

HAMLET OF ENTERPRISE

BYLAW #2021-87

"WATER/SEWER OPERATING BYLAW"

APPROVED: December 14, 2021
MOTION: 2021-427

Hamlet of Enterprise
Water and Sewer Operating Bylaw
BYLAW #2021-87

Being a BY-LAW OF THE HAMLET OF ENTERPRISE in the Northwest Territories, to provide for the establishment, operation, maintenance and alteration of water and sewage provisions PURSUANT TO the Hamlets Act, S.N.W.T., 2003, C-22, Section 72 and subsequent amendments thereto.

WHEREAS section 72 of the Hamlets Act, (S.N.W.T. 2014,) c. 72 authorises council to provide community water and sewer services, and

NOW THEREFORE, the Council of the Hamlet of Enterprise, in a duly assembled meeting enacts as follows:

1. Short Title

This bylaw may be known as the “Water and Sewer Operating Bylaw (2019)”.

2. Interpretation

2.1 The interpretations, references and definition of words and phrases of the Hamlets Act shall apply to this bylaw.

2.2 The term ‘Code’ refers to the National Building Code, the National Fire Code and the National Plumbing Code.

2.3 In this bylaw, unless the content otherwise requires:-

3. Definitions

“**Account**” means an agreement between a customer and the Hamlet for the supply of drinking water and/or the collection and disposal of sewage.

“**Approved**” means approved by the SAO.

“**Applicant**” means an owner or authorized agent who applies to the Hamlet for the installation, modification or discontinuance of water and sewer service connections(s) to a property.

“**Building**” means any structure used or intended for supporting or sheltering any use or occupancy.

“**Camp Facility**” means a facility established for the sole purpose of housing a workforce engaged in a given project.

“**Commercial**” means commercial profit making organizations principally engaged in the sale of goods or services including retailers, offices, hotels and motels.

“Council” means the Council of the Hamlet of Enterprise.

“Customer” means any person who has entered into an arrangement with the Hamlet to receive water and sewer services, or the owner or occupant of a building or land receiving water and sewer services.

“Discontinue Service” means the cessation of trucked water and sewer services.

“Establish Service” means to become a customer of the Hamlet by entering into an arrangement to receive water and sewer services from the Hamlet.

“Government” means the Government of Canada, the Government of the Northwest Territories, the Northwest Territories Housing Corporation, the Hamlet, or any agency of any of them.

“Hamlet” means the Hamlet of Enterprise, its’ employees, council members and any authorized contractors, delegates, or representatives.

“Industrial” means any firm, organization, company, partnership, or sole proprietorship, whether incorporated or unincorporated whose primary business is resource exploration or development, manufacturing, fabrication, and marine and air transportation and includes but is not limited to the following premises:

- electrical power plants;
- airport and heliport and associated facilities;
- wharfs, piers and docks and associated facilities;
- dry docks and associated facilities;
- construction and work camps; or
- administrative, supply and maintenance bases and associated facilities for resource exploration and development.

“Initiate Service” means the commencement of trucked water and sewer services to a building or a premises.

“Mayor” means the Mayor of the Hamlet of Enterprise.

“Municipal System” or **“Municipal Service”** means the accessories owned by the Hamlet to provide water and/or collect sewage from private property or premises and include the trucked system.

“Owner or Property Owner” means any person who is the registered owner of a property, or any person who is in lawful possession or occupation of buildings situated thereon.

“Person” includes a corporation and the heirs, executors, administrators or other legal representative of a person.

“Potable” means water that is safe for humans to drink.

“Premise” means real property and may include any buildings thereon.

“Property” means real or personal property.

“Rates” means the charges for services provided.

“Residential and Non-Profit” means private home owners, private renters and residential and non-profit establishments registered as a society such as churches, clubs, associations and hostels.

“SAO” means the Senior Administrative Officer of the Hamlet.

“Self-Contained Unit” means a unit having separate plumbing, heating, entrance and the like.

“Services” means municipal services provided, see **“Trucked Service”**.

“Schedule” means any schedules attached to and forming part of this Bylaw.

“System or Municipal System” means the Hamlet's system to provide and/or collect water and sewage via a trucked system.

