



**A BYLAW TO MANAGE AND CONTROL THE CONSTRUCTION, INSTALLATION, USE,
CONSUMPTION AND DISCHARGE OF A WATER AND SEWER PUBLIC UTILITY**
The Village of Torquay
BYLAW NO. 2025-05

The council of the village of Torquay, in the province of Saskatchewan, enacts as follows:

1. This bylaw shall be referred to as the Water and Sewer Management Control Bylaw
2. In this bylaw, unless context otherwise requires, the expression:
 - a) **“Authorized person”** means an employee of the municipality, or an individual/business contracted by the municipality to perform work on behalf of the municipality.
 - b) **“Boundary”** means the perimeter of an owner’s parcel of land.
 - c) **“Council”** means the council of the municipality.
 - d) **“Domestic waste”** means waste derived principally from residential dwellings.
 - e) **“Municipality”** means the Village of Torquay.
 - f) **“Occupant”** includes:
 - i) a person residing on a parcel of land or in a building on a parcel of land;
 - ii) a person entitled to the possession of a parcel of land or a building on a parcel of land; or
 - iii) a leaseholder of a parcel of land.
 - g) **“Owner”** means a person who has the right, title, estate or interest in land or improvements other than that of a mere occupant, tenant or mortgagee.
 - h) **“Parcel of land”** means within the municipality:
 - i) All or part of any parcel, as defined in *The Land Titles Act, 2000*, on an approved plan;
 - ii) A number of parcels, as defined in *The Land Titles Act, 2000*, that are assessed together; or
 - iii) Any area of land used for a single assessment; and includes all buildings or other structures located on the parcel of land.
 - i) **“Plumbing regulations”** means *The Plumbing Regulations* and *The Private Sewage Works Regulations* and amendments thereto
 - j) **“Public utility”** means a water works system and sewage disposal system operated by the municipality for public consumption, benefit, convenience or use.
 - k) **“Raw water”** means water that is not supplied by the municipality.
 - l) **“Septic waste”** means the contents of septic tanks, holding tanks, or other private sewage disposal system for domestic waste and specifically excludes contents of

- portable privies, recreational vehicles or such other mobile waste units that may use chemicals to destroy or prohibit the growth of sludge micro-organisms or cultures.
- m) **“Septic waste disposal company”** means a company that collects septic waste and disposes of it in accordance with *The Municipal Refuse Management Regulations*.
 - n) **“Service Connection”** means the part of a system or works of a public utility that runs from the main line of the public utility to a building or other place on a parcel of land for the purpose of providing the utility service to the parcel, and includes the connection to the main line and couplings, curb stops, curb stop box, meters and other apparatus inside the building or other place for the provision of the public utility.

3. Public Utility Service Connection

3.1 New Water Service Connection – at or near a boundary of a parcel of land

- a) All persons desiring to be connected to the municipality’s public water system shall make application to the Village of Torquay.
- b) For a new public water service connection, the municipality shall determine the location for the installation of the public utility service connection which shall be at or near the boundary of a parcel of land.
- c) The municipality shall be responsible for hiring the contractor to construct, maintain, repair and replace a public water service connection from the main line of the public utility to the curb stop and may enter any land for that purpose.
- d) As a term of supplying the public water service to a parcel of land, the municipality may make the owner of the parcel of land responsible for the costs of the construction, maintenance, repair and replacement of the portion of the service connection from the main line of the system or works to the boundary of the street, road or easement.
- e) The costs and expenses as noted in section 3.1 (d) above shall be and are deemed an amount owing to the municipality by the owner of the parcel of land unless otherwise determined by the municipality.
- f) Any costs and expenses relating to the public water service connection referenced in section 3.1 of this bylaw may be recovered from the owner of the subject parcel of land by the municipality by any of the following:
 - i) A civil action for debt in court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*;
 - ii) Adding the amount to the tax roll of the parcel of land on which the work is done in accordance with section 369 of *The Municipalities Act*; and/or
 - iii) Any other means or methods authorized pursuant to *The Municipalities Act* or any other legislation

