If all owners have not signed or consented to the Application, or you fail to disclose all owners of the Property; you will forfeit your deposit and you may also be ineligible to connect to the water distribution system.

This Application is binding upon the Property Owners, their heirs and successors in title and the Municipality.

Schedule "A" (*Project Application*) and Schedule "B" (*Change Order*) form part of this Application.

***Application for and commitment to connect to the R.M. of Dauphin (the "Municipality")
Rural Water Distribution System (the "Project")***

Registered Owner name(s) ("Project Applicants(s)):

Mailing address: _____

Postal code: _____

Phone number(s): _____

Email address: _____

Legal description of property to be connected: _____
(the "Property")

Civic address of property to be connected: _____

Service Permit Application Approved on _____ (date)

Rural Water Connection Form
(Schedule "C" Water Connection By-Law)



Project Application

BETWEEN

**R.M. of Dauphin
(the "Municipality")**

and

INSERT NAMES
(the "Project Applicant(s)")

These terms and conditions of Schedule "A" form a part of your application to be connected to the rural water distribution system (the "Project"). To be considered, your Application must be accompanied with a deposit of \$1,000.00 payable to the Municipality by cash, cheque or online payment. Your Application will not be considered unless the deposit is provided with this Application.

By signing this Application, you are agreeing and will be bound to the following terms and conditions:

1. **As Project Applicant(s), you are confirming your interest and commitment to participate in the rural water distribution system. The Project Applicant(s) shall be responsible for all of the Project Costs associated with the property referenced in this Application.** You acknowledge and confirm that once you have signed this Application you have committed to the Project Costs and if you fail to pay the Project Costs, the Project Costs may be collected by the Municipality from you and may be added to your property as part of the real property taxes in accordance to clause 4 herein and collected in the same manner as the Property taxes.
2. Once your Application has been approved you will have the right to connect to the water distribution system..
3. The Project Applicants shall be responsible for the following costs: (the "Project Costs").
 - a) **\$1,000.00 Deposit at the time of submitting this Application.**
 - b) \$17,000.00 Hook-Up Charge (less \$1,000.00 deposit). The date of payment will be determined by the Municipality. The payment shall be paid to the Municipality within 30 days of the notice by the Municipality and shall be by cash, cheque or online payment.
 - c) Distribution Lines as determined by the Designated Officer.
 - d) All construction costs for the installation, including but not limited to the curb stop at point of connection and service line to the house/building.
 - e) Purchase of Water Meter from the Municipality. The date of payment will be determined by the Municipality.
 - f) All fees and charges pursuant to the Water Connection By-Law and the Fees and Charges By-Law, as amended from time to time, including inspections by a Designated Officer. The date of payment will be determined by the Municipality.
4. You acknowledge that as a Project Applicant the Project Costs shall be paid in accordance with clause 3. Failure to confirm that the Project Costs payment in accordance with clause 3 will result in the amount owing to be collected by the Municipality by adding the sum to your property taxes.

Rural Water Connection Form
(Schedule "C" Water Connection By-Law)



5. The deposit of \$1,000.00 is non-refundable.
6. You have received a copy of and have reviewed the Municipality's by-laws. You confirm you understand that the bylaws are subject to change. Please review the Municipality's website at: www.rmofdauphin.ca
7. If during the course of the construction, you determine that you require an amendment to your specific connection construction, the Municipality requires a project change order ("Change Order"). The Municipality reserves the right to review the Change Order. The Change Order should be submitted promptly. The Municipality cannot guarantee the approval of any Change Order. The Municipality may approve the Change Order subject to an agreement by you to pay the additional costs incurred for the Change Order and the additional costs shall be paid immediately by you to the Municipality upon approval of the Change Order.
8. The Project Applicant(s) shall be responsible for all costs of construction including hiring all contractors and engineers, as are required under the Water Connection By-Law, as amended from time to time.
9. The Project Applicant(s) shall be responsible for any and all costs of repair or replacement of for all works installed under a pavement, obstruction or other structure or installation including any and all works on municipal property including municipal right of ways.
10. This commitment is binding on you as a Project Applicant.
11. The Municipality anticipates reasonable water rates. Water rates are set by the Public Utilities Board ("PUB"). Water rates can only be reviewed and changed by the PUB. Therefore, the Municipality cannot confirm the rates of the water costs. You have a right to make representations to the PUB with respect to whether the rate you are being charged is fair and reasonable. Please visit the PUB website is <http://www.pubmanitoba.ca/v1/>