“Terminate Service” means to terminate the arrangement between the customer and the Hamlet to receive water and sewer services from the Hamlet, to discontinue municipal service.

“Trucked Service” means water delivery and/or pump out sewage collection service provided by vehicles by or on behalf of the Hamlet.

“Trucked Service Building Facilities” means a water storage tank and/or sewage holding tank and related accessories installed within a premises to receive trucked services from the Hamlet.

“Wastage” means to lose, decrease, destroy, damage, use or consume extravagantly, inefficiently for no purpose or inadequate objective or result.

4. Authority of the Hamlet to Provide Municipal Services

4.1 No persons, except those authorized by Council, shall directly or indirectly engage in the provision of water and sewer services within the boundaries of the Hamlet.

5. Authority and Duties of the SAO

5.1 The Council hereby delegated to the SAO authority to do all things necessary in order to fulfill the responsibilities and duties necessary for the general administration, management and operation of the water and sewer systems as set out in this Bylaw, including the power to make binding contracts with customers for the provision of water and sewer services, under the Act and in this Bylaw.

5.2 The SAO is authorized and directed to:

- a) supervise, control and administer the provision of water and sewer services and the water and sewer services system and do all things necessary to fulfill responsibilities and duties under this bylaw;
- b) oversee all construction, operations and maintenance related to the provision of water and sewer services;
- c) perform all acts that may be necessary for the efficient management, operation of water and sewer services;
- d) administer and enforce this bylaw; and
- e) require to be done or undone any item or order issued by an authority over water and sewer from the Government of Canada, the Government of the Northwest Territories, or Mackenzie Valley Land and Water Board.

5.3 The SAO may prescribe:

- a) orders; and
- b) specifications for:
 - I. sewage discharge;
 - II. trucked service; and
 - III. other specifications necessary to carry out the provisions of this bylaw.

5.4 No person or customer shall fail to comply with such orders and specifications.

5.5 The SAO may delegate specific authorities, duties and responsibilities outlined in this bylaw to other Hamlet staff.

5.6 The SAO may, subject to the approval by resolution of the Council:

- a) Adopt and amend, from time to time, rules and regulations necessary to carry out the provisions of this bylaw, and no customer or person shall fail to comply with such rules and regulations;
- b) Adopt and amend, from time to time, specifications for services, unaccepted waste and other specifications and no customer or person shall fail to comply with such specifications; and
- c) Adopt and amend, from time to time, service routes and times for provision of services.

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

6. Finance and Accounting

6.1 All costs for the provision of water and sewer services shall be financed through customer charges and any water and sewer service specific grants, subsidies or other funding provided to the Hamlet by the Government of the Northwest Territories or others.

6.2 All monies collected for water and sewer services shall only be used to provide water and sewer services to customers including operation, maintenance, extension, repair, capital improvement and administration of the water and sewer services system.

6.3 The Hamlet shall establish a non-grantable capital replacement reserve fund.

6.4 All monies collected for the provision of water and sewer services shall be accounted for in a separate fund known as "Water and Sewer Services".

7. Service Area

7.1 The Hamlet shall provide all water and sewer services to premises within the municipal boundaries.

7.2 The Hamlet may not provide municipal services to un-serviced lots in areas designated as such.

7.3 Any water and sewer services, including bulk water supply and sewage disposal, provided by the Hamlet for areas outside the municipal boundaries will only be provided when such services will not impede the provision of water and sewer services to customers within the Hamlet.

7.4 The Hamlet will establish additional charges, as determined by the SAO, for areas serviced outside of the designated service area.

7.5 The Hamlet will establish additional charges, as determined by the SAO, for any other bulk services, contractors, tourists, or transportation providers using hamlet facilities to provide water and sewer services to non-customer users.

8. Description of Services

8.1 The Hamlet shall furnish water supply, in accordance with provisions of its water licence, for the following purposes:

- a) domestic including Residential and Not-for-Profit;
- b) fire protection including vehicles;
- c) government and municipal requirements including facilities;
- d) commercial; and
- e) industrial.

