



CORPORATION OF THE CITY OF SUMMERSIDE

BYLAW NAME: Water & Sewer Bylaw

BYLAW #: SS-01

A bylaw to provide City Sewage Collection and Treatment and Water Distribution and Purification for the City of Summerside.

Be it enacted and it is hereby enacted by the City Council of the City of Summerside, pursuant to Section 29 of the City of Summerside Act, Stats. P.E.I. 1994, Cap.59 and amendments thereto:

1. Name

This Bylaw may be referred to as the "Summerside Water and Sewer Bylaw".

2. Definitions

In this bylaw:

- a. "chief administrative officer" means the chief administrative officer appointed by city council pursuant to the City of Summerside Act, Stats, P.E.I. 1994, Cap. 59;
- b. "city" means the City of Summerside as established by the City of Summerside Act, Stats, P.E.I. 1994, Cap. 59;
- c. "corporation" means the utilities corporation established by the City of Summerside for the operation of the Water and Sewer Utility;
- d. "council" means City Council of the City of Summerside;
- e. "management board" means the Board appointed by the Mayor to oversee the functions and duties of the Corporation;
- f. "service" includes the collection, transmission, treatment and disposal of domestic, commercial or industrial sewage or the collection, treatment, purification, storage, supply or distribution of water, and all matters incidental thereto;
- g. "tariff" includes any user rate or frontage charge demanded or intended to be demanded by the Corporation for service provided to any person.

3. *Water and Sewer Corporation Established*

The city hereby establishes a corporation without share capital wholly owned by the city to operate the Water and Sewer utility in accordance with the Water and Sewerage Act, R.S.P.E.I. 1992, Cap. W-2: and that such corporation will be known as the Summerside Water and Sewer Utility Inc.

4. *Management Board*

The corporation shall be composed of a management board comprised of the following members:

- a. A Chairperson, who shall be a member of the council;
- b. A Vice-Chairperson, who shall be a member of the council;
- c. The chief administrative officer (ex-officio, non-voting) of the City; and
- d. Such other members as may be appointed from time to time by council.

5. *Chief Administrative Officer*

The chief administrator officer of the city shall also serve as the chief administrative officer of the corporation.

6. *Chairperson Appointment*

The Chairperson and Vice-Chairperson shall be appointed by the Mayor of the city and confirmed by council.

7. *Quorum*

A quorum of the Corporation shall consist of not less than two members of the management board, one of whom shall be the Chairperson or Vice-Chairperson.

8. *Indemnification of Members*

Every member of the management board and his heirs, executors and administrators, and estate and effects, shall be indemnified and saved harmless out of the funds of the Corporation from and against all costs, charges and expenses which he shall or may sustain or incur in any action or proceeding which is brought or prosecuted against him for or in respect of any act, deed, matter or thing made, done or permitted by him in or about the execution of the duties of his office, and also from and against all other costs, charges and expenses which he shall sustain or incur in or about or in relation to the affairs thereof, except such costs, charges and expenses as are occasioned by his own wilful neglect or default.

9. *Powers of the Corporation*

The corporation has the following powers:

- a. To own, operate, manage and maintain a sanitary sewage collection and treatment system and a water supply, distribution and purification system for the city.
- b. To acquire, hold, alienate and convey real estate, sue and be sued, have a common seal which may be altered at pleasure by the management board, and to become and be invested with all

the powers, privilege and immunities necessary for the carrying on of its undertaking, as if it were incorporated by a special Act of the Legislature.

- c. To engage employees as are necessary to carry out the functions of the corporation or to contract with the city for the supply of services to the corporation by the employees of the city.
- d. Subject to the approval of council pursuant to Section 29(3) of the City of Summerside Act, Stats PEI 1994 Cap. 59 to levy a tariff.
- e. To establish a fiscal year.
- f. To administer the affairs of the corporation, and may enter into or make or cause to be made for the corporation any description of contract which a corporation may by law enter into.
- g. To adopt such rules of procedure for the management board as they see fit.
- h. To purchase or otherwise acquire and undertake all or any of the assets, business, property, privileges, contracts, rights, obligations and liabilities of any other corporation or any society, firm or person carrying on any business which the corporation is authorized to carry on, or possessed of property suitable for the purposes of the corporation.
- i. To apply for, purchase or otherwise acquire any patents, patent rights, copyrights, trademarks, formulae, licenses, concessions and the like conferring any exclusive or non-exclusive or limited right to use, or any secret or other information as to any invention which may seem capable of being used for any of the purposes of the corporation, or the acquisition of which may seem calculated directly or indirectly to benefit the corporation, and to use, exercise, develop or grant licenses in respect of, or otherwise turn to account, the property, rights or information so acquired.
- j. To enter into any arrangements with any government or authority, municipal, local or otherwise, that may seem conducive to the corporation's objects, or any of them, and to obtain from any such government or authority any rights, privileges and concessions which the corporation may think it desirable to obtain, and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.
- k. To purchase, take on lease or in exchange, hire and otherwise acquire and hold, sell or otherwise deal with any real and personal property and any rights or privileges which the corporation may think necessary or convenient for the purposes of its business and in particular any land, buildings, easements, machinery, plant and stock-in-trade.
- l. To construct, improve, maintain, work, manage, carry out or control any roads, ways, branches or sidings, bridges, reservoirs, watercourses, wharves, manufactories, warehouses, electric works, shops, stores and other works and conveniences which may seem calculated directly or indirectly to advance the corporation's interests, and to contribute to, subsidize or otherwise assist or take part in the construction, improvement, maintenance, working, management, carrying out or control thereof.
- m. To draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading, warrants and other negotiable or transferable instruments.

