

**CITY OF THOMPSON
BY-LAW NUMBER 1625-97**

[As amended by AM B/L 1766-2008 and 1783-2009]

BEING A BY-LAW OF THE CITY OF THOMPSON TO ESTABLISH STANDARDS AND FEES IN RESPECT TO THE CONSTRUCTION AND MAINTENANCE OF THE CITY'S WATER AND SEWER SYSTEM HEREINAFTER REFERRED TO AS THE "WATER AND SEWER SYSTEM" BY-LAW.

WHEREAS Subsection 232 (1) (L) of the Municipal Act S.M. 1996, c. 58 provides authority for the Municipality to pass by-laws respecting public utilities and,

WHEREAS the Council deems it necessary to enact a by-law for the purpose of establishing standards and fees in respect to the construction and maintenance of the City's water and sewer system.

NOW THEREFORE the Council of The City of Thompson in regular session duly assembled enacts as follows:

PART I

DEFINITIONS:

1. In This By-Law:

- (a) **"THE ACT"** means The Municipal Act.
- (b) **"CITY"** means City of Thompson or the area contained within the boundaries thereof.
- (c) **"CITY PROPERTY"** means the land situated within the City that is owned or controlled by the City.
[AM B/L 1783-2009]
- (d) **"MANAGER OF ASSETS AND INFRASTRUCTURE"** means the person designated by the Council of the City of Thompson as having primary responsibility for the water and sewer system in the City.
[AM B/L 1783-2009]
- (e) **"COUNCIL"** means the Council of The City of Thompson.
- (f) **"PERSON"** means an individual, club, organization, firm or corporation.

- (g) **“WATER SERVICE”** means the supplying of water service by the City to a consumer and includes all the components appertaining thereto.
[AM B/L 1783-2009]
- (h) **“WATER SYSTEM”** means the source, structures, pipes, hydrants, meters, service laterals, devices, equipment or other things used, or intended, for the collection, transportation, pumping or treatment of water.
[AM B/L 1783-2009]

PART II

ADMINISTRATION:

2. This by-law shall be administered by the Manager of Assets and Infrastructure or such other person as may be authorized by the said Manager of Assets and Infrastructure to exercise some or all of the powers vested in him by this by-law.

CONTROL OF SEWERS:

- 3.
- (a) The City shall install that portion of the Water Service that is on City Property and that runs from the City Main Line to the property line of the parcel of land that is to be services, adjacent to a street or lane, or at the boundary of an easement granted to the City for its Water System.
[AM B/L 1783-2009]
- (b) The City shall remain the owner of the Water Service after installation and the City shall remain responsible for the control, maintenance, repair and replacement of that portion of the Water Service, thereafter.
[AM B/L 1783-2009]
- (c) Any Water Service, pipe, water system or connection that is located on private property through which the supply of water is conveyed from the portion of the City Water System which is located at the property line of the street or lane, or at the boundary of an easement granted to the City for its Water System, to the water outlets or fixtures on the private property shall be install, maintained, repaired and replaced by the Property Owner at the Property Owner's expense, and without limiting the generality of the foregoing, as a condition of receiving water service from the City , the Property Owner shall make such installation in compliance with the provisions of this and any other applicable By-Laws of the City and the Property Owner shall maintain such Water Service located on the Property

Owner's property in a state of good repair, with sufficient protection from freezing, free from leakages, or other water loss, to the satisfaction of the Manager of Assets and Infrastructure.

[AM B/L 1783-2009]

RIGHT OF ENTRY:

4. With the consent of the owner or occupant, or subject to any provision in the Act permitting entry without permission, the Manager of Assets and Infrastructure shall have authority to enter upon any premises for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this by-law.

III. CONSTRUCTION AND APPROVAL

APPROVAL:

5. No person shall establish, enlarge, alter or construct any water, sewer, sewer connection, drain or land drainage works within the City without first submitting plans and specifications of the proposed construction to the Department of Infrastructure and receiving its approval.