8.2 Notwithstanding section 7.1, when in the opinion of the SAO the water supply for domestic and fire protection purposes is impaired, the SAO may:

- a) regulate the use of water supply; and
- b) restrict or terminate the supply of water for municipal, commercial or industrial purpose.

8.3 The Hamlet shall make every effort to provide safe, continuous and efficient water and sewer services. Nevertheless, the Hamlet shall not be liable for any damages, including business losses:

- a) caused by water delivered or sewage collected through the customers' facilities;

- b) caused by the interference or cessation of services in connection with the repair, expansion, replacement, or regular operation and maintenance of the services system;
- c) caused by the interference or cessation of services due to adverse weather conditions, road conditions, labour shortages, improperly constructed water or sewage connections, or vehicle mechanical problems;
- d) caused by the water supply containing sediments, deposits, colour, or other foreign matter; or
- e) generally for any accident due to the operation of the water and sewer services system, unless such action has been judged to be directly due to the negligence of the Hamlet or its employees.

8.4 Every owner requesting an investigation into a failure or interruption in service to the owner's premises shall deposit with the Hamlet the estimated cost of such investigation as determined by the SAO. The Hamlet shall undertake the investigation and if the Hamlet's investigation reveals that the Hamlet is the cause of the failure or interruption in service, then the deposit shall be returned. If the SAO determines that the Hamlet is not the cause of the failure or interruption in service, the expense incurred by the Hamlet on an 'at cost' basis shall be levied on the owner but the amount of any deposit shall be deducted against that expense.

8.5 Customers may request special water and sewer services including continuous and uninterrupted water and sewer services, constant water pressure, or any other special water provision. Such a request may be granted with approval from Hamlet Council. However, if the request is granted, there shall be no cost or liability to the Hamlet for provision of storage, treatment, accessories or other means for such special water and sewer services.

9. Authority to Cease or Restrict Service

9.1 The SAO may, without notice cease or restrict water and sewer services to any customers or part of the Hamlet should an emergency or perceived emergency exist that makes such action necessary.

9.2 The SAO may, in a non-emergency situation, including scheduled repairs or alteration to the water and sewer services system, cease or restrict water and sewer services to any customer or part of the Hamlet. The SAO shall, when it is practical to do so, give public notice of such cessation or restriction of water and sewer services to all affected customers.

9.3 In the case of a water shortage, as deemed by the SAO, the SAO may impose, change or revoke restrictions upon the use of water, including:

- a) restrictions to certain uses of water;
- b) to uses at specific times or days;
- c) to specified classes of customers; or
- d) to specified areas of the Hamlet.

The SAO shall give public notice, when it is practical to do so, of such intended restrictions and it shall be an offence for anyone to contravene such restrictions.

9.4 The SAO may discontinue service for any of the following reasons:

- a) failure to obey an order issued under subsection (3);
- b) non-payment of charges or fees levied pursuant to the Enterprise Fees and Charges Bylaw;
- c) failure to provide a deposit, if required;
- d) blocking or obstructing water and sewer connections impeding truck delivery or collection;
- e) failure to provide free access to premises for authorized staff; or
- f) contravention of any other section of this bylaw.

9.5 When water and sewer services are discontinued, neither the Hamlet or its employees, or any municipal officials shall be liable for any costs or damages resulting from the discontinuance.

9.6 Where this bylaw authorizes water and sewer services to be discontinued, the SAO shall, when it is practical to do so, give prior notice of water and sewer services being discontinued. Such notice shall indicate:

- a) the infraction;
- b) the remedy; and
- c) the date that water and sewer services will be discontinued unless remedy is made.

9.7 When municipal water and sewer services are discontinued, water and sewer services shall not be reinstated until such time as there is no contravention of this bylaw and any outstanding service charges and fees have been paid.

9.8 All costs associated with the discontinuation of service shall be the responsibility of the customer.

10. Notification

10.1 Notice from the Hamlet to a customer shall be in writing for amount of bill due, contravention of any provision or requirement of this bylaw, or for any other reasons. Written notices shall be addressed to the customer using the address given to the Hamlet for their account.

10.2 Notice from the customer to the Hamlet for permanent changes in services shall be made, in writing to the municipal office, except that notice of temporary services scheduling may be made by telephone or in person.