- n. To apply for, secure, acquire by grant, legislative enactment, assignment, transfer, purchase or otherwise, and to exercise, carry out and enjoy any charter, license, power, authority, franchise, concession right or privilege, which any government or authority or any corporation or other public body may be empowered to grant, and to pay for, aid in and contribute towards carrying the same into effect, and to appropriate any of the corporation's debentures, or other securities and assets to defray the necessary costs, charges and expenses thereof.
- o. To pay out of the funds of the corporation all or any of the expenses of or incidental to the formation and organization thereof, or which the corporation may consider to be preliminary.
- p. To invest and deal with the monies of the corporation not immediately required in such manner as may be determined.
- q. To take or hold judgments, liens and charges to secure payment of any money due to the corporation from purchasers and others and to sell or otherwise dispose of said judgments, liens and charges.
- r. To carry out all or any of the objects of the corporation and do all or any of the above things as principal, agent, contractor, or otherwise, and either alone or in conjunction with others.
- s. To do all such other things as are incidental or conducive to the attainment of the objects and the exercise of the powers of the corporation.

10. Duties of the Corporation

The corporation shall:

- a. Conduct its affairs in accordance with generally accepted public utility practices.
- b. Maintain safe and adequate service and facilities for services as changing conditions require.
- c. Establish and maintain a system of accounts and prepare annual financial statements.
- d. Submit to the council, at such date or dates as the council may determine:
 - i. an annual audited statement of the finances of the corporation that includes comparable budget data for the period included in the statement;
 - ii. an annual budget for proposed capital and operating expenses for the corporation's next fiscal period;
 - iii. a tariff to be charged by the corporation which shall remain in effect until amended by the council.

11. Efficient Administration

For the efficient administration of municipal business:

- a. The corporation and the city shall cooperate in the provision of municipal services.

- b. Administrative and other services may, on mutual consent, be provided to the corporation by the city or to the city by the corporation and, where so provided, shall be on a fee for service and value for money basis.

12. Regulations

Council may, by simple resolution, make such regulations to this Bylaw as are necessary for the carrying out of the purposes of this Bylaw.

- a. Tariffs shall form part of the regulations made under this bylaw and may be approved by a simple majority vote of council.

13. Head Office

The head office of the corporation shall be in Summerside, Prince Edward Island.

14. Repeal of Existing Bylaw

Bylaw Number 95-01, the Summerside Water and Sewer Bylaw which was adopted on May 15, 1995 is hereby repealed.

15. Effective Date

The effective date of this bylaw is March 15, 1999.

This bylaw was read a first time by a majority of the Councillors present at the Council Meeting held on the ___20___ day of ___February , 1999

This bylaw was approved by a majority of the Councillors present at the Council Meeting held on the ___20___ day of ___February , 1999

This bylaw was read a second time by a majority of the Councillors present at the Council Meeting held on the ___1st___ day of ___March , 1999

This bylaw was approved by a majority of the Councillors present at the Council Meeting held on the _____1st___ day of _____March , 1999

This bylaw was adopted by a majority of the Councillors present at the Council Meeting held on the _____1st___ day of _____March , 1999

This bylaw is declared to be passed on the _____9th ___ day of _____March , 1999

Basil L. Stewart, Mayor [SIGNED]

Terry Murphy, Chief Administrative Officer [SIGNED]



CORPORATION OF THE CITY OF SUMMERSIDE

REGULATIONS: SS-01-01

BYLAW NAME: Water & Sewer Bylaw

BYLAW #: SS-01

Pursuant to Section 12 of the City of Summerside Water and Sewer Bylaw SS-01, Council made the following regulations:

DEFINITIONS

1. In these regulations:

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| a. | "building inspector" means the same individual as is named "building inspector" pursuant to the "Summerside Building Bylaw"; | Building Inspector |
| b. | "capable of being served" means a premises or lot is so located that it may be connected to water and sewer systems and it is within 100 meters of the systems. | Capable of being Served |
| c. | "council" means the council of the City of Summerside | Council |
| d. | "customer" means a person, firm or corporation who or which requests or is supplied with water or sewerage or water and sewerage service at a specific location or locations; | Customer |
| e. | "domestic service" means the type of water or sewerage or water and sewerage service supplied to the owner or his authorized agent or to the occupant or tenant of any space or area occupied for the distinct purpose of a single-family house, each unit of a multiple dwelling, individual apartment, mobile home, flat and the like, furnished with separate kitchen facilities provided with running water; | Domestic Service |
| f. | "due notice" means the requirement that a minimum of forty-eight (48) hours written notice be given by the utility to a customer before any action is taken against the customer for failure to comply with any of these Regulations; | Due Notice |
| g. | "frontage charge" is a non recurring capital contribution based on property frontage; | Frontage Charge |
| h. | "general service" means any type of water or sewerage or water and sewerage service other than domestic service, fire protection service and municipal service; | General Service |
| i. | "geothermal service" means any process allowing water to be drawn from the ground and or returning water to the ground, in order to heat or cool a building (or part thereof) on any property, by any mechanism or technology whatsoever; | Geothermal Service |
| j. | "geothermal well" means any well used for the purposes, in whole or in part, of drawing water from the ground and/or returning water to the ground, in order to heat or cool a | Geothermal Well |

- building (or part thereof) on any property, by any mechanism or technology whatsoever;
- k. "municipal service" means the type of water or sewerage or water and sewerage service that is provided on a temporary basis under supervision of the utility; Municipal Service
 - l. "person" includes a firm, corporation, association, municipality and the city; Person
 - m. "property line" means the edge of the street right of way or easement containing the water main or sewer main; such edge may or may not be the edge of the lot being serviced. Property Line
 - n. "service" includes the collection, transmission, treatment and disposal of domestic, commercial or industrial sewage or the collection, treatment, purification, storage, supply or distribution of water, and all matters incidental thereto; Service
 - o. "system" means water or sewer mains, laterals, manholes and appurtenances; System
 - p. "user pay" means that individual customer classifications will pay the same rate or rates for service based on the cost of providing service, measured using fully allocated costs to each customer classification in a manner consistent with generally accepted public utility rate design principles; User Pay
 - q. "utility" means the Summerside Water and Sewer Utility Inc. established in the City of Summerside Water and Sewer Bylaw SS-01; Utility

