

**TOWN OF KIPLING
BYLAW NO. 10-2017**

**A BYLAW OF THE TOWN OF KIPLING TO REGULATE THE WATER AND SEWER SYSTEM
WITHIN THE TOWN OF KIPLING AND FIX FEES TO BE CHARGED FOR THE SAME**

WHEREAS the Council may regulate the distribution and use of water and sanitary sewage in the Municipality and may fix fees for the use thereof and the times of payment; and

NOW, THEREFORE, the Council of the Town of Kipling enacts as follows:

1. All persons desiring to be supplied with water from the Municipality's water supply system shall make application to the officials of the Municipality.
2. This Bylaw shall be cited as "The Water & Sewer Regulation Bylaw."

Connection Fees

3. Each residential application shall be accompanied by the payment of a fee or Connection Fee in the amount determined on "Schedule A" of this Bylaw.
4. The Connection Fee shall be refunded upon service being discontinued upon the request of the customer provided all water usage charges have been paid in full, or the difference of the connection fee and balance owing.
5. Each commercial, industrial or institutional application shall be accompanied by the payment of a connection fee in the amount determined on "Schedule A" of this bylaw.
6. The commercial, industrial or institutional application shall be refunded upon service being discontinued upon the request of the customer provided all water usage charges have been paid in full, or the difference of the connection fee and balance owing.

Water Rationing

1. The Town shall have the right to limit the amount of water furnished to any user upon reasonable notice to the customer of such intended action.

New Services

1. The Town of Kipling shall bring the water and sewer services to the curb of a residential or commercial/industrial lot; with the property owner being

- responsible for costs of installing, upgrading or relocating water and sewer service to the property owners building.
2. The property owner must contact the Town Foreman or designated representative when connection is made to the Town water and sewer system.
 3. The Town shall provide all new system users with a water meter to be installed by a qualified plumber at the property owners cost in a location **readily accessible for meter reading**; and is properly protected from frost or other injury so that the meter will not be damaged.
 4. All requests for water and/or sewer service from RM residents shall be sent to Council for approval prior to installation of the service.
 5. In the case of a commercial, industrial or institutional property the costs associated with the materials (including the water meter) and installation of each new water connection and sewer connection and any damage to the sidewalk, curbing, gutter, pavement and any other damages are the responsibility of the property owner under the supervision of the Town Foreman. Section 5 of this bylaw will still apply.

Private Wells & Sanitary Sewer Systems

1. It shall be unlawful to drill water well on private property in the Town of Kipling.
2. It shall be unlawful to dispose of water from a cistern tank into the public water/sewer system.
3. It shall be unlawful to dispose of sanitary waste in any way except through the town sewer system within the Town of Kipling.
4. Any sink holes related to past wells or outhouses must be reported to the Town office; and cleaned up at the expense of the property owner to eliminate any danger to public safety.

Water Supply Regulations

1. Every owner or occupant of premises connected to the Town water and sewer system shall permit access to the building Town staff to examine, inspect and/or repair the water meter at all reasonable times.
2. All water meters shall be sealed at the time of installation and it shall be an offence for any person to break the seal and/or tamper with the meter in any way. Where evidence of tampering with the seal or meter is found, the person who applied for service and who is billed for service shall be deemed responsible and be liable for a penalty prescribed in the General Penalty, Enforcement and Voluntary Fines Bylaw of the Town of Kipling.
3. In the event that a meter when read is found to register incorrectly, an amount based on that user's average usage from previous related periods or based on average usage for a similar family size will be used to calculate the billing.

4. It shall be an offence for any person who is not an employee of the Town or who has not been authorized the Town Administrator or Foreman to open, close or tamper with a fire hydrant, curb stop, water meter, remote water meter readout or valve connected with the Town water system, or in any other way tamper or interfere with the operation and/or functioning of any other component or part of the Town water system.
5. For the reason of making repairs, or extension of mains or services, the Town shall have the right to shut off water to any service without notice to the customer. The Town or its employee shall not be liable for any damages resulting from the discontinuance of water supply, with or without notice, to any building, boiler or other apparatus deriving its supply from the Town water system.
6. Every occupant or owner of premises connected to the Town water supply shall give notice to the Town Office of their intended or actual vacating of the premises.
7. Where a user permits a water meter to freeze up and damage results, the cost of the new meter shall be charged to the customer.
8. Where a meter is determined to be not working, the Town will provide a new one to be installed by the property owner at no charge.
9. Any work conducted on Town property with respect to the water system will be done by the Town.

SEWAGE SERVICE REGULATIONS

1. Every owner or user who makes a claim or demand, takes any action or alleges that they have a cause of action, claim or demand against the Town of Kipling for or by reason of loss of whatsoever kind or nature arising out of any incident of sewer back up and or flooding shall, within 30 days of making such claim or demand or taking such action, install a sewer back up valve on the premises which are the subject matter of such claim or demand and provide proof of such installation to the Town office.
2. It shall be an offence for any person who is not an employee of the Town or who has not been authorized by the town administrator to interfere with the operation and/or functioning of any component of the Town sewage system.
3. Any work conducted on Town property with respect to the sewer system will be done by the Town.

ENFORCEMENT

1. Any person found guilty of an infraction of this Bylaw, or any part thereof, shall be liable on summary conviction, to the penalties prescribed by the General Penalty, Enforcement and Voluntary Fines Bylaw of the Town of Kipling.

REPEAL

Bylaw 2-2012 is hereby repealed.

This bylaw shall become effective January 1, 2018.

Read a third time and adopted as read, this 11th day of December, 2017.

Mayor

Administrator

Town of Kipling

Schedule "A"

To Bylaw 10-2017

Water Fees

Urban Property Owner Connection Fee (Commercial or Residential)	\$ 50.00
Damaged Meter Replacement New Commercial Meter	\$350.00 Owner pays actual cost of meter (plus connection fee)
Unmetered, Hydrant or Bulk Rate	.04 per litre