10.3 Where public notice is required in this bylaw, the Hamlet will issue such notice through local radio or local bulletin boards or in notices distributed with invoices.

10.4 The Hamlet will not be held responsible or liable for any reason for customers not receiving notice.

11. Unauthorized Use

11.1 No person shall make use of municipal water and/or sewer services without the authorization of the SAO.

11.2 Every person who makes unauthorized use of the water and/or sewer services system shall be guilty of an offence under this bylaw and a charge shall be levied for the estimated amount of services used as determined by the SAO.

12. Tampering

12.1 No person shall tamper or interfere with any part of the water and/or sewer services system, except as authorized by the SAO.

12.2 No person shall connect to or operate any part of the water and sewer services system, except as authorized by the SAO.

12.3 Any person who damages any part of the water and sewer services system shall be liable for the cost of such damage but may also be subject to criminal and civil prosecution by the Hamlet or anyone else affected by the wilful act.

13. Work Done by the Hamlet

13.1 The charge for work done by the Hamlet 'at cost' shall include the direct and indirect amounts expended by the Hamlet for labour and benefits, materials, equipment rentals, contracts, or any other expenditures incurred in doing the work, plus administration charges.

13.2 The SAO may require a deposit to be paid by the applicant prior to the commencement of work done 'at cost' by the Hamlet. The SAO will determine the amount of the deposit based on the estimated cost of the work. Any additional cost shall be paid to the Hamlet and any surplus shall be refunded.

14. Establishment of Services

14.1 In order to establish service, every person shall submit a signed application for service to the SAO.

14.2 The SAO may require a property owner who rents or leases a property or self-contained unit to a tenant or lessee to apply to establish service.

14.3 The application for service shall include the application for service fees specified in the Enterprise Fees and Charges Bylaw and any other appropriate fees, charges or deposits provided for in this bylaw.

14.4 Every customer shall notify the Hamlet in writing of any changes in the information provided for in this bylaw.

14.5 The Hamlet shall ensure the standardization of water and sewer building connectors and truck hose connectors throughout the community to ensure efficiency of service, including the size, type and gender.

15. Content of Application for Service

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

- a) location of the premises including lot, block, plan and municipal street address;
- b) date applicant will require service to begin;
- c) type of structure located on premises or intended to be on premises;
- d) whether the premises have previously received service;
- e) name of person responsible for payment and mailing address to which notices and invoices are to be sent;
- f) contact information including home and work phone numbers and e-mail, for the applicant and the registered property owner if the applicant is a tenant;
- g) where the premises are occupied by a tenant or lessee, the SAO may require that the application for service be submitted by the property owner;
- h) classification of customer and rate schedule requested;
- i) agreement to abide by and accept all provisions of this bylaw; and
- j) any other information in such detail and form that the SAO deems appropriate.

16. Deposit

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

- a) The amount of the deposit is based on estimated service charges;
- b) The deposit shall be refunded after it has been held for twelve consecutive months during which all invoices for services have been paid within the time allowed;
- c) The deposit, less the amount of any unpaid balance due to the Hamlet, shall be refunded within 60 days, upon discontinuance of service; and
- d) No interest will be paid on any deposit when the deposit is refunded.

17. Temporary Service

17.1 In order to establish temporary service for construction or any purpose, the owner shall:

- a) submit an application for service to the SAO stating the expected duration service is required;
- b) pay the application for service fee specified in the Enterprise Fees and Charges Bylaw and any other appropriate fees; and
- c) prior to the initiation of service, pay a deposit determined by the SAO based on the estimated service charges during the period of temporary service and any additional cost shall be paid to the Hamlet and any surplus shall be refunded, without interest.

17.2 The service rate for temporary service shall be based on the category of the customer.

18. Application to Terminate Service

18.1 In order to terminate service, the customer shall submit to the SAO a written application stating the date the applicant desires to terminate service and any other information and in such form as may be prescribed by the SAO.