CUSTOMER SERVICE REGULATIONS

GENERAL

1.
 - a. All plumbing, pipes, fittings, vents, fixtures and other devices for conveying, distributing, controlling or utilizing water or sewerage which are used by a customer and are not the property of the utility shall be installed according to the requirements of the current edition of A Code to Plumbing Services Regulations. Plumbing to be Satisfactory
 - b. The supply of water may be refused or discontinued to any customer at any time, if, in the opinion of the utility, the plumbing, pipes, fittings, vents, fixtures and other devices as herein before mentioned, or any of them, fail to comply with the above requirements, or if any part of the water or sewerage system of such customer is in any unsuitable, dirty, unsanitary or inaccessible place.
 - c. Service shall not be re-established until conditions are corrected to the satisfaction of the utility.
2. Service shall be refused or suspended to any customer who has failed to discharge any of his liabilities to the utility. Refusal of Service
3. Service shall be immediately discontinued to any property condemned under any federal or provincial statute or deemed "dangerous or hazardous" under the City of Summerside Dangerous, Hazardous and Unsightly Premises Bylaw or to any Discontinuation of Service

property that does not comply with the requirements of the City of Summerside Subdivision and Site Development Bylaw section 10.2 - Enforcement or the City of Summerside Building Bylaw section 15.1 - Provision of Services.

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| 4. | In every case calling for a suspension of service, due notice shall be given to the customer concerned. | Due Notice for
Suspension |
| 5. | The utility shall have jurisdiction over all laterals and extensions including those on a customer's premises up to and including the first clean out point immediately inside the premises, in the case of sewerage service, and up to the cellar stop, including meters and backflow prevention devices where applicable, in the case of water service. | Jurisdiction of Utility |
| 6. | a. Representatives of the utility shall have the right of access to a customer's property or premises at all reasonable hours for the purpose of inspecting any water or sewerage pipes, backflow prevention devices or fittings, or appliances, or for the purpose of installing, removing, repairing, reading or inspecting water meters.

b. The utility shall have the right to suspend service to any customer who refuses access. | Access to Customers
Premises |
| 7. | Whenever, in the opinion of the utility, violation of any of these regulations is occurring or has occurred, the utility may cause the service to be suspended from the premises where such violation is occurring or has occurred and may suspend that service until it is satisfied that the cause for such violation has been removed. | Suspension of Service for
Violation |
| 8. | In the case of service interruption, the cause of such interruption or other condition shall be removed or corrected and normal operating conditions restored as soon as possible. | Restoration of Service |
| 9. | a. The utility shall not be responsible for any damage, direct or consequential, loss or liability that a customer may sustain by reason of interruption of service, variation of pressure or on account of the turning off or turning on of the water for any purpose, drawing a vacuum on the system by fire pumpers, intermittent flow of the sewerage system or flooding as a result of stoppages in the sewerage system unless caused by the negligence of the utility.

b. Interruptions in service shall not relieve the customer from any charge for service. | Liability of the Utility |
| 10. | The utility shall give written notice on an annual basis to all customers of the necessity of installing a sewerage line check valve and if, after the issuance of such notice, the customer chooses not to install or properly maintain a check valve and a backup occurs in the customer's premises, the customer shall be responsible for any damages sustained. | Sewer Line Check Valve
Notification |

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| 11. | No person, unless authorized by the utility in writing, shall draw water from, open, close, cut, break or in any way injure or interfere with any fire hydrant, water or sewerage pipe or main or other property of the utility, or obstruct the free access to any hydrant, stop cock, meter, building, other facilities or equipment. Nothing in this section shall be deemed to prevent an officer or member of the fire department engaged in the work of such department, from using any hydrant or other source of water supply of the utility for such purpose. | Interference with Utility
Property |
| 12. | No person shall, without written consent of the utility, make or cause to be made any connection to any pipe or main or any part of the water or sewerage system of the utility or in any way obtain or use water therefrom in any manner other than as set out in these regulations. | Unauthorized
Connections |
| 13. | <ul style="list-style-type: none"> a. Service may be refused or suspended by the utility to any customer who installs or uses any device or appurtenance, such as booster pumps, quick-opening or quick-closing valves, water-operated pumps or siphons, standpipes or large outlets which may occasion sudden large demands of short or long duration, thereby requiring oversize meters and pipe lines, or affect the stability or regulation of water pressure in the utility's system. b. Written authorization to install or use any such device or appurtenance must be obtained from the utility. This shall specify special arrangements, such as elevated storage tanks, surge tanks, equalizing tanks, or other equipment or devices that are to be provided by the customer. | Prohibited Appliances |
| 14. | <ul style="list-style-type: none"> a. Water from the utility shall not be used for cooling purposes by any customer of the utility except where the system or equipment to be supplied is of the recirculating conservation type with make-up water only being added. b. In the case of refrigeration equipment, including air conditioning systems, no system having a water consumption rate in excess of 0.50 liters per minute per metric tonne of capacity shall be provided with cooling water. c. This regulation applies to all new installations and to any existing systems if and when they are to be enlarged, renewed or replaced. | Cooling Water |
| 15. | No person shall discharge or permit or cause to be discharged directly or indirectly into any sanitary sewer any of the following: <ul style="list-style-type: none"> a. storm water, surface water, ground water, roof run-off, surface drainage, subsurface drainage, foundation drainage, water used for heating and cooling, or the like. b. matter having a temperature of more than 66° C. | Prohibited Sewage |