BUILDING TO BE CONNECTED TO SYSTEM:

6. Any building used or designed for human habitation, employment or recreation or any building used for commercial or industrial purposes wherein sewage is generated shall be connected to the sewer where available and all work to make or incidental to such connections including maintenance and repair shall be done at the owner's expense in the manner and according to the standards set out herein and acceptable to the Department of Infrastructure or, when pertaining to maintenance and repairs, the Department of Public Works.

[AM B/L 1783-2009]

ISSUANCE OF PERMIT:

7. No permit shall be issued under this by-law except where:
 - a) the application has been approved by the Department of Infrastructure.
 - b) the applicant has paid the appropriate fee as set out in "Schedule A".

NEW SEWER CONNECTIONS:

8. a) The owner of an unserviced lot is responsible for the installation of new water and sewer service lines for the entire length of line while the owner of a serviced lot is responsible for the installation of new water and sewer service lines from the property line to the structure.
[AM B/L 1783-2009]
- b) A permit application shall be filed with the City supplemented by any plans, specifications or other information considered pertinent in the judgement of the Department of Infrastructure.
- c) A permit fee as set out in Schedule "A" shall be payable at the time the application is filed.
- d) The following restrictions apply:
- (i) a single connection to the common water and sewer shall be provided for each new detached building, provided, that where a building is located at the rear of another building on the same lot, the services from the front building may be extended to the rear building and the whole considered as one connection.
 - (ii) the owners of multiple unit buildings, multiple store/multiple family buildings or the owners of existing detached dwellings serviced by one connection to the common water and sewer shall be jointly responsible for the operation, maintenance and repair of the connections.
 - (iii) no building shall be erected or built over a water or sewer connection.
- e) Applications for supply of underground service connections shall be made at the office of the Department of Infrastructure of the City of Thompson upon the form provided for that purpose as may be necessary. The Contractor employed and designated by the owner of the premises in his application, will be considered as the agent of the said owner while employed in the prosecution of the work of introducing underground services into the said premises, and will not be recognized as in any sense the agent of the City of Thompson nor will the City of Thompson or its representatives be responsible for the acts of said Contractor.
- f) A Contractor when performing underground services construction shall provide the City of Thompson with an irrevocable letter of credit from a Canadian financial institution in an amount not less than five thousand

dollars (\$5,000.00). Said letter of credit will register the Contractor with the City of Thompson for the period of January 1st to December 31st of the given year and will fully indemnify the City for all damages or expenses due to settlement, breakage, poor workmanship or faulty material for underground services construction completed during said year.

[AM B/L 1783-2009]

- g) The property owner is responsible for all costs incurred during a one (1) year warranty period on all underground services construction that shall commence the day of the issuance of an occupancy permit.

[AM B/L 1783-2009]

- h) All permissions given to connect with a water or sewer shall be upon the express condition that the Department of Infrastructure may at any time revoke and annul the same and the person making such connections or their successors in interest shall have no claim against the City for damages in consequence of such permission being revoked or annulled.

- i) The owner of the premise serviced is responsible for the cost of installation and maintenance, including replacement, of every water or sewer connection from the premise to the main water or sewer line.

INSPECTION PERMITS:

9. No connection, repair, alteration or re-connection shall be made to the underground portion of a water or sewer connection or drain either on or under the City street or on private property without first obtaining an Inspection Permit from the Department of Infrastructure.

REGULATIONS ON CONSTRUCTION:

10. All water and sewer connections with the common water or sewer lines shall be constructed and repaired in accordance with the directions of the Department of Infrastructure and shall be subject to the inspection and approval of the Department of Infrastructure.

CITY MAY MAKE WATER AND SEWER CONNECTIONS AND REPAIR AND CHARGE TO TAXES:

11. If a person, having been duly required to connect any premise with a common water, sewer lines or to make any repairs, reconstruction or

replacement thereof or in connection therewith, neglects or refuses to do so, the Department of Infrastructure may make such connection or do such repairs, reconstruction or replacement. The cost thereof when certified by the Department of Infrastructure, if not paid, shall be added to the taxes on the said property and collected as other municipal taxes of the City.