3.2 New Sewer Service Connection – at or near a boundary of a parcel of land

- g) All persons desiring to be connected to the municipality's public sewer system shall make application to the Village of Torquay.
- h) For a new public sewer service connection, the municipality shall determine the location for the installation of the public utility service connection which shall be at or near the boundary of a parcel of land.
- i) The property owner shall be responsible for cost and expense of the contractor to construct, maintain, repair and replace a public sewer service connection from their property to the main line of the public sewer.
- j) The costs and expenses as noted in section 3.1 (d) above shall be and are deemed an amount owing to the municipality by the owner of the parcel of land unless otherwise determined by the municipality.
- k) Any costs and expenses relating to the public sewer service connection referenced in section 3.1 of this bylaw may be recovered from the owner of the subject parcel of land by the municipality by any of the following:
 - iv) A civil action for debt in court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*;
 - v) Adding the amount to the tax roll of the parcel of land on which the work is done in accordance with section 369 of *The Municipalities Act*; and/or
 - vi) Any other means or methods authorized pursuant to *The Municipalities Act* or any other legislation

3.3 Existing Service Connection – at or near boundary of a parcel of land

- a) If it is determined that there is an existing public utility service connection that enters upon the owners parcel of land and the owner wishes to connect to the existing service connection, the municipality provides no guarantees to the conditions of those lines and as a term of supplying the public utility service to a parcel of land, the municipality may make the owner of the parcel of land responsible for the costs of the construction, maintenance, repair and replacement of the portion of the service connection from the main line of the system or works to the boundary of the street, road or easement.
- b) The cost and expenses as noted in section 3.2 (a) above shall be and are deemed an amount owing to the municipality by the owner of the parcel of land, unless otherwise determined by the municipality.
- c) Any costs and expenses relating to the public utility service connection referenced in this section 3.2 of this bylaw may be recovered from the owner of the subject parcel of land by the municipality by any or the following:
 - i) A civil action for debt in court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*;
 - ii) Adding the amount to the tax roll of the parcel of land on which the work is done in accordance with section 369 of *The Municipalities Act*; and/or
 - iii) Any other means or methods authorized pursuant to *The Municipalities Act* or any other legislation.

3.4 Service connection – on a parcel of land

- a) The owner of a parcel of land shall be responsible for the costs of the construction, maintenance, repair and replacement of a public utility service connection located above on or under the owner's parcel of land from the boundary of the parcel of land to and inside the building unless otherwise determined by the municipality.
- b) The service connection shall be approved and inspected by an authorized person of the municipality. With the service connection work to be done in accordance with the plumbing regulations.
- c) If any owner of a parcel of land fails to comply with the requirements of section 3.3(b) and, or the municipality is not satisfied with the construction, maintenance, repair or replacement of a service connection by any owner of a parcel of land, the municipality may order the owner to construct, maintain, repair or replace the service connection of the public utility in accordance with the instructions of the municipality within a specified time. In that regard, the municipality shall serve the owner with a written order in accordance with section 364 of *The Municipalities Act*.
- d) If an owner does not comply with any order of the municipality that may be made pursuant to section 3.3(c) above to the satisfaction of the municipality within a specified time, or in an emergency, an authorized person of the municipality may enter land or building, including the owner's parcel of land and buildings, to construct, maintain, repair or replace the service connection and shall within a reasonable period of time and to the extent reasonably possible restore any parcel of land entered for that purpose to the same conditions as existed prior to the municipality's entry.
- e) The costs and expenses incurred by the municipality relating to the construction, maintenance, repair or replacement of the service connection as contemplated by section 3.3(d) above shall be and are deemed an amount owing to the municipality.
- f) Any costs and expenses relating to the public utility service connection referenced in section 3.1 of this bylaw may be recovered from the owner of the subject parcel of land by the municipality by any of the following:
 - i) A civil action for debt in court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*;
 - ii) Adding the amount to the tax roll of the parcel of land on which the work is done in accordance with section 369 of *The Municipalities Act*; and/or
 - iii) Any other means or methods authorized pursuant to *The Municipalities Act* or any other legislation.

