

Bylaw No. 8880

**Private Sewer and Water Service
Connection Bylaw, 2010**

**Codified to Bylaw No. 9962
(March 27, 2024)**

BYLAW NO. 8880

The Private Sewer and Water Service Connection Bylaw, 2010

The Council of the City of Saskatoon enacts:

Part I Short Title and Interpretation

Short Title

1. This Bylaw may be cited as The Private Sewer and Water Service Connection Bylaw, 2010.

Purpose

2. The purpose of this Bylaw is to establish conditions and procedures for the construction and installation of private sewer and water service connections including tapping to the City's main lines.

Definitions

3. In this Bylaw:
 - (a) **“basement replacement”** means the complete demolition and reconstruction of the foundation and walls of a basement;
 - (b) **“building”** means a building as defined in *The Cities Act*;
 - (c) **“General Manager”** means either the General Manager of Transportation and Construction or the General Manager of Utilities and Environment, or their designate;
 - (d) **“lead water service connection”** or **“LWSC”** means a water service connection that is made of lead;
 - (e) **“live tapping”** means connecting the lines of a water service connection located above, on or underneath a parcel of land to the main lines of the water works system while the water main remains pressurized during the connection;

- (f) **“parcel of land”** means a parcel of land as defined in *The Cities Act*;
- (g) **“public sewage system”** means any City asset or facility used or intended to be used for the collection, transmission, treatment and disposal of domestic and non-domestic wastewater, including the main lines of the system;
- (h) **“service connection”** means a service connection as defined in *The Cities Act*;
- (i) **“sewer service connection”** means a service connection that connects a building on a parcel of land to the public sewage system;
- (j) **“specifications”** means the current version of the City’s Standard Construction Specifications and Drawings for Roadways and Water and Sewer;
- (k) **“tapping”** means connecting the lines of a service connection located above, on or underneath a parcel of land to the main lines of a public utility while the valve is closed and the main line is depressurized;
- (l) **“water service connection”** means a service connection on a parcel of land through which water is conveyed from the water works system;
- (m) **“water works system”** means any City asset or facility used or intended to be used for the collection, transmission and treatment of water, including the main lines of the system.

Part II
Construction/Installation of Private Sewer and Water Service Connections

General

- 4. (1) The General Manager may establish specifications governing the construction, installation and repair of service connections and any fees associated therewith.
- (2) Every sewer and water service connection must be constructed, installed and repaired in accordance with such specifications.

- (3) A licensed contractor shall be responsible to pay all fees associated with the construction, installation and repair of sewer and water service connections as set out in the specifications.
- (4) All sewer and water service connection work, including the construction, installation, maintenance, repair and replacement must be undertaken by a licensed contractor.

Licensed Contractors

5.
 - (1) No person shall carry on business as a sewer or water contractor in the City without first obtaining a sewer and water license from the General Manager.
 - (2) Application for such license shall be made to the General Manager in such manner and on such forms as the General Manager may prescribe from time to time.
 - (3) An applicant shall supply the General Manager with all information as may be required by the General Manager at the General Manager's sole discretion.
 - (4) Without limiting the generality of subsection (3), any applicant shall provide:
 - (a) evidence of compliance with *The Workers' Compensation Act, 2013*, including payments due thereunder; and
 - (b) evidence of public liability insurance including public liability and property damage for each accident in the amount of \$2,000,000.00 and vehicle liability and property damage for each accident in the amount of \$2,000,000.00.
 - (5) No person shall provide false or misleading information in an application submitted pursuant to subsection (2).
 - (6) Where any contractor is not qualified, or deemed unsuitable to undertake sewer and water service connection work by the General Manager, the General Manager may, in the General Manager's sole discretion, refuse to issue a license.
 - (7) The General Manager may issue a license upon such terms and conditions as the General Manager considers appropriate.
 - (8) Without limiting any other provision of this Bylaw, the General Manager may suspend or cancel a license granted under this Bylaw if:

- (a) the applicant has failed to comply with any provision of this Bylaw;
 - (b) the applicant has provided false or misleading information in the application; or
 - (c) the applicant has failed to comply with any condition of a license under this Bylaw.
- (9) Licenses shall be renewed annually.
- (10) No person shall assign or transfer a license.
- (11) Nothing in this Bylaw relieves any person licensed to construct and install service connections from obtaining a City of Saskatoon business license.

