

WATER & SEWER REGULATIONS

Published by Authority

The following regulations have been made by the Town Council of St. Anthony under the Provisions of the Municipalities Act, 1999 (section 165) and were approved by Council on the 28th day of March A.D. 2017. This Policy overrides any previously adopted Water and Sewer Regulations.

Ernest Simms
MAYOR

Judy Patey
TOWN CLERK

REGULATIONS

1. These regulations may be cited as the Town of St. Anthony (Water Supply and /or Sewerage Regulations, 2017).
2. **Interpretations:** In these regulations, unless the context otherwise requires.
 - (a) “**Act**” means *The Municipalities Act*;
 - (b) “**Town**” means the Town of St. Anthony as defined by Order-in-Council dated the 16th day of July 1945 or any amendments thereto, made or continued under the Act.
 - (c) “**Council**” means the Town Council of the Town of St. Anthony;
 - (d) “**System**” means the water supply and/or sewage disposal system of the Town of St. Anthony.
 - (e) “**Customer**” means the owner of any building or premises or part thereof connected to the system;
 - (f) “**Domestic Service**” means any service provided by the system to the owner or his/her authorized agent or to the occupant or tenant of any building or premises or part thereof, or any mobile home or trailer, occupied for the distinct purpose of a dwelling house, rooming house apartment, or flat; and where there are different occupants or tenants so occupying different parts of any building or premises, the servicing of each such part by the system shall constitute a separate domestic service.

(g) **“Commercial Service”** means any service provided by the system to the owner or his/her authorized agent or to the occupant or tenant of any building or premises or part thereof, other than domestic service herein defined; and where there are different occupants or tenants occupying different parts of any building or premises, the servicing of each such part by the system shall constitute a separate commercial service;

3. **“Application for Service”**: Council shall, before rendering service, require a regular application form (work order) signed by the prospective customer. No person, firm, corporation, or any other group, shall connect or have connected any building or part thereof to the system except under authorization in writing from the Council.

4. **“New Connections – Water and Sewer - Residential”**: Council shall, at the customer’s request, install system service lines from the main to the property line, to maximum distance of thirty-three (33) feet from the centre of a main road (North, East and West Streets) or twenty-five (25) (All other Streets) feet from the centre of a secondary road. The fee payable for any new connection for a domestic or commercial service from the system shall be as follows:

- (a) For both water and sewer (Minimum Charge)..... \$750.00
- (b) For water only (Minimum Charge)..... \$500.00
- (c) For sewer only (Minimum Charge)..... \$500.00

The customer shall pay the connection fee before the Council makes any such connection to the system. **Fees are the same for privately developed sub-divisions regardless of who carries out the work.**

5. The connection of any building or part thereof to the system as provided in regulation 4 hereof:

- (i) the Council shall contribute and install 4” Sewer Line and/or 3/4” Water Line a maximum of 33 feet on (Main Streets (North, East and West)) or Property Boundary (whichever is the shortest).
- (ii) The Council shall contribute and install 4” Sewer line and/or ¾” Water Line a maximum of 25 feet on (Side Streets) or boundary of property (whichever is the shortest)
- (iii) The Council shall install a corporation stop, a curb stop and a service box.
- (iv) The customer will be invoiced for the additional materials used such as pavement cost.
- (v) The owner shall be invoiced for the additional costs of materials where the size of pipe exceeds the minimum.

(vi) The owner shall be responsible for the excavation of all trenchers and the cost of materials and installation from the Property Boundary to the structure/building.

(b) The customer shall use underground materials that conform to minimal standard of type K copper pipe or Municipex and SDR 30 sewer pipe. The customer shall also use sand bedding 30 mm (1 ft) below and 30mm (1 ft) above the new pipe and bury all water pipe to a minimum depth of 1.6m (5'4"). No inspection will be completed by the Town and owner accepts full responsibility to meet these requirements.

(c) The customer shall be responsible to wrap water service line from curb stop to main building with a heat trace protector. No inspection will be completed by the Town and owner accepts full responsibility to meet these requirements.

9. As per Sections 158, 159 and 160 of the Municipalities Act (info on the sections below):

Right of entry

Section 158. (1) Employees or agents of a council authorized by that council may enter upon all real property and at reasonable times into the buildings and structures on real property, whether publicly or privately owned, to do all things necessary for the purpose of making surveys or examinations or obtaining information relative to the construction, alteration, repair, maintenance or inspection of a water supply system, sewage system, storm drainage system or other works that the council is empowered to undertake or to control in the municipality.

(2) Employees or agents of a council may at reasonable times enter upon all real property, whether publicly or privately owned, and enter into the buildings or structures on real property for the purpose of carrying into effect the work and system of water supply, sewage and storm drainage or other works that the council is empowered to undertake or control in the municipality.

Right to construct

Section 159. (1) A council may

(a) break up, dig, excavate and open up highways, or real property, whether publicly or privately owned, that may be necessary to operate, construct, maintain, repair or improve a system described in section 156;

(b) pass and repass and carry material over highways or real property described in paragraph (a); and

(c) lay down pipes, drains and other components of systems described in section 156 upon or in the lands described in paragraph (a).