REPAIRS OF WATER AND SEWER LINES:

12. (a) For a fee as set in the City of Thompson Public Works Fee Schedule, the City shall perform certain of the work arising from a collapsed sewer service or a broken or leaking water line on private property when located greater than two (2) feet from any structure but such service by the City shall be limited to the following:
- (1) the excavation required to expose the sewer or water line;
 - (2) the repair or replacement of the line;
 - (3) backfilling the excavation site; and
 - (4) provision of top soil and lawn repair.
- [AM B/L 1783-2009]
- (b) At the discretion of the City, the length of two (2) feet from any structure may be increased should such work be deemed inappropriate or dangerous.
[AM B/L 1783-2009]
- (c) Property owners are responsible for all costs involved for all works less than two (2) feet from the foundation, or said appropriate length as determined by the City.
[AM B/L 1783-2009]
- (d) Should a property owner choose to run a new line rather than repair a collapsed sewer service or a broken or leaking water line, it will be deemed a new connection and the property owner will be responsible for all costs incurred as set in the City of Thompson Fee and Fine Schedule.
[AM B/L 1783-2009]
13. Prior to any excavation the property owner is responsible to remove any item or structure located in the area of excavation at the property owner's own expense. If not removed, the City will not be held responsible for any damage or loss to said item or structure during the excavation process. The City shall not be responsible for the cost of replacing shrubbery, trees, gardens, planters, ornaments, statues, steps, signs, sidewalks, driveways, fences or structures.

[AM B/L 1783-2009]

14. Notwithstanding anything herein to the contrary, the City shall not be responsible for the costs of removing blockages in sewer lines on private property provided however that if the blockage is caused or arises by actions of the City or trees on City property in the discretion of the Department of Infrastructure the City may bear the cost of removing the blockage as in its discretion it determines.

WATER TURN ON/OFF:

15. The City will perform water turn on or off to a property at the expense of the owner. Upon a water turn off, the owner will be granted a twenty-four (24) hour window in which the water must be turned back on. When the water is not turned back on within twenty-four (24) hours, the owner will be subject to pay an additional fee for service as found in the City of Thompson Fee and Fine Schedule.

[AM B/L 1783-2009]

16. The City is not responsible for frozen water lines or the cost of thawing or repairing frozen water lines on private property. The City's Department of Infrastructure shall perform this service for fees as set out in Schedule "A".
17. The Department of Infrastructure shall be available for custom contract work at times and in a manner within the discretion of the Manager of Assets and Infrastructure. An applicant shall sign a custom contract agreement which shall provide the Department of Infrastructure payment for labour, material and equipment which shall be those rates shown on Schedule "B".

ENACTMENT:

18. This by-law shall come into full force and effect upon the day following the date of final passage.

VALIDITY OF BY-LAW:

19. Should any provisions of this by-law or the Code hereby adopted be declared to be invalid by a court of competent jurisdiction, it is the intent of Council that it would have passed all other provisions of this by-law and the Code independent of the elimination of any such portion as may be declared invalid.

READ A FIRST TIME THIS 17TH DAY OF MARCH 1997 A.D.

READ A SECOND TIME THIS 24TH DAY OF MARCH 1997 A.D.

READ A THIRD TIME THIS 24TH DAY OF MARCH 1997 A.D.

DONE AND PASSED THIS 24TH DAY OF MARCH 1997 A.D.

THE CITY OF THOMPSON

MAYOR

CITY CLERK

SCHEDULE "A" TO BY-LAW 1625-97
DELETED AS PER BY-LAW # 1766-2008
See the City of Thompson Fee and Fine Schedule

- Turn water on or off - \$135.00 no taxes.
 - Thaw or repair frozen water lines on private property - \$160.00 plus applicable taxes.
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 - Permit fee for installation of new water and sewer service lines \$60.00.
 - Fees for installation of water and sewer service lines by the City of Thompson.
- (a) Installations completed between June 1 and November 15:
\$77.00 per lineal foot for the first thirty five (35) feet and \$22.00 per lineal foot of line installed thereafter plus applicable taxes.
- (b) Installations completed between November 16 and May 31:
The fees outlined in (a) shall be increased by twenty-five (25) percent.
- (c) A deposit of \$1,000.00 shall be payable upon signing of the contract for installations to residential properties.
- (d) A deposit of seventy-five (75) percent of the estimated cost is payable upon signing of the contract for installations to commercial properties.