- c. gasoline, benzene, naphtha, fuel oil, motor oil, grease, acetone, solvents or other flammable or explosive matter except in small quantities and concentrations and with written authorization of the utility and the PEI Department of the Environment.
- d. ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood cellulose, garbage, excluding properly shredded garbage, or other solids of a type or quantity capable of causing obstruction to the flow in sewers or other interference with the proper operation of pumping facilities or sewage treatment equipment.
- e. matter having a pH lower than 5.5 or higher than 9.5 or where the pH becomes lower than 5.5 or higher than 9.5 if the matter is diluted by any liquid.
- f. matter that may cause the death or injury to any person or capable of causing damage or hazard to structure, equipment or personnel of the sewage works.
- g. hydrogen sulphide, carbon bisulphide, ammonia, trichlorethylene, sulphur dioxide, formaldehyde, chlorine, except chlorinated water from water system disinfection and with written authorization of the utility, bromine, pyridine or any other matter that will or may cause an offensive odour or is capable of creating a public health hazard, public nuisance or interfere with sewage treatment operations.
- h. any matter in which the BOD (Biochemical Oxygen Demand) exceeds three hundred milligrams per litre.
- i. animal wastes such as hair, wool, fur, feather, intestines or stomach casings, paunch manure, intestinal contents, hides or parts thereof, hooves, toenails, horns, bones and fleshings.
- j. any pesticides or herbicides.
- k. sewage containing more than a total of fifty (50) milligrams per litre of fat, oil and grease of animal and vegetable origin.
- l. water, wastewater or waste material containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process or which constitute a hazard to humans or animals. Such prohibited substances include any water, wastewater or waste material containing chemicals in concentrations greater than the level indicated in the following table:

Aluminum	Al	1	mg/1
Arsenic	Ar	0.1	mg/1
Barium	Ba	1	mg/1
Borate (boron)	B	10	mg/1
Cadmium	Cd	1	mg/1
Chromium (hexavalent)	Cr	3	mg/1
Cyanide	HCH	1	mg/1
Copper	Cu	1	mg/1
Lead	Pb	0.1	mg/1
Manganese	Mn	1	mg/1
Mercury	Hg	0.01	mg/1
Nickel	Ni	3	mg/1
Zinc	Zn	2	mg/1
Phenol equivalents (primary treatment)		50	ppb
Phenol equivalents (primary treatment)		100	ppb

Concentrations of metals listed as total metal in an unfiltered sample

16. No customer shall permit the improper use or waste of water nor shall he/she sell or give water to any person except upon such conditions and for such purposes as may be approved in writing by the utility. Improper Use or Waste of Water
17. Repair of Leaks
- a. Leaks due to broken water or sewerage pipe, worn tap washers, toilet valves or other causes shall be promptly repaired by the customer.
 - b. If, after being notified, a customer refuses or unduly delays in having the repairs or alterations made, the utility may have the repairs made and add the cost to the customer's water bill or suspend the service if, in its opinion, such action is necessary to prevent improper use or wastage of the service.
18. Repairs of Laterals
- a. If a leak, stoppage or other trouble occurs on a water or sewerage line, it shall be repaired as soon as possible.
 - b. Repairs necessitated by a leak, stoppage or other trouble occurring between the main and the property line, unless caused by improper or negligent use of the service by the customer, shall be carried out at the expense of the utility.

- c. Repairs necessitated by a leak, stoppage or other trouble occurring between the property line and the premises and/or any leak, stoppage or trouble between the main and the property line caused by improper or negligent use of the service shall be repaired at the expense of the customer.
19. After a water or sewer lateral has been provided by the utility, no relocation of, or alteration to, the portion of the lateral installed shall be made except at the expense of the customer or other persons requesting such removal or alteration and any work must be approved in advance by the utility and must be inspected by the utility prior to backfilling. Relocation of Lateral
20. Deposits for Custom Work
- a. Whenever a customer requests that the utility do work for which such customer is required to pay, and the utility agrees to do the work, the utility may require, before the work is started, a deposit equal to the utility's estimate of the probable cost of the said work.
 - b. When the actual cost is determined, the Customer shall pay any amount owing above the deposit amount or the Utility shall refund the remainder of the deposit.
21. Capable of Being Served
- a. Where water and/or sewer service is available and the premises is capable of being served by same, the utility may order the owners of the premises to connect to the water and/or sewer mains and abandon onsite servicing.
 - b. When on site services are abandoned, wells shall be sealed in accordance with the PEI Department of Fisheries, Aquaculture and Environment Regulations and septic tanks shall be properly abandoned.
 - c. Where the owners of a premises do not comply with these orders the Utility may have the work done and the cost shall be billed to the said owner.
22. Damage to Water Meters and Seals
- a. Every customer shall be responsible for any damage to the water meter and seals on his premises resulting from negligence, hot water or steam, the action of frost or from any other cause not the fault of the utility or its employees. The cost for any repairs or replacement of the utility's water meter or seal shall be borne by the customer.
 - b. The utility's meter or a seal shall not be tampered with or broken by an unauthorized person.
 - c. If the utility's meter or a seal has been broken by an unauthorized person in order that an illegal connection can be made, the utility shall

disconnect the customer once due notice is served.

- d. If the utility's water meter or a seal is broken, or the water or sewerage system is tampered with or the meter does not register correctly, the bill for that service shall be estimated on the basis of past consumption or on some other rational basis if sufficient reliable history is not available.