4. Water Public Utility – Management and Control

4.1 Water Meters and Access

- a) Water meters shall be installed in every residential and commercial building where the public utility water service is supplied to a parcel of land.
- b) At the discretion of the council. They may grant an exception for the installation of a water meter on municipal or public facilities.
- c) Only one (1) meter shall be permitted for each connection to the village water public utility.
- d) The water meter location shall provide sufficient space for installation and convenient access.
- e) Water meters shall remain the property of the municipality.
- f) The municipality shall be entitled to read the water meter monthly or quarterly and estimate the water usage if unable to obtain an actual reading.
- g) Any authorized person is entitled to free access at all reasonable times to all parts of any parcel of land to which the water public utility is connected for the purpose of:
 - i) Reading a meter; or
 - ii) After making reasonable efforts to notify the owner or occupant, or in an emergency, for the purpose of directing and installing or sealing a meter or other related appliances, and removing, altering, or repairing such meter as circumstances requires, conducting and sampling tests, inspecting any service connection, or maintenance and repair.
- h) Any person who obstructs or refuses to admit the authorized person to have free access to all parts of a parcel of land on which the water public utility is delivered, for the purposes identified in section 4.3(g) above shall be deemed guilty of an infraction of this bylaw.
- i) Where in the opinion of the authorized person any water meter fixture or pipe is insufficiently protected from the extreme temperature or otherwise, the municipality may terminate the supply of water after serving written notice to the owner of the parcel of land its intention to do so.
- j) No person shall willfully tamper with any water meter connected to the public utility water service, either inside or outside of a building so as to alter the amount of water registered by the meter.
- k) Any costs reference in section 4.3(j) above may be recovered from the owner of the subject parcel of land by the municipality by any of the following:
 - i) A civil action for debt in court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*;
 - ii) Adding the amount to the tax roll of the parcel of land on which the work is done in accordance with section 369 of *The Municipalities Act*; and/or
 - iii) Any other means or methods authorized pursuant to *The Municipalities Act* or any other legislation.

4.2 Water Rationing

- a) The municipality may by bylaw ration and/or limit the amount of public utility water to be furnished to any/or all parcels of land, as circumstances warrant, and the municipality shall not be liable for damages by imposing such limits and rationing.

4.3 General Regulations

- a) No person shall introduce into the public utility water system any harmful matter, substance, or thing whether liquid or solid that would be injurious to health, life or property, or that may injure, pollute, or damage any watercourse, drain, sewer, sewage system, water system and/or water treatment plant.
- b) No person shall:
 - i) Willfully or maliciously hinder or interrupt the municipality or authorized person in the exercise of any of the powers conferred with respect to the provision of the public utility water service.
 - ii) Willfully or maliciously discharge water so that it is wasted.
 - iii) Willfully open, close or obstruct any water hydrant; or
 - iv) Attach any pipes or lines to the public utility water service except for normal use.

5. Sewer Public Utility – Management and Control

- a) Every owner of a parcel of land who is connected to the water public utility system shall be connected to the sewer public utility.
- b) After making reasonable efforts to notify the owner or occupant of the parcel of land, or in an emergency, any authorized person is entitled to free access at all reasonable times to all parts of any parcel of land to which the sewer public utility is connected for the purpose of:
 - i) Inspecting any sewer service connection, and/or
 - ii) Constructing, maintaining, or repairing a sewer service connection.
- c) No person shall discharge water from weeping tile and/or sump pumps into the public utility sewer system
- d) No person shall discharge into any drain, sewer, or sewer system operated by the municipality any harmful matter, substance, or thing whether liquid or solid that would be injurious to health, life or property, or that may injure, pollute, or damage any watercourse, drain, sewer, or sewage system.