Suspension or Cancellation of License

6. There is no right of appeal with respect to:
- (a) any condition of a license imposed by the General Manager pursuant to subsection 5(7);
 - (b) the suspension, period of suspension or cancellation of a license imposed by the General Manager pursuant to subsection 5(8); or
 - (c) a refusal to issue or renew a license.

Tapping – Water Works System

7. (1) All live tapplings to water mains on property owned by the City shall, unless otherwise permitted by the General Manager in writing, be conducted by the City.
- (2) A licensed contractor shall be responsible to pay all fees for live tapping connections as set by the General Manager from time to time.
- (3) No licensed contractor may construct, install or repair a “tee” connection to the water main lines without having obtained the prior written approval of the General Manager.

Tapping – Public Sewage System

8. Licensed sewer and water contractors may tap into the public sewage system provided all work is conducted in accordance with the specifications.

Inspection

9. (1) A licensed contractor shall complete all sewer and water service connection work in accordance with any plans or drawings approved by the General Manager and shall allow the General Manager to inspect the work at any stage of construction.
- (2) A licensed contractor shall notify the General Manager when a service connection is ready for inspection.
- (3) No person shall cover any service connection work until it has been inspected and approved by the General Manager.
- (4) A licensed contractor shall be responsible to pay all fees for service connection inspections as set by the General Manager from time to time.

General Rules Regarding Replacement of Service Connections

10. (1) The general rules provided in sections 19 and 22 of *The Cities Act* regarding responsibility for service connections and the associated costs shall apply except where otherwise specifically recognized in this Bylaw. For ease of reference, sections 19 and 22 are reproduced in an endnote¹.
- (2) For greater certainty:
 - (a) when the lines of an existing service connection located on a property owner's parcel of land fail, it shall be the property owner's responsibility to repair or replace its portion of the service connection from the building to the property line.
 - (b) when the main lines of an existing service connection located on City right-of-way fail, it shall be the City's responsibility to repair or replace the main lines of the service connection to the boundary of the property line.
 - (c) when the lines of an existing service connection located on a property owner's parcel of land fail, the property owner shall have the option to either repair or replace its portion of the service connection.

If the failed service connection is made of materials no longer in compliance with the specifications and the property owner chooses to replace its portion of the service connection, the owner may be eligible to participate in any policy or program that the City has to

¹ See Endnote

subsidize or share in the cost of replacement of a service connection.

If the failed service connection is made of materials no longer in compliance with the specifications and the property owner chooses to repair its portion of the service connection, the owner is not eligible to receive any subsidy or participate in any cost sharing program.

- (d) when the lines of an existing service connection located on a property owner's parcel of land fail and the service connection is made of materials identified in the specifications, the owner is not eligible to receive any subsidy or participate in any cost sharing program.
- (e) when an existing service connection is made of materials no longer in compliance with the specifications and the main lines located on City right-of-way fail, or the City is upgrading the main lines of the system, the owner of the parcel of land adjacent to the failure or work on the main lines shall have the option to either repair or replace its portion of the service connection from the building to the property line at the same time that the City is replacing the main lines of the service connection.

If the owner chooses to replace its portion of the service connection, the owner may be eligible to participate in any policy or program that the City has to subsidize or share in the cost of replacement of the service connection.

If the owner chooses to repair its portion of the service connection, the owner is not eligible to receive any subsidy or participate in any cost sharing program.

Rules Regarding Replacement of Lead Water Service Connections

- 10.1 (1) This section applies to all LWSCs which have failed or which the City requires be replaced.
- (2) Notwithstanding that a LWSC has not failed, the City may order that the owner of a parcel of land replace the LWSC serving the parcel of land at the owner's cost if the City:
 - (a) is upgrading the main lines of the system and the parcel of land is adjacent to the main lines being upgraded;
 - (b) is performing a major roadway treatment in the right-of way adjacent to a parcel of land; or