23. Each meter reader or utility inspector shall be provided with a suitable form of identification issued by the utility which he/she shall exhibit upon request. Employee Identification

24. Water and sewerage facilities used by the city for any purpose shall be billed to the city by the utility at the rate established under these regulations. City Facilities

25. Customers of the utility may make an appeal to the council if, after communicating the substance of a complaint to the utility, the customers are unsatisfied with the utility's response. Appeals

- a. For the purpose of subsection (a), an appeal to the council is made if it:
 - i. is in written form;
 - ii. contains a concise statement of appeal and the nature of the relief sought;

b. On receipt of an appeal under this section, the council shall forthwith communicate the appeal to the utility and the utility shall, within 21 days of receipt thereof, file with the council and the customer its written response.

c. On receipt of the utility's response under subsection (c), the council shall thereupon decide on the appeal and shall issue its decision, with reasons, within 90 days of receipt of the appeal.

d. The council's decision and reasons for decision shall be served on customer and the utility by personal service or by registered mail

LATERALS

26. The utility may, before rendering service, require an application form be signed by a prospective customer or his/her agent. Application for Service

27. Except for construction or testing purposes, water shall not be turned on until the applicant for service has satisfied the requirements of Section 1.a. Customer Service Regulations Water for Construction or Testing

28. In the case of an owner of an existing building or premises applying for service, no service shall be provided until the utility has been provided with a permit issued by a recognized plumbing inspector. Plumbing Permit

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| 29. | Any water or sewerage lateral from the main to the premises shall be constructed in accordance with the City of Summerside Municipal Servicing Standards. | Municipal Servicing Standards |
| 30. | Every water lateral to a premises shall have a shut-off valve in an accessible position at the point of entry to the premises. | Installation of Shut-off |
| 31. | Water service shall not be provided to a premises unless sanitary sewer facilities deemed suitable by the utility are also installed or are presently available to the premises in question. | No Water Without Sewer Service |
| 32. | <ul style="list-style-type: none"> a. Except with the special written approval of the utility, each separate residential building or premise including semi detached units and individual row housing units shall have a separate sewerage connection directly to the sewerage main and a separate water lateral with a curb stop. Apartment buildings and duplexes shall have a separate sewerage connection directly to the sewerage main and a separate water lateral with a curb stop for each building. Semi-detached buildings and pairs of rowhouse units may have a 25mm water lateral installed to near the property line, then split to a 19mm line with a curb stop for each of the two units. b. Except where a parcel of land is unable to be further subdivided under the City of Summerside Zoning Bylaw, a separate water and sewer service shall be provided to each building on a parcel that has plumbing facilities. | Separate Services |
| 33. | <ul style="list-style-type: none"> a. Each applicant for service may be required to deposit with the utility a sum of money equal to the estimated charges for four month's service. b. Interest on all cash security deposits is compounded semi-annually as long as any portion of the deposit remains. c. Accounts are reviewed periodically and deposits will be refunded as a credit to the account for which the deposit was held if the customer has established a satisfactory payment history. Flat rate customer deposits are reviewed twelve months after a deposit is made and metered customer deposits are reviewed thirty-six months after a deposit is made. If satisfactory payment history has not been established then a security deposit extension may be required. Interest on security deposit extensions is calculated at the prevailing interest at the time of the extension. | Security Deposits |
| 34. | <ul style="list-style-type: none"> a. Upon receipt of an application for service to any premises located on a lot abutting a street within the service area of the utility, which is served by a main water pipe or a main sewage pipe, and which premises are not already provided with service, the utility shall install or permit to be | Installation of Laterals |

installed a water lateral or a sewerage lateral which it considers to be of a suitable size and capacity.

- b. No water pipe smaller than 19 mm in diameter shall be installed for any water lateral and no sewerage pipe less than 100 mm in diameter shall be installed for any sewerage lateral.

35.

- a. For existing residential lots abutting a street where mains are existing the cost of supplying and installing a 19 mm water lateral and fittings and a 100 mm sewerage lateral between the main and the property line of the property to be served shall be paid by the utility.
- b. For existing residential lots abutting a street where mains are existing, for water laterals larger than 19 mm and sewerage laterals larger than 100 mm the whole cost shall be borne by the customer, less the cost of a 19 mm lateral from the main to the property line in the case of a water lateral, and less the cost of a 100 mm lateral from the main to the property line in the case of a sewerage lateral.
- c. All other customers, where mains are existing shall pay the full cost of the service from the main to the premises.
- d. In all situations, the customer shall pay the cost from the property line to the premises.

Payment for Lateral
Installation

36.

- a. In situations where the utility does not contribute toward the cost or where approved by the utility, the customer may engage an independent contractor to install laterals which the utility considers to be of a suitable size and capacity.
- b. Any work carried out by an independent contractor for the customer shall be subject to inspection and approval by the utility. No pipe or fitting shall be backfilled until work is inspected and approved by the utility.
- c. The cost for inspection of work carried out by an independent contractor shall be borne by the customer or his/her agent. The cost shall be as indicated in Appendix "A", Schedule of Fees.

Inspection of
Contractor's Work

37.

- a. In the event of more than one lateral being required to the same property, such as a fire protection system lateral or an additional general service lateral or laterals, the full cost of the additional laterals to the system mains, any necessary repairs and maintenance to the additional laterals between the main and the customer's premises and any necessary repairs and replacement to any portion of the public streets or sidewalks damaged in providing and maintaining or repairing such additional laterals shall be paid by the customer.