- 18.2 All applications to terminate service must allow a minimum of five (5) working days before the order is to become operative.
- 18.3 The Hamlet may continue to levy service charges in accordance with this bylaw until the Hamlet terminates service.
- 18.4 The owner of any structure or building which is not fit to be occupied, planned to be demolished, or is otherwise abandoned is responsible for the application to terminate services.

19. Use of Water

- 19.1 No customer or person shall willfully waste water or allow the continuous unattended flow of water without the written permission of the SAO. Any such use will be invoiced to the customer.
- 19.2 Any extraordinary use of water may result in immediate discontinuance of municipal service where notice to the Hamlet has not been provided.
- 19.3 All sales of bulk water is to be used for non-potable purposes only within the municipal boundaries. Bulk water purchased may be used for potable purposes only outside the municipal boundaries.
- 19.4 No water shall be resold or conveyed beyond property served without written permission from the SAO. The Hamlet may charge a surcharge for resold water at a rate established in the Enterprise Fees and Charges Bylaw.
- 19.5 Where any unauthorized wastage, continuous flow, or improper use of water occurs, the SAO may give notice to the customer to stop such wastage or improper use of water within a time specified in the notice. If the customer fails to comply with the notice, the SAO may immediately discontinue municipal service.

20. Prevention of Contamination

- 20.1 No customer or person shall do anything that may allow a harmful liquid or substance to enter the municipal water system. The SAO may discontinue municipal service to any person or customer contravening the provisions of this section and shall be considered an offence under this bylaw.

21. Discharge of Harmful Waste

- 21.1 No customer or person shall discharge or deposit or cause or permit the discharge of waste that may impair or interfere with the proper operation of any waste water works or treatment process.

22. Inspection

22.1 Employees, or authorized agents, of the Hamlet shall be admitted to customers' premises or other premises during normal working hours, providing at least 24 hours' notice where possible, and shall have the power to:

- a) inspect any part of any building,
- b) do any tests on fixtures, or appliances belonging to the owner or occupant to determine if this bylaw is being complied with.

22.2 Such employee or authorized agent shall, upon request, show proper identification.

23. Private Facilities

23.1 All private facilities, including plumbing, appliances, accessories, and water and sewage tanks, shall comply with the most recent National Building Codes and National Plumbing Codes, provided that if any of these provisions are in conflict with this bylaw, this bylaw shall prevail.

23.2 Water and sewer services shall not be provided to premises in which the private facilities do not meet the requirements of this bylaw, except that water and sewer services may be provided during construction of unfinished buildings.

23.3 Every customer shall maintain their private facilities in proper order and free from leakage or wastage at the customer's own expense.

23.4 The SAO may discontinue service to any premises where unsanitary conditions, defective fixtures, leakage or wastage, or misuse may affect the safe and proper operation of the water and sewer services system.

24. Ownership of Private Infrastructure

24.1 Every service pipe that connects to sewage tanks on private property shall remain the property of the owner and the owner shall be responsible for its maintenance.

25. Water Use for Fire Protection

25.1 Any water supplied or made available to fight fires shall not be used for any other purpose. The customer shall be liable to pay for any quantities of water which the SAO estimates to have been supplied to and used for non-firefighting purposes.

26. Scheduled Trucked Services

26.1 The SAO shall establish scheduled times for the provision of services to each customer or area of the Hamlet. The frequency of water delivery & sewage collection service, if applicable, shall be as follows:

Services	Building Type	Frequency
Water Delivery	All building types	Up to 3 times per week
Sewage Pump-out	All building types	Up to 3 times per week

- a) The SAO may allow more frequent scheduled water delivery and sewage pump-out service to buildings if, in the opinion of the SAO, the frequency of service, as detailed above, would result in a chronic shortage of water or the danger of sewage tank water shutoff engaging or sewage tank overflowing for the customer.
- b) The Hamlet shall endeavour to provide scheduled services except in cases where weather conditions, road conditions or vehicle conditions prevent delivery.
- c) If, due to maintenance or emergency, municipally owned sewer services are unable to operate within the Hamlet, a private contractor shall be given right of first refusal for the provision of back up services at no extra charge to the customer.
- d) Every customer requiring service at a time other than scheduled time for such customer shall be levied a callout fee specified in the Enterprise Fees and Charges Bylaw in addition to the normal service charge.