- (c) for any reason, is not satisfied with the construction, maintenance, repair or replacement of the LWSC.
- (2.1) Subject to subsection (2), the City requires that all owners of a parcel of land replace the LWSC serving the parcel of land at the owner's cost no later than December 31, 2026.
- (3) When a LWSC must be replaced as required by this section:
- (a) the property owner is entirely responsible for the replacement of and cost of replacement of the portion of the LWSC from the outside foundation of the building to the water meter; and
 - (b) for the portion of the LWSC from the outside foundation of the building to the property line, the property owner may:
 - (i) choose to have the work done by a licensed water and sewer contractor hired by and paid for by the property owner; or
 - (ii) choose to have the work done by the licensed water and sewer contractor retained by the City. If the owner chooses to use the City's licensed water and sewer contractor, the owner may be eligible to participate in any policy or program that the City has to subsidize or share in the cost of replacement of the LWSC.
- (4) If the property owner neglects or refuses to replace the owner's portion of the LWSC as required by this section, the City may do any or all of the following:
- (a) upon 30 days' written notice to the owner, discontinue providing water service until the owner's portion is replaced as required by this Bylaw;
 - (b) replace the portion of the LWSC that the City is responsible for, but shall not allow its water service line to be connected or reconnected to the owner's LWSC until the property owner replaces the owner's portion from the boundary of the property line to the water meter with materials approved by the City.

Common Trench Lead Water Service Line Installation

- 10.2 (1) A common trench LWSC installation means an installation of LWSCs servicing adjacent properties that are in a common trench, or located so close to one another that one cannot be replaced without damaging, or be at serious risk of damaging, the other.

- (2) If either LWSC in a common trench must be replaced, both must be replaced.
- (3) If one property owner wishes to voluntarily replace a LWSC in a common trench, that initiating owner must obtain written consent of the non-initiating owner to the replacement, failing which, no voluntary replacement of LWSC shall be permitted.
- (4) Section 10.1 applies to common trench LWSC installations.

Demolitions and Basement Reconstruction Replacement – General Rules

11. (1) Notwithstanding subsections 7(1) and 7(2), if the owner of a parcel of land demolishes a building or undertakes basement replacement and the sewer and water service connections no longer comply with the specifications, the owner of the parcel of land shall replace both the existing sanitary service connection and the water service connection from the main lines of the system or works to the building.
- (2) The replacement of private sewer and water service connections associated with a demolition or basement reconstruction shall be at the sole expense of the owner of the parcel of land, including the costs to cut off the old services and completely replace both sewer and water service connections.

Demolitions – Abandonment of Service Connection

12. (1) If the owner of a parcel of land demolishes a building and intends on abandoning the sewer and water service connections, the owner of the parcel of land shall cut off the services at the main line of the system and block or seal the service connections.
- (2) The abandonment of sewer and water service connections associated with a demolition shall be at the sole expense of the owner of the parcel of land.

Demolitions and Basement Replacement – Refundable Deposits

13. (1) In addition to the costs associated with the replacement of sewer and water service connections in the case of a demolition or basement replacement or abandonment of the connections, when a person applies for a demolition permit, the General Manager may also require a deposit for:

- (a) sewer and water service cut-off; and
- (b) boulevard condition maintenance.

The owner of a parcel of land shall be responsible to pay the deposit amounts as set by the General Manager from time to time.

- (2) Notwithstanding subsection (1), deposits for sewer and water service cut-off may be returned when sewer and water connections that are on a City right-of-way are properly removed or replaced, as determined by the General Manager.
- (3) Notwithstanding subsection (1), deposits for boulevard maintenance may be returned when any damage to the boulevard, including grassed area, sidewalk and curb have been repaired, as determined by the General Manager.

PART III

Private Service Connections Assistance Program

Interpretation

14. In this Part:

- (a) **“amount due”** means the cost of work or services performed by, or performed at the request of, the City in connection with the replacement of a LWSC, a sewer service connection, or both a LWSC and a sewer service connection, and includes the fee to administer the Program as set out in section 19;
- (b) **“deferred costs”** means an amount equivalent to the amount due that has been added to the tax roll of a property in accordance with section 361.1 of *The Cities Act*;
- (c) **“household income”** means the total income of all family members who live or ordinarily reside in a dwelling unit;
- (d) **“low income”** means having a household income below the low income cut-off thresholds that are periodically published by Statistics Canada;
- (e) **“principal residence”** means the primary location that a person inhabits, and for further certainty, a person may only have one principal residence;

- (f) **“Program”** means the Private Service Connections Assistance Program established pursuant to section 15 of this Bylaw;
- (g) **“property”** means a property at which the City has offered to replace, is replacing or has replaced a LWSC, a sewer service connection, or both a LWSC and a sewer service connection;
- (h) **“residential property”** means land and improvements used or intended to be used for a residential purpose;
- (i) **“tax arrears”** does not include deferred costs;
- (j) **“taxpayer”** means the person whose name is shown on the tax roll of a property.