Additional Laterals

- b. The decision as to the necessity of the additional laterals shall be made by the utility.
- 38.
- a. The utility may furnish water to persons requiring a supply thereof for the construction of buildings or other works. Water for Construction
 - b. Such persons shall deposit with the utility such sum as may be determined by the utility as sufficient to defray the cost of making the necessary connection to and disconnection from the service mains, together with the cost of any meter to be installed to measure the water consumed.
 - c. Upon completion of the work and return of the meter to the utility, after deducting the cost of testing and repairing the meter, the connection and disconnection charges, and the base and consumption rates in respect to such installation, the customer shall pay any amount owing or the utility shall refund the remainder of the deposit.
- 39.
- a. All sewerage service laterals shall be provided with a suitable sewerage line check valve. Sewerage Line Check Valve
 - b. The complete cost of installation and maintenance of the check valve shall be borne by the customer.
- 40.
- a. Connections of any customer's installation served by the utility to any other source of water supply is prohibited, except with the written permission of the utility with the terms and conditions of interconnection clearly defined. Interconnections Prohibited
 - b. For any property with a private water source, including a heat pump installation, a reduced pressure zone backflow preventer shall be installed on the service connection even if the private source is not connected to the utility water system. All costs associated with the purchase, installation, operation, maintenance and testing of the backflow prevention device shall be borne by the customer. Cross Connection Control
- 41.
- a. Any connection to any installation or equipment that may allow any contamination whatsoever to pass from such installation or equipment into the utility's water system shall be equipped with a suitable backflow prevention device accessible for inspection. All costs associated with the purchase, installation, operation, maintenance and testing of the backflow prevention device shall be borne by the customer.
 - b. The backflow prevention device shall be installed in accordance with A Code to Plumbing Services Regulations. CSA B64.10 shall be used to select

the appropriate device for each application.

- 42.
- a. Fire protection lines within buildings shall be equipped with a suitable backflow prevention device at the customer's expense. The device shall be maintained at the customer's expense and shall be accessible for the inspection.
 - b. Fire protection line backflow prevention devices shall be selected and installed in accordance with A Code to Plumbing Services Regulations except that CSA B64.10 shall be used to select the appropriate device for each fire protection system application. Therefore, no sprinkler system shall be installed or renovated without installing a minimum level of protection of a double check valve assembly (DCVA) backflow prevention device. Fire Protection Line
Backflow Protection
 - c. No connection for any purpose other than fire protection shall be made to any portion of a fire protection line and no fire protection line shall be connected in such a way to be served through a customer's metered service without the written permission of the utility.
43. All general service connections shall be metered and mobile home parks may be metered at the entrance to the park if the customer provides a suitable location for the water meter. Water to be Supplied by
Meter
44. The utility shall determine the size and type of meter to be installed in each case. Meter Size
45. All billing for metered water shall be through meters owned by the utility. Meter Ownership
- 46.
- a. Water meters shall be installed and removed only by employees of the utility, and no other person shall install, alter, change or remove a meter without the written permission of the utility. Installation or Removal
of Meters
 - b. The connections for such water meters shall be installed in accordance with the manufacturer's recommendations, including provisions for testing, and without expense to the utility.
 - c. A meter bypass shall be installed by the customer where flow cannot be interrupted to replace or test the meter. Where a meter bypass exists, a seal shall be placed on the bypass valve by the utility.
- 47.
- a. Where the premises of a customer are of such a nature that a water meter and associated mechanical, electrical and electronic equipment cannot be properly installed in a building or if the building is not sufficiently insulated to ensure the safety of the meter, the utility may require the customer to construct, at the customer's cost, a suitably insulated enclosure in which the water meter can be installed. Meter Protection

- b. Service to such premises may be refused or suspended until a suitable location is provided.

48. If a remote or exterior reading meter is installed all costs in excess of regular meter shall be borne by the customer. Exterior Reading Meters

BILLING

49. The following are the rate classifications used for billing water and sewer customers: Rate Classifications

- a. Flat Rate - single family dwellings and any semi-detached or row house with an individual service lateral. The flat rate also applies to any home occupation which meets the following criteria:
 - i. No more than one employee
 - ii. Less than 2 customers at one time
 - iii. Low volume water user
- b. Apartment Rate - all domestic service customers except those included in section 49.a.
- c. Metered Rate - all customers with water or sewer meters.
- d. A rate shall be established for each of the above classifications for customers located in the City of Summerside. A separate rate ("Outside Rate") shall be established for each of the above classifications for customers located outside the City of Summerside. Customers located outside the City boundaries shall pay the "Outside Rate" unless written approval is received from the Utility.
- e. Any Customer whose use of service changes such that the Customer is subject to a different Rate Classification will notify the City in writing of this change. The City will then determine the applicable Rate Classification and back bill or refund the Customer as appropriate.

50. Bills for all classes of service shall be rendered to each customer at intervals of one, two or three months, at the option of the utility. Payment of Bills

- b. Un-metered customers shall be billed in advance.
- c. All bills for service are due when rendered and are subject to a late payment charge when payments are received after the date specified on the bill. The late payment charge is calculated on the amount unpaid as of the date of the next billing. Late payment charges are not prorated.

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| 51. | In the case of a customer not receiving service for a full billing period, the flat rate or base charge shall be computed on a pro-rata basis for the period involved. | Pro-rating of Bills |
| 52. | No customer shall be billed more than twelve minimum charges in any twelve month period. | Number of Billings |
| 53. | Accounts are in arrears if there is any outstanding balance at the date of the next billing. Late payment charges are listed in Appendix "A", Schedule of Fees. | Accounts in Arrears |
| 54. | The utility may suspend water and sewer service to un-metered customers whose water or sewer bills remain unpaid for more than sixty days and metered customers whose bills remain unpaid for more than thirty days after the date rendered, provided that due notice is given. | Suspension of Service for Non-Payment |
| 55. | <ul style="list-style-type: none"> a. In all cases where service has been discontinued by means of a curb stop for non-payment of bills or on account or for violation of any section of these regulations, service shall not be restored until all arrears, together with the full cost of disconnection and re-connection, have been paid and, if required by the utility, a security deposit as stated in Section 33 is received . The cost shall be as indicated in Appendix "A", Schedule of Fees. b. If a turn-off and/or turn-on is carried out at a customer's request, the cost for this service will be charged to the customer, and if not paid shall be included in any subsequent bill for service. The cost shall be as indicated in Appendix "A", Schedule of Fees. | Restoration of Service |
| 56. | At the option of the utility, charges may be billed to the owner of the premises. | Owner of Premises Billed |
| 57. | In the case of a premises being vacant, the owner shall be billed for the period until the new tenant becomes responsible for the service. | Payment During Vacancy |
| 58. | Billing of multiple or joint use premises may be carried out either by billing each individual customer according to the applicable rate schedule or by billing the total premises, at the option of the utility. | Multiple or Joint-Use Premises |
| 59. | Where water and/or sewer service is available, the premises is capable of being served and it has plumbing facilities, the utility may bill the owner of the premises for service even if the premises is not connected. Such billing will commence six months after notification that service is available or when the customer connects to the system. | Billing of Capable of Being Served |
| 60. | <ul style="list-style-type: none"> a. If the utility is unable to obtain a water meter reading for billing purposes, the bill for that service shall be estimated in accordance with the best data available, subject however to the provision that, in no circumstance, shall an estimated reading be used for more than two consecutive billing | Estimated Meter Readings |