27. Installation of Trucked Services Building Facilities

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

28. Maintenance, Repair, and Thawing of Trucked Service Building Facilities

28.1 Every customer shall maintain his trucked service building facilities in proper order and free from leakage or wastage.

28.2 The Hamlet may, in the case of an emergency, repair any trucked service building facilities and the cost of such repair work shall be invoiced to the customer.

29. Specification, Design Approval and Inspection

29.1 Trucked service building facilities shall be installed in accordance with this bylaw, and comply with the National Building Code of Canada, National Plumbing Code of Canada, CAN/CSA Standards, manufacturer specifications, and all municipal bylaws.

- 29.2 All work of any kind connected with the installation, maintenance, repair, or disconnection of trucked service building facilities shall be under the inspection of the SAO.
- 29.3 No trucked service building facilities shall be enclosed or covered until it has been inspected and approved by the SAO.
- 29.4 All trucked services building facilities shall be installed to sufficiently accommodate water and sewer needs to ensure capacity between scheduled delivery and pump-out times. The owner of the premises should consider the number of persons and appliances in the premises and attempt to size the tank in order to hold water for a period of at least 4 days.
- a) The water holding tank shall be a minimum of 2,250 litres (500 Imperial gallons) in size for new developments, upgraded dwellings, or other size subject to approval by the SAO.
 - b) The sewage tank shall be a minimum of 1.5 times the volume of the water holding tank or a minimum of 3,375 litres (750 Imperial gallons) for new developments, upgraded dwellings, or other size subject to approval by the SAO.
 - c) There shall be an interlock on the in-house water pump so that once the sewage tank is full, power to the water pump shall be turned off so no additional flow will go to the sewage tank.
- 29.5 All water holding tanks shall be provided with adequate freeze protection consisting of one of the following:
- a) Installation of tank within a heated portion of a building or within a heated accessory building, for which the main lines are required to be insulated and heat traced or insulated to a higher value to prevent freezing.
 - b) Installation of tank within an unheated space in a building or accessory building, tanks shall be double walled, insulated to minimum RSI: 2.64 value and heat traced, or insulated to a higher value to prevent freezing.
 - c) Installation of tank outside the footprint of the building, tanks shall be double walled, insulated to minimum RSI: 2.64 value and heat traced, or insulated to a higher value to prevent freezing.
- 29.6 The liner and tank specifications are as follows:
- a) The connection point of the water fill point shall be a minimum of 914 millimetres (36 inches) and a maximum of 1,219 millimetres (48 inches) from the ground surface in all seasons.
 - b) The water service line shall have a back grade such that the water does not free flow from the tank or sit in the service line, or the water service line shall have a check valve to prevent free flow and a heat tape to prevent freezing.
 - c) An overflow discharge point shall be installed at the same height as the fill point, a minimum of 305 millimetres (12 inches) in horizontal distance from the fill point.
 - d) A red bulb or globe "full" indicator light shall be connected to a device in the tank and installed near the fill point such that it is visible from the cab of the delivery truck.
 - e) If the water holding tank is elevated, a valve shall be installed at the line-tank connection point to prevent backflow.

- f) Water fill lines shall have a galvanized or copper nipple a minimum 150 millimetres (6 inches) long securely anchored to the exterior of the wall structure at the fill connection point. Piping which is not approved for use with potable water is prohibited.
- g) All overflow and water fill lines shall be insulated with a foil back covered insulation a minimum 38 millimetres (1.5 inches) and 1.8 metres (6 feet) in from the point of penetration of the exterior building envelope.

29.7 Water holding tanks installed within the footprint of the building (crawl space/basement/mechanical room/accessible tank vault) must be provided with reasonable access to the equipment to be serviced which may be determined by an inspector based on the circumstances of the proposed installations with reference to Section 9.18.4.1 of the National Building Code and Section 2.1.3.2. of the National Plumbing Code:

- a) 0.6 metres (2 feet) minimum clearance on three sides of the tank;
- b) 0.6 metres (2 feet) minimum headroom clearance to the ceiling above; and
- c) 0.9 metres (3 feet) minimum clearance on the side or sides of the equipment to be serviced;

29.8 The premises must have a support structure sufficient to be able to hold the weight of the holding tanks, the full volume of water, and any additional appliances.