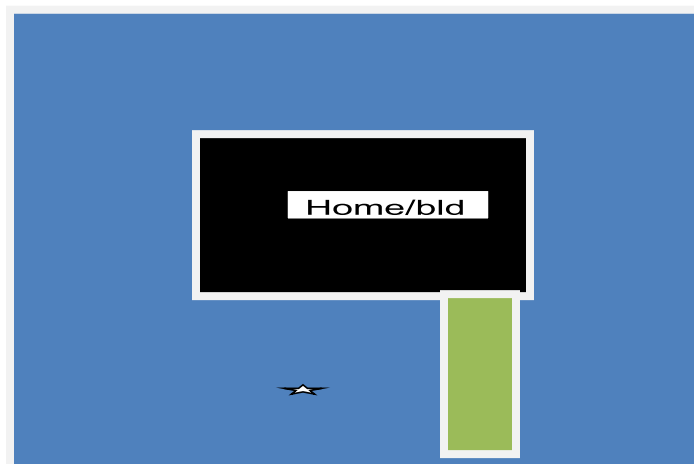
(2) Notwithstanding subsection (1), a council shall not enter upon, break up or otherwise interfere with a highway vested in the Crown under section 5 of the *Works, Services and Transportation Act* without the written consent of the minister responsible for that Act under the *Executive Council Act*.

Council to give notice

Section 160. Before engaging in an activity authorized by section 157, 158 or 159 on private property a council shall give the owner of the property reasonable notice that it intends to engage in that activity.

10. If a leak or other trouble occurs in a water or sewer service line/pipe located on the owner's property, regardless of curb stop location, it shall be repaired as soon as possible by the customer at his/her expense, under the supervision of the Council. Council accepts responsibility for malfunction of the curb stop, corporation stop, standpipe and rod. Any other problem on the service lines is the responsibility of the owner. If a leak occurs in the water service pipe of any customer, Council may discontinue the supply of water to such service pipe if, in the opinion of the Council, such action is necessary in order to prevent wastage of water. The Council shall write the customer to inform him/her of the Council's intention to discontinue the supply of water; and to require him/her to repair the leak within twenty-one (21) days from the date of the letter. If the customer fails to carry out such repair within the 21-day period, the Council shall have the repairs done with its own forces, and require the customer to pay all costs incurred by the Council in making the repairs, before the water supply is restored to the customer. (Fees are established annually)
11. Should a leak occur where the origin cannot be determined, Council will proceed with repairs. However, once it is determined the leak/damage is the responsibility of the customer, that customer will be given the option of having Council complete the job of carrying out the remainder of the work with their own forces. The customer will be billed at the appropriate rates for all work performed by Council forces. Replacement of asphalt, grass, trees, etc.. will be the responsibility of the property owner.
12. No person shall indiscriminately use water nor shall he/she sell or give water to any person except under such conditions and for such purposes as may be approved by the Council in writing.
13. No person shall dispose of chemicals or other such material not normally used by a household into a service line for sewage disposal.
14. No person, unless authorized by the Council in writing, shall draw water from, open, close, cut, break, obstruct from free access to, or in any way injure or interfere with any hydrant, water main, stop cock, water meter, or other part of the system; provided, however, that nothing in these regulations shall be deemed to prevent an officer or member of the Fire Department, when engaged in the work of such Department, from using any hydrant or other part of the system.

15. Without limiting anything contained in Regulation 16, no person, unless authorized by the Council in writing, shall connect or have connected any building basement floor drain or any exterior drainage system to a sewer main (or a service pipe therefrom); and every such connection made without such authorization before the enactment of these regulations shall be deemed to be in contravention of the regulations.
16. These regulations were adopted and passed by the Council at a meeting held on 28th day of March, 2017 and shall come into effect on the 29th day of March, 2017.
17. All other policies titled “Water/Sewer policies” for the Town of St. Anthony are hereby rescinded.



Street Reserve

Notes: Orange - Street Reserve – Town’s Responsibility – Curb Stop Only Town’s responsibility
Blue – Private Property – Owners Responsibility – regardless of location of Curb Stop

Amendment #1 – 2019 – Water and Sewer Regulations – March 12, 2019

Moved by Councillor Payne, Second by Councillor Pilgrim, that the St. Anthony Town Council amend its Water and Sewer Regulations dated 28th of March 2017 to add the following condition:

All commercial water/sewer work on service lines or changes to Town lines is to be completed by owner at owner's cost. Owners are to restore all properties to its original condition at their cost. The Town would only be responsible to tie in the new water/sewer line after the pipes are exposed by owner. A valve would be placed on the line for the Town to control water. Size of lines are to be determined by owner based on its engineered drawings and direction. Any deficiencies and all future repairs would be the responsibility of owner.

Ex: Main line on opposite side of a street. Owner of business would dig and expose the main line, the Town would make connection and place valve on exposed line, owner would then carry the service line across the street to the building. Owner replaces all pavement, sidewalk, etc. All costs plus connection fees are the responsibility of the owner.

Mayor Desmond McDonald _____ Judy Patey (Town Clerk)

7 In Favour