periods.

- b. If an estimated bill is rendered for two consecutive billing periods, the utility shall notify the customer by registered mail that arrangements must be made for the utility to obtain a reading, and failing such arrangements, the utility may suspend service until such arrangements are made.
- c. When such water meter reading has been obtained, the previous estimated bill or bills shall be adjusted accordingly.

61.

- a. A customer may request that his/her water meter be tested by the utility.
- b. The utility employee shall decide whether the meter will be tested on site or at a testing place.
- c. The utility may charge the customer a deposit equal to the estimated cost of removing the meter, replacing it with another meter tested and sealed by the utility, and testing the meter. The cost shall be as indicated in Appendix "A", Schedule of Fees.
- d. If the water meter, upon testing by the utility, is within the prescribed accuracy limits of not more than four percent, the utility shall retain the customer's deposit.
- e. If the water meter is found to be outside the prescribed accuracy limits, the utility shall return the deposit to the customer and the bill for service rendered to such customer shall be adjusted accordingly for a period not exceeding six (6) months.

Meter Testing

62. A charge may be made for each non-negotiable cheque. The charge shall be as indicated in Appendix "A", Schedule of Fees.

Non-Negotiable Cheques

63. The utility shall annually render to the city not later than the last day of June account for fire protection service.

Fire Protection Charges

EXTENSION OF SERVICE

64. The utility shall not, on application or otherwise, lay any pipe at any season of the year which, in the opinion of the utility, is deemed unsuitable for such construction.

Season for Laying Pipe

65. In areas with more than one customer, customers shall contribute toward the cost of extending water and sewer systems through a non-recurring capital contribution charge or an applicable street frontage charge.

Customer Contributions

66. a. Street frontage charges shall be based on the following: Applicable Street
Frontage
- i. the cost shall be distributed based on the "applicable frontage" of each customer in proportion to the total "applicable frontage";
 - ii. the "applicable frontage" for lots with service being placed on more than one side shall include the length of the longest side only, the shorter sides shall not be included in the total "applicable frontage";
 - iii. the frontage of lots already serviced shall not be considered part of the total "applicable frontage";
 - iv. No more than 50 meters of frontage shall be excluded from the "applicable frontage" on any side of a property, except where the property is fully developed and it is not likely that services will be required and in which case the exemption will apply to the end of the developed area.
 - v. public rights-of-way, easements and intersections shall not be considered part of the total "applicable frontage" (unless the easement is the only frontage on a main for a particular lot).
- b. Where development exists with on-site services and a premises has an on-site sewerage system and/or a well and water pump, the frontage of the premises shall be considered "applicable frontage" but the cost shall be paid by the Utility. The Utility will pay for a maximum of 50 meters of frontage, any additional frontage shall be considered "applicable frontage" and shall be paid by the customer.
67. Extension of systems shall include installation of systems to the extent of the customer's property or the extent of the present phase of the development, including any street stubs left for future extension except as provided in the City of Summerside Subdivision and Site Development Bylaw. Extension to Extent
of Property
68. a. For residential customers, laterals from the main to the property line shall be installed when the mains are installed, except where mains are extended past lands not subdivided into individual lots. For lands not subdivided at the time mains are extended the laterals to the property line shall be installed when the lands are developed and at the cost of the customer(s). Installation of Laterals
for Residential
Customers
- b. For all other customers, laterals from the main to the property line shall not be installed when the mains are installed. In this case laterals to the property line shall be installed when each property is developed and at the cost of the customer. Installation of Laterals
for
General Service
Customers
69. a. Council may, by resolution, extend water and sewer systems, without service being requested by customers. Also, if a customer(s) requests an extension that affects other property owner(s), council shall determine if Orderly and Following
Extensions

the extension shall proceed. In these situations, all affected property owners shall be considered as customers and shall contribute toward the cost as identified by these regulations.

- b. Service shall be provided to new streets or development areas in an orderly and following basis only. If a customer is desirous of obtaining service when not available on this basis, such service may be provided to the customer by the customer's paying, the full cost of the construction from the existing main to the new street extension or development area.