29.9 All buried tanks shall be anchored to concrete pads or pinned to bedrock to prevent movement or floating to surface.

29.10 Buried or partially buried water and sewage holding tanks are not permitted to be installed within the footprint of the building. Cylindrical tanks installed horizontally that require soil or granular material to provide structural stability may be located within the footprint of a building.

30. Correction to Non-Conforming Trucked Service Building Facilities

30.1 Upon notice to any owner that trucked service building facilities fail to meet the requirements of this bylaw the SAO shall issue an order of the owner of the trucked service building facilities:

- a) specifying the manner in which the owner is contravening the bylaw;
- b) directing the owner to comply with the bylaw;
- c) specifying the actions required to be performed by the owner; and
- d) giving notice of the time and date in which action is required to be taken.

31. Number of Services

31.1 Multiple water tanks and/or sewage tanks on a premises may be approved for service at the discretion of the SAO.

31.2 The SAO may allow service to a separate water tank or sewage tank for a self-contained unit on a premises.

32. Access to Trucked Service Building Facilities

- 32.1 The customer shall maintain, at the customer's expense, unimpeded access to the water fill point and sewage pump-out point, including any sidewalks, steps, stairs, or landings, and ensure the removal of ice, snow, mud, vehicles, pets, pet excrement, and yard material.
- 32.2 Where the water fill point or sewage pump-out point are not accessible, a notice shall be left at the premises indicating the time and reason service could not be provided and the corrective measures required before service will be resumed.
- 32.3 Failure to allow or maintain sufficient access for the services to connect to the buildings shall be levied a callout fee specified in the Enterprise Fees and Charges Bylaw.
- 32.4 Failure of any containers shall, in addition to the immediate discontinuance of service, cause the owner or occupant to be levied the cost of cleanup and one direct return trip by the contractor for the Hamlet, and is an offence under this Bylaw.
- 32.5 The water fill must extend out of the wall facing the driveway. The owner or occupant of a property with a fill point that does not extend out the wall facing the driveway must submit a written request to the Hamlet for service to the fill point location. Service to a fill point not facing a driveway may be approved by the SAO based on the ability of a service vehicle to safely connect to the water fill.
- 32.6 The water fill point shall be greater than 1.5 metres (5 feet) in a horizontal distance from the sewage pump-out point.
- 32.7 The water fill point shall be of a sufficiently small diameter that the sewage pump-out hose could not be inserted.
- 32.8 The water fill point shall be clearly labeled at all times.

33. Adjustment for Undetected Leaks

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

34. Meter Readings

- 34.1 Truck meters shall be read during service delivery intervals for water. If a meter is not or cannot be read for the billing, the SAO shall estimate the water consumption for the purpose of establishing a service charge.

34.2 Measurements for sewage pump-outs will be estimated based on water delivery. It shall be assumed that the volume of sewage discharged will be equal to the amount of water delivered.

34.3 In a case where a premises receives sewage pump-out service from the Hamlet, but not water delivery, measurements for sewage pump-out will be estimated based on the tank gauge of the service vehicle conducting the pump-out.

35. Service Charges

35.1 Service charges shall be levied in accordance with the rates specified in the Enterprise Fees and Charges Bylaw.

35.2 Unless otherwise provided for in this bylaw, service charges shall be calculated:

- a) by a truck meter according to the quantity of water indicated by such meter;
- b) the quantity of water used shall be expressed in metric units of volume;
- c) service charges shall be due and payable monthly; and
- d) the bill for service charges shall state the amount of any rate subsidy provided, the net amount payable and the date payment is due and payable.

36. Payment

36.1 Bills for service charges, fees and all other penalties and charges levied pursuant to the Enterprise Fees and Charges are due and payable no later than 30 days after the date of billing.

36.2 Bills are considered to be paid when the payment is received at the municipal office, or at such other place as may be determined by the SAO and specified on the bill.

36.3 Overdue bills shall be subject to the late payment charge specified in the Enterprise Fees and Charges Bylaw.

36.4 Liability to pay bills shall not be affected by any defect in the form of bill or non-receipt of a bill.

37. Owner Liable to Pay

37.1 The owner of a premises receiving water and/or sewer services shall be liable for all service charges, fees and all other penalties and charges levied pursuant to the Enterprise Fees and Charges Bylaw and the Hamlet may make the balance of any account in arrears over sixty (60) days a charge against the owner.

38. Enforcement of Payment

38.1 Enforcement of payment of service charges, fees and all other penalties and charges levied pursuant to the Enterprise Fees and Charges Bylaw may be by:

- a) discontinuance of water and sewer services after ninety (90) days from the date of mailing of the bill, in respect of which payment is in default plus the imposition of a late payment charge as specified in the Enterprise Fees and Charges Bylaw; or
- b) action in any court of competent jurisdiction.

39. Economic Rate

39.1 The economic rate per litre for the provision of water and/or sewer services shall be determined by the Hamlet based on the blended average cost incurred by the Hamlet to provide water and sewer services to customers, as outlined in the Municipal Service Rates Bylaw.

40. Industrial Use of Water

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

41. Changes in Use, Occupancy or Property Served

41.1 The customer shall notify the SAO in writing of any change in the use, occupancy, site served, or any other matter which may affect the service charges or fees payable under the Enterprise Fees and Charges Bylaw.

42. Adjustment for Charges for Partial Period

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

43. Offenses

43.1 Any customer or person who contravenes any provision or requirement of this bylaw is guilty of an offence and upon summary conviction is liable to a fine and/or imprisonment as detailed in the Enterprise Fees and Charges Bylaw.

44. Separability

44.1 The provisions of this bylaw are separable and invalidity of any part of this bylaw shall not affect the rest of the bylaw.

45. Schedules

Schedules attached to the bylaw form a part of this bylaw.

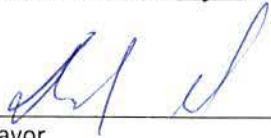
43. Repeal

Bylaw No. 2011-06 is hereby repealed.

44. Effective Date of Bylaw

This bylaw shall become into force and effect on third reading.

Read first time this 16th day of NOVEMBER 2021.




Mayor



Senior Administrative Officer

Read second time this 16th day of NOVEMBER, 2021.



Mayor



Senior Administrative Officer

Read third time this 14th day of DECEMBER, 2021.



Mayor



Senior Administrative Officer

It is hereby certified that this Bylaw No. 2021-087 has been made with the requirement/s of the Hamlet's Act and the Bylaws of the Hamlet of Enterprise.



Senior Administrative Officer



Schedule A
APPLICATION FOR CONNECTION OR DISCONNECTION OF WATER SERVICE

OWNER?	RENTER?	#OF USERS:
CONNECTION:	DISCONNECTION:	TRUCKED SERVICE:
NAME:		
MAILING ADDRESS:		
UNIT ADDRESS:		
LEGAL DESCRIPTION:	LOT:	BLOCK:
		PLAN:
HOME PHONE:		WORK PHONE:
IF RENTER, OWNERS NAME AND ADDRESS:		
CONNECTION DATE:		DISCONNECTION DATE:
IF DISCONNECTING, FORWARDING ADDRESS:		
APPLICATNTS SIGNATURE:		DATE:

OFFICE USE ONLY		
FEE PAID:	RECEIPTS NO.	DEBIT <input type="checkbox"/> CREDIT <input type="checkbox"/> CASH <input type="checkbox"/> CHEQUE <input type="checkbox"/>
ACCOUNT NO:		COMPLETED BY:
CONNECTION DATE:		DISCONNECTION DATE:

**Schedule B
BULK WATER PERMIT**

PERMIT NO.

PERMIT HOLDER:

ADDRESS:

TELEPHONE:

ESTIMATED NUMBER OF LITRES REQUIRED:

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

Note: Any contravention of this agreement is subject to fine as outlined in section 69 of The Water and Sewer Operating Bylaw 272/14.

PERMIT APPLICANT

SENIOR ADMINISTRATIVE OFFICER

DATE