Program Established

- 15. The Private Service Connections Assistance Program is established.

Purpose of Program

- 16. The purpose of the Program is to enable eligible taxpayers to add the amount due to the tax roll of their property so that payment may be made over time.

Deferral Terms

- 17. The City may allow an eligible taxpayer to repay the amount due over a deferral term of one year, three years, five years or ten years.

Eligibility Requirements

- 18. (1) To qualify for a one-year, three-year or five-year deferral:
 - (a) the taxpayer must own the property, either solely or jointly with another person;
 - (b) the property must not be in tax arrears; and
 - (c) in cases where only a sewer service connection is being replaced, the property must be a residential property.
- (2) To qualify for a ten-year deferral:

- (a) the taxpayer must:
 - (i) own the property, either solely or jointly with another person;
 - (ii) be an individual; and
 - (iii) be low income; and
 - (b) the property must:
 - (i) not be in tax arrears;
 - (ii) be residential property; and
 - (iii) be the principal residence of the taxpayer.
- (3) Only sewer service connections made of materials that are approved by the General Manager are eligible for the Program.

Administration Fee

19. A taxpayer shall pay the following administration fee to participate in the Program:
- (a) \$0.00 for a one-year deferral;
 - (b) \$190.00 for a three-year deferral;
 - (c) \$240.00 for a five-year deferral;
 - (d) \$365.00 for a ten-year deferral.

Agreement with City

20. A taxpayer who qualifies for the Program, as determined by the City, may enter into an agreement with the City respecting:
- (a) the work or services the City will perform at the taxpayer's property; and
 - (b) the addition of the amount due to the tax roll of the taxpayer's property.

Amount Due Added to Taxes

- 21. (1) If a LWSC, a sewer service connection, or both a LWSC and a sewer service connection are:
 - (a) replaced on or before September 30, the amount due, if unpaid, may be added to the tax roll and form part of the taxes of the property on January 1 of the next calendar year;
 - (b) replaced after September 30, the amount due, if unpaid, may be added to the tax roll of the property and form part of the taxes on January 1 of the year following the next calendar year.
- (2) Prior to adding the amount due to the tax roll of the property, the City may register it as a pending liability.

Payment of Deferred Costs

- 22. Unless earlier payment is required by any other provision of this Bylaw, payment of the deferred costs shall be as follows:
 - (a) for a one-year deferral, the entire amount of the deferred costs becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property as set out in section 21;
 - (b) for a three-year deferral, one third of the deferred costs becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property as set out in section 21, with one of the remaining thirds becoming due and payable on June 30 of each of the subsequent two calendar years;
 - (c) for a five-year deferral, one fifth of the deferred costs becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property as set out in section 21, with one of the remaining fifths becoming due and payable on June 30 of each of the subsequent four calendar years;
 - (d) for a ten-year deferral, one tenth of the deferred costs becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property as set out in section 21, with one of the remaining tenths becoming due and payable on June 30 of each of the subsequent nine calendar years.

Voluntary Early Repayment

23. (1) The taxpayer may, at any time prior to the deferred costs becoming due and payable pursuant to section 22, repay the full balance of the deferred costs or a portion of the deferred costs without penalty.
- (2) If a taxpayer repays only a portion of the outstanding deferred costs pursuant to subsection (1), payment of the remaining amount owing must be paid in accordance with the procedure set out in section 22.

Duty to Notify City of Sale of Property or Death of Taxpayer

24. (1) A taxpayer who sells a property that is subject to an agreement under the Program shall, within 60 days of the sale, notify the City that the property has been sold.
- (2) If a taxpayer dies, a representative of the taxpayer's estate must, within 60 days of the taxpayer's death, notify the City that the taxpayer is deceased.