6. Enforcement of Bylaw

6.1 Inspection

- a) The inspection of any parcel of land by an authorized person to determine if any provision of this Bylaw is being complied with is hereby authorized.

- b) Inspections under this Bylaw shall be conducted in accordance with section 362 of *The Municipalities Act*.
- c) No person shall obstruct an authorized person to conduct an inspection under this section 6.1.

6.2 Order to Remedy Contravention

- a) If an authorized person has reason to believe that a person is contravening any provision of this Bylaw, they may, by written order, require the owner or occupant of the parcel of land to which the contravention relates to remedy the contravention in accordance with section 364 of *The Municipalities Act*.
- b) If an order is issued pursuant to section 6.2(a) above, the municipality may, in accordance with section 364 of *The Municipalities Act*, give notice of the existence of the order by registering an interest against the title to the parcel of land that is subject to the order.
- c) A person may appeal an order referenced in this section 6.2 in accordance with section 365 of *The Municipalities Act*.
- d) The municipality may, in accordance with section 366 of *The Municipalities Act*, take whatever actions or measures necessary to remedy a contravention of the Bylaw.
- e) In an emergency, the municipality may take whatever actions or measures necessary to eliminate the emergency in accordance with section 367 of *The Municipalities Act*.

6.3 Recovery of Expenses and Costs

- a) Any expense and costs incurred by the municipality in remedying a contravention of this Bylaw shall be and are deemed amounts owing to the municipality by the owner of the subject parcel of land, unless otherwise determined by the municipality. Such expense and costs may be recovered from the owner of the subject parcel of land by the municipality by any of the following:
 - ii) A civil action for debt in court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*.
 - ii) Adding the amount to the tax roll of the parcel of land on which the work is done in accordance with section 369 of *The Municipalities Act*; and/or
 - iii) Any other means or methods authorized pursuant to *The Municipalities Act* or any other legislation.

6.4 Offence and Penalties

- a) No person shall:
 - i) Fail to comply with an order made by the municipality pursuant to this Bylaw; or
 - ii) Obstruct or interfere with any authorized person or any other person acting under the authority of this Bylaw; or
 - iii) Fail to comply with any other provision of this Bylaw.

- b) An authorized person who has reason to believe that a person has contravened any provision of this Bylaw may serve on that person a Notice of Violation, which shall indicate that the municipality will accept voluntary payment in the sum of \$100 to be paid by the municipality within 14 days. In the case of a continuing violation of any provision of this Bylaw, the Notice of Violation may in addition also set out the period of time during which the municipality will accept voluntary payment of the sum of \$2.50 for each day during which the violation has continued, such to be paid to the municipality within 14 days of Notice to the Violation.
- c) Notwithstanding any penalties or payments imposed upon a person pursuant to the provisions of this Bylaw;
 - i) Where a contravention of any provision of this Bylaw shall be part of continuing or ongoing nature, the municipality may terminate the water and/or sewer public utility from the parcel of land after providing reasonable notice to the owner or occupant of the parcel of land;
 - ii) Where the municipality incurs costs and expenses as a result of any person committing an offence hereunder, such expenses and costs may be recovered from the person by the municipality by any of the following:
 - A) A civil action for debt in court of competent jurisdiction in accordance with section 368 of *The Municipalities Act*.
 - B) Adding the amount to the tax roll of the parcel of land on which the work is done in accordance with section 369 of *The Municipalities Act*; and/or
 - C) Any other means or methods authorized pursuant to *The Municipalities Act* or any other legislation.
- d) Nothing in this Bylaw limits or restricts any other remedies the municipality has available by law.
- e) *The Plumbing and Drainage Regulations* shall apply to and govern all plumbing and drainage within the municipality.

This Bylaw shall take effect on the date it is given the third and final reading.

Read a 3rd time and adopted by resolution of council
on the ____ day of ____ 2025.

Terry Malaryk, Mayor

Tammie Jackson, CAO