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| 70. | Customers shall pay the full cost of mains sized to service their full development. Developments shall be designed with pipe sizes required to provide domestic and fire flows to the development area concerned but with a minimum water main size of 200 mm diameter and sewer main of 200 mm diameter, unless smaller mains are approved by the utility for specific applications. If larger lines are requested by the utility, the cost of the over-sizing shall be paid by the utility. | Size of Mains |
| 71. | In cases where service extensions are required over private property to service other than owners of that property, such extensions shall be subject to separate negotiation and agreement between the utility, the customer and the property owner. | Extensions Over Private Property |
| 72. | In situations where systems are extended past lots not requiring service at the time of extension Council may assess latecomer charges as provided in the City of Summerside Subdivision and Site Development Bylaw. | Extensions Past Vacant Property - Liens |
| 73. | Where the utility does not carry out its own construction, any contract work shall be done for, on behalf of, and with the approval in writing of the utility. | Contracted Work |
| 74. | The utility shall establish standards for construction of the water and sewer systems. Customers shall have plans and specifications prepared in accordance with these standards. The plans and specifications shall be reviewed by the utility before construction, and the utility shall supervise construction. | Standards for Construction |
| 75. | The utility may require an agreement to be entered into between the utility and the customer for the construction, the terms of which shall be determined by the utility. | Signed Agreements |
| 76. | Service may be provided outside the City boundaries only with written approval of City Council and subject to such terms and conditions set by Council | Service Outside City Boundary |

GEOHERMAL WELLS

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| 77. | Notwithstanding any other section in these Regulations, the installation of any geothermal well or the conversion of any existing well to a geothermal well is prohibited in the areas identified in Appendix "B". | Installation of Geothermal Wells |
| 78. | Where a well has been designated as being required to be abandoned pursuant to | Abandoned Wells |

s. 21, and is in a prohibited area pursuant to Appendix "B" it shall not be used for the purposes of the installation of a geothermal well or used, in whole or in part, for geothermal service, whether or not it has been properly abandoned pursuant to subsec. 21(b).

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| 79. | Where installation is not prohibited pursuant to s. 77 or 78, the owner of the property must, prior to the commencement of drilling of the well, obtain authorization from the City of Summerside, which authorization shall be granted upon presentation by the owner to the City's building inspector, of a suitable Provincial permit obtained to effect the installation of same, or upon meeting conditions as set out by the building inspector from time to time. | Authorization |
| 80. | All well construction, conversion and operation must be effected in accordance with the Summerside Building Bylaw. | Compliance |
| 81. | Ss. 77 to 80 apply to all geothermal wells installed after November 8, 2005. | Date of Application |

APPENDIX "A"

SCHEDULE OF FEES

Service	Fee
Water Turn-on- During Normal Working Hours	\$38.46 + GST = \$41.15
Water Turn-off - During Normal Working Hours	no charge
Lateral Inspection - During Normal Working Hours	\$25.00
Water Turn-on, Turn-off or Lateral Inspection - After Normal Working Hours	\$150.00
Meter Inspection Deposit	\$38.46 + GST = \$41.15
Late Payment Charges	1.65% per month
Non-negotiable Cheque or Rejection of Pre-authorized Payment or Similar Returned Payment	\$16.50



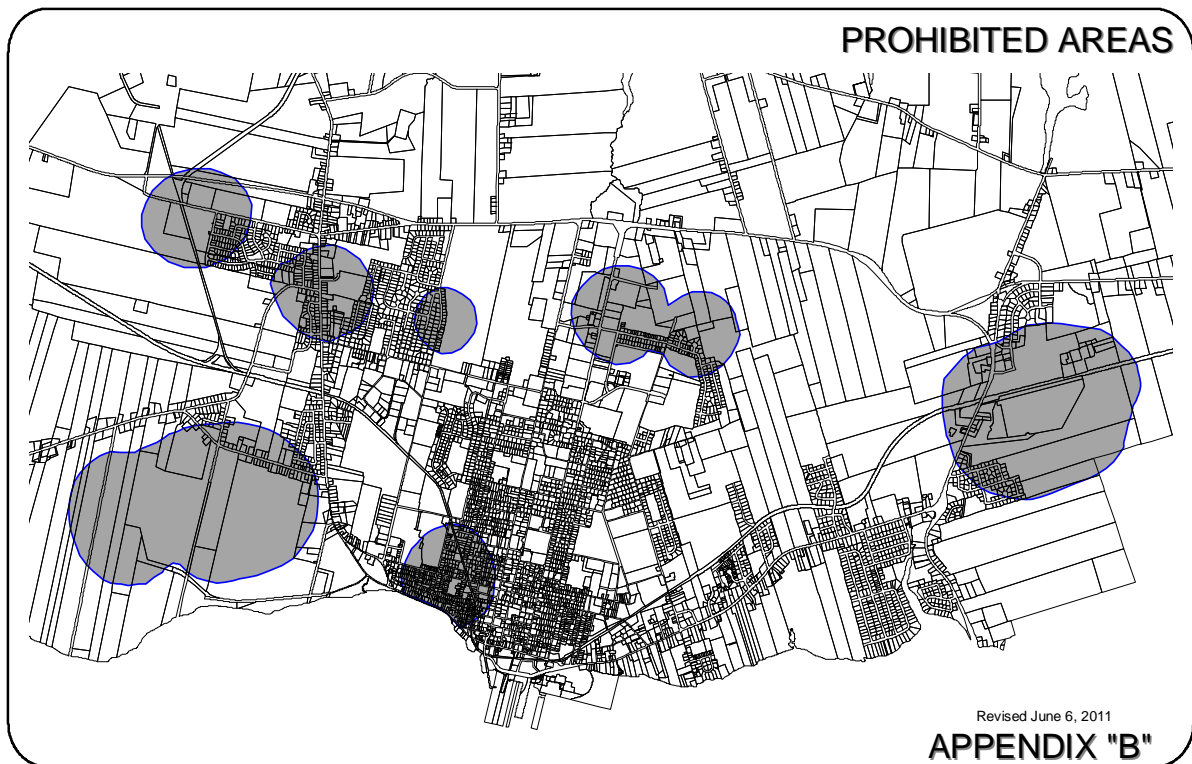
CORPORATION OF THE CITY OF SUMMERSIDE

APPENDIX: Appendix "B" Prohibited Areas

REGULATIONS: SS-01-01

BYLAW NAME: Water & Sewer Bylaw

BYLAW #: SS-01



Water & Sewer Bylaw Regulations Appendix B Approved June 20, 2011