Mandatory Early Repayment of Deferred Costs

25. (1) Notwithstanding section 22, the total outstanding amount of the deferred costs becomes due to the City upon:
 - (a) failure to make payment as required by section 22;
 - (b) the property falling into tax arrears;
 - (c) death of the taxpayer; or
 - (d) sale of the property.
- (2) Upon becoming aware of one of the circumstances set out in subsection (1), the City shall send out a notification to the taxpayer, or the taxpayer's estate, that identifies:
 - (a) the amount of the outstanding deferred costs that must be paid; and
 - (b) the date by which the outstanding deferred costs must be paid.

Registration of Interest

26. (1) In order to ensure repayment of the deferred costs, the City may register an interest against the property.

- (2) The interest shall remain on the title of the property for as long as there are deferred costs unpaid with respect to the property.
- (3) The interest shall be discharged when the full amount of the deferred costs has been paid.

PART IV Offences and Penalties

Offences and Penalties

- 27. (1) No taxpayer shall:
 - (a) wilfully furnish the City with false or misleading information in an application under the deferral program; or
 - (b) fail to notify the City of the death of a taxpayer or the sale of a property in accordance with section 24.
- (2) Every taxpayer who contravenes subsection (1) is guilty of an offence and liable on summary conviction:
 - (a) in the case of a first offence, to a fine of not less than \$100.00 and not more than \$500.00; and
 - (b) in the case of a second or subsequent offence, to a fine of not less than \$200.00 and not more than \$1,000.00.
- (3) Any outstanding deferred costs must be paid to the City within 30 days of the date of a conviction of an offence under this Bylaw.

Penalties on Late Payments

- 28. If a required payment of deferred costs remains unpaid after 30 days, the City may impose penalties on the outstanding amount at the rates established by Bylaw No. 6673, *A bylaw of The City of Saskatoon to provide for the payment of taxes and the application of discounts and penalties thereto.*

**PART V
Miscellaneous**

Administration and Enforcement of Bylaw

29. The administration and enforcement of this Bylaw is delegated to the General Manager.

Bylaw No. 1523 Repealed

30. Bylaw No. 1523 is repealed.

Coming Into Force

31. This Bylaw comes into force on the day of its final passing.

Read a first time this 18th day of August, 2010.

Read a second time this 18th day of August, 2010.

Read a third time and passed this 18th day of August, 2010.

"Donald J. Atchison"

Mayor

"Joanne Sproule" "SEAL"

A/City Clerk

Bylaw No. 8880

Endnote

1. Section 19 and 22 of *The Cities Act* reads:

“19(1) If the main lines of the system or works of a public utility are located above, on or underneath a street or easement and the city provides the public utility service to a parcel of land adjacent to the street or easement, the city is responsible for the construction, maintenance, repair and replacement of the portion of the service connection from the main lines of the system or works to the boundary of the street or easement.

(2) Notwithstanding subsection (1), the council may, as a term of supplying the public utility service to the parcel of land, make the owner responsible for the costs of the construction, maintenance, repair and replacement of the portion of the service connection from the main lines of the system or works to the boundary of the street or easement.

(3) If the council acts pursuant to subsection (2), the costs mentioned in that subsection are an amount owing to the city by the owner.

22(1) The owner of a parcel of land is responsible for the construction, maintenance, repair and replacement of a service connection of a public utility located above, on or underneath the parcel of land, unless otherwise determined by the city.

(2) If the city is not satisfied with the construction, maintenance, repair or replacement of a service connection by the owner of a parcel of land, the city may require the owner to construct, maintain, repair or replace the service connection of a public utility in accordance with the city's instructions within a specified time.

(3) If an owner does not comply with the requirement of a city to the satisfaction of the city within the specified time, or in an emergency, the city may enter any land or building to construct, maintain, repair or replace the service connection.

(4) Notwithstanding the other provisions of this section, the council may, as a term of providing a public utility service to a parcel of land, give the city the authority to construct, maintain, repair and replace a service connection located above, on or underneath the parcel.

(5) A city that has the authority to construct, maintain, repair or replace a service connection pursuant to subsection (4) may enter any land or building for that purpose.

(6) After the city has constructed, maintained, repaired or replaced a service connection pursuant to subsection (5), the city shall restore any land it entered for that purpose as soon as is practicable.

(7) The city's costs relating to the construction, maintenance, repair or replacement and restoration pursuant to this section are an amount owing to the city by the owner of the parcel of land, unless otherwise determined by the city.”