Signature(s) of Applicant(s)

Date: _____

Date: _____

Signature of Municipality's Representative

Date: _____

For internal use only:

Receipt No: _____ Payment method: _____

Roll #: _____

Rural Water Connection Form
(Schedule "C" Water Connection By-Law)



Schedule "B"
Change Order Form

I will be utilizing the Change Order Form for (check all that apply):

- Amendment to Specific Construction for the Property
- Optional Services for the Property
 - Larger Meter
 - Larger Line

Details of Request:

If accepted:

Municipal Cost Estimate of Change Order: _____

Description of the Works to be completed in the Change Order:

Engineer: _____

Contractor: _____

Other Information: _____

Signature(s) of Applicant(s)

Date: _____

Date: _____

Signature of Municipality's Representative

Date: _____

Service Permit Form
Rural Municipality of Dauphin Rural Water Distribution System



It is very important that ALL owners of the Property sign this Service Permit.

ALL registered owners are required to sign this Service Permit. If your spouse or any other person is on the title to this property, they **MUST** sign the Service Permit.

If all owners have not signed this Service Permit, or you fail to disclose all owners of the Property; you will forfeit your deposit and you may also be ineligible to connect to the water distribution system. This Application is binding upon the Property Owners, their heirs and successors in title and the Municipality.

Registered Owner name(s) ("Project Applicant(s)):

Mailing address:

Postal code:

Phone number(s):

Email address:

Legal description of property to be connected:

(the "Property")

Civic address of property to be connected:

1. I will be utilizing the water for these purposes (check all that apply):

Residential Spraying

Commercial Cattle

General farm use

Comments:

2. Please complete the following:

Estimated Daily Consumption _____ cu.m

Meter size _____ mm

Construction timeline: _____

Service Permit Form

Rural Municipality of Dauphin Rural Water Distribution System



3. Please insert the following information:

- a) Engineer Name: _____
- b) Address, phone and email of Engineer: _____
- c) Contractor : _____
- d) Address, phone and email of Contractor: _____
- e) Journeyman Plumber Name: _____
- f) Phone and email of Journeyman Plumber: _____
- g) Other Information: _____

4. As Project Applicant(s), I/we confirm the following documents are attached to this Service Permit Form:

- CAD drawing including site plan of the property and water connection prepared by a Professional Engineer (P.Eng) or other designate as approved by the RM of Dauphin ex. Certified Engineering Technologist (CET), Land Surveyor

Note: Drawing must include:

- *Property boundary and property line dimensions at an appropriate metric scale, legend, north arrow, the property address or legal land description, site access, identification of abutting roads, existing buildings, right-of-ways and easements.*
- *A servicing plan showing all existing and proposed services, utility lines and appurtenances (backflow prevention and confirm that there are no connections to other water sources or systems on site must be included)*
- *Additional plans and information may be required and requested due to the nature and magnitude of a proposed application.*
- *All drawings and construction activities must comply with the requirements of the Service Connection Specifications.*

- Copy of Contractor's Certificate of Insurance (Commercial Liability Insurance)

- Payment of \$250.00 upon submission of this Service Permit Form to the Municipality**

5. As Project Applicant(s), I/we confirm the following that:

- a) I/we acknowledge that we have had the opportunity to review the following:
 - Water Connection By-Law
 - Water Rates By-Law
 - Fees & Charges By-Law
 - RM of Dauphin Service Connection Details
 - RM of Dauphin Water Service Connection Specifications

Service Permit Form
Rural Municipality of Dauphin Rural Water Distribution System



- b) I/we are responsible for all municipal fees and/or charges pursuant to the Municipality's Fees and Charges By-law, as amended from time to time, regarding connection, inspection, installation and connection to the Rural Water Distribution System.

- c) I/we are responsible for all professional fees (including legal, engineering, surveyor and planners) and disbursements incurred by the Municipality for the review and assessment of the Service Permit Form and any issues regarding connection, inspection, installation and connection to the Rural Water Distribution System.

I/We, the registered owner(s) of the subject property, hereby acknowledge that I have read the entire Service Permit Form. By signing this Service Permit Form, the Project Applicant(s) agree to abide by all municipal policies, procedures and by-laws, as amended from time to time, regarding rural water connections in the Municipality.

Signature(s) of Applicant(s)

Date: _____

Date: _____

For Office use only

Date Received: _____

Receipt No: _____ Payment Method: _____

Roll No.: _____

Accepted

Denied

Applicant notified Date: _____

Comments:

