



VILLAGE OF TESLIN

By-law # 23-251

Water Distribution By-law

A By-law to provide for the distribution of water within the Village of Teslin.

WHEREAS Section 265(b) of the *Municipal Act* (R.S.Y. 2002) provides that a Council of a municipality may adopt bylaws for municipal purposes, including municipal services; and

WHEREAS Section 229(1) of the *Municipal Act* provides that Council may adopt bylaws to establish and provide a municipal service that considers necessary or desirable for the residents of its municipality; and

WHEREAS Section 248(1) of the *Municipal Act* provides that a Council may, by bylaw and to the extent of its jurisdiction, impose a municipal service charge; and

WHEREAS Section 230(1) of the *Municipal Act* provides that a Council may by bylaw authorize its municipality to enter into an agreement with a Yukon First Nation to collectively provide a service within an area over which the First Nation has jurisdiction,

NOW THEREFORE, the Council of the Village of Teslin, in an open meeting duly assembled, enacts as follows:

1. **SHORT TITLE:** This By-law may be cited as the "Water Distribution By-law".
2. **DEFINITIONS** in this By-law and in the schedules attached hereto, unless the context otherwise requires:
 - a) "Consumer" means any person or business that receives water delivery service.
 - b) "Owner" means an owner of real property and includes a person having any rights, title, estate, or interest in real property other than that of occupant or mortgagee.
 - c) "Premises" means any dwelling unit or commercial enterprise that receives water delivery service.
 - d) "Municipal boundary" means the water service area that extends 1km past the municipal boundary.
 - e) "Radius" means the extended service area outside municipal boundaries (Cottage Lots to the Teslin Solid Waste Management Facility).
 - f) "Service" means water delivery service.
 - g) "Staff" means the employee of the Village of Teslin or their authorized representative.
 - h) "Call Out" Any water delivery done outside of regular business hours where an employee must return to work.

3. Consumer Responsibilities

- a) Every consumer shall be responsible for paying all charges prescribed in this By-law for services as set in Schedule A attached hereto.
- b) Every consumer shall make an application for service in writing on the form prescribed in Schedule B attached hereto.

- c) Every consumer who wishes to have the service discontinued for any period shall notify the Village of Teslin in writing on the form prescribed in Schedule C attached hereto.
- 4. Every premise receiving service under the provisions of this By-law, shall be equipped at the expense of the consumer or the owner thereof, with:
 - a) A covered water storage tank or container of not less than 3000 litres and consumers are encouraged to have larger storage tanks where possible.
 - b) A filler pipe of a type, design and location approved by the Village of Teslin which shall conform to the following conditions:
 - i. Be in the front of the premise facing the road and located to allow safe and convenient access by the water truck delivery truck and operator.
 - ii. Be constructed of any NSF 61 grade material, have an inside diameter of not less than two (2) inches, and approved by the Village of Teslin.
 - iii. Be equipped with a cap and an electrical or air pressure overflow warning device.
 - iv. Be one piece for at least 12 inches from the point of filling to the first fitting and firmly secured parallel to the outside wall of the house and no closer than two (2) inches to the outside wall.
 - v. The access to the filler point shall be maintained by the owner or consumer, including the removal of mud, ice, snow, yard material, vehicles, pets and pet waste that could impede access.
 - vi. The filler pipe and overflow pipe shall have a back grade such that the water does not free flow from the tank or sit in the lines.
 - vii. All filler pipe fittings must be 45 degrees or less or sweeping elbows.
 - viii. All filler pipes and whistles must be labelled water or be blue in colour.
 - ix. All filler pipes must be no lower than two (2) feet from the ground and no higher than four feet from the ground or steps.
 - c) The Village of Teslin shall not be responsible for any costs due to a containment system that does not function in a proper manner.
 - d) Any water system without NSF 61 material that was installed before the final passing of this By-law will be grandfathered until changes or upgrades to that system are needed or by order of the Village of Teslin.
- 5. The Village of Teslin will not deliver water to a premise that does not have an exterior filler pipe and a level indication system as specified in this By-law.
- 6. The Consumer should ensure the water tank is designed to contain potable water and show no signs of leakage, deformation, or surface cracking. The tank shall be designed to withstand pressure induced from filling with no visible deformation, rupture, or leakage and shall have an access hatch or manhole to provide entry for cleaning and inspection to comply with the health requirements as determined by the Medical Health Officer.
- 7. Should the water storage container, overflow pipe, filler pipe, or warning device be found to be defective, a notice in writing to that effect shall be either mailed to the consumer and/or owner, or a notice will be posted on the door of the residence. If any defect of which notice is given is not remedied within the specified time limit, the Village of Teslin may discontinue service until such time as the defect is remedied.
- 8. Existing installations not complying with Clause 4 of this By-law may remain until replacement becomes necessary. All new installations must conform to this By-law.
- 9. Payment

- a) The rates to be charged and paid by all consumers under the provisions of this By-law shall be set forth in Schedule A attached hereto.
 - b) The owner/consumer of real property shall be liable for all rates and charges under the By-law.
 - c) All rates and charges for water delivery service shall be due and payable within 30 days of the date of the statement.
10. In the event of default of payment of service charges in excess of 60 days, the Village of Teslin may discontinue water delivery to the premises in respect of which the charges are overdue and may determine not to commence the service to such premises until such time as all arrears are paid in full.
11. The owner or occupant of any premises that applies for water service shall pay to the Village of Teslin a Security Deposit as provided for in Schedule A attached hereto.
12. This By-law shall come into full force and effect upon third reading thereof.
13. By-law #14-206 is hereby repealed.

READ A FIRST AND SECOND TIME **THIS.**

READ A THIRD TIME AND FINALLY PASSED **THIS.**

Mayor Gord Curran

Chad Thomas, CAO

SCHEDULE A

FEE SCHEDULE (Effective [DATE] 2023)

SECURITY DEPOSIT: An applicant for water service shall, at the time of approval of service, provide the Village of Teslin with a non-interest-bearing deposit in the amount of \$150.00. The security deposit will be returned when the applicant provides notice of discontinuation to the Village of Teslin, and the consumer's account is paid in full. When a consumer's account has remained in good standing for one year, the security deposit will be returned.

Water Delivery rates for service provided by the Village of Teslin shall be as follows and will come into effect on [DATE]. Rates for items (1) and (2) only apply to properties set in the daily schedule ahead of time and only to consumers with an active account.

- 1. Residential consumers within the municipal boundary will pay a delivery charge and a per litre charge and are eligible for three deliveries per week at this cost. More than three deliveries a week will be at a charge of \$50.00 for each delivery.

Delivery Charge.....\$10.00 each
Water Litre Charge.....\$0.010 per litre

- 2. Commercial consumers within the municipal boundary will pay a delivery charge and a per litre charge and are eligible for three deliveries per week at this cost. More than three deliveries a week will be at a charge of \$50.00 for each additional delivery.

Delivery Charge.....\$10.00 each
Water Litre Charge.....\$0.014 per litre

- 3. Consumers within the radius will be charged \$50.00 per delivery (plus the applicable cost per litre). This service is only provided one day a week as scheduled by the CAO. Requests for service must be made one day in advance.

Delivery charge.....\$50.00 each
Per Liter residential rate.....\$0.010 per litre
Per Litre commercial rate.....\$0.014 per litre

- 4. Consumers outside the radius will pay an hourly truck rate of \$200.00 per hour, \$2.00 per kilometre each way, and the applicable water charge per litre. (Minimum one hour charge per delivery). Any deliveries outside the radius must be first approved by the CAO.

- 5. For consumers within the radius, an extra delivery on a non-scheduled delivery day shall be charged at a rate of \$200.00 per hour (plus the applicable cost per litre), at a minimum of one hour.

- 6. For all call-out deliveries, which are deliveries made outside of business hours, the rate will be \$200.00 per hour (plus applicable cost per litre), at a minimum of two hours.

- 7. If the regular water delivery service fails due to unforeseen circumstances and delivery is completed outside of regular working hours, the rate shall be as if the delivery had been made during regular hours.

- 8. Non-potable water holding devices (hot tubs, outdoor tanks, and other non-potable holding devices) can be filled on request but will only be fulfilled on an infrequent basis as the schedule allows. These types of deliveries will be treated as regular water delivery in addition to the regular tank fill and will be charged as per "Schedule A".

- 9. The following water deliveries will be billed hourly (outside the municipal boundary) or as an extra charge (inside the municipal boundary):

- Any water tank fills for the purpose of tank commission testing.
- A water delivery that is outside that day's pre-arranged schedule. When calling for a water delivery, a minimum of 24 hours' notice is required.
- Any delivery more than the one scheduled delivery in a week inside the radius.
- Short-term customers, where Office Staff has approved deliveries.

10. Contractors can use the bulk fill station when the Smarchville bulk fill (non-potable) is in operation (seasonally). All contractors must be pre-approved at the Village of Teslin office before using the bulk fill. Rates for this service are identified as follows:

Inside municipal boundary.....\$0.003/litre.
Outside municipal boundary.....\$0.006/litre.

11. Consumers over the age of 65 are eligible for a yearly credit of \$200.00 which will be used only toward water charges.
12. An applicant for water service shall, at the time of approval of service, provide the Village of Teslin with a non-interest-bearing deposit in the amount of \$150.00.

SCHEDULE B

APPLICATION FOR WATER DELIVERY

Name: _____ Date: _____

Mailing Address: _____

Tank Size: _____ (minimum tank size is 3000 L)

Phone Number: _____

E-mail address: _____

Location & Description of Residence: _____

Please show design of filler pipe and vent located on your premises:

I, the undersigned, request water delivery service at the above address. In so receiving this service, I agree to abide by the rules and regulations as set down in By-law #23-251 of the Village of Teslin.

I agree that if the Village of Teslin chooses to use any collection agency or legal counsel to collect the money I owe them or to assert any other right the Village of Teslin may have against me, I agree to pay the reasonable costs of collection and/or other actions including, but not limited to the costs of the collection agency, reasonable legal fees, and court costs, as provided by applicable law.

Signed: _____

Approved: _____
Village of Teslin Authority

SCHEDULE C

CANCELLATION OF WATER DELIVERY

Name: _____ Date: _____

Mailing Address: _____

Date of Effective Cancellation: _____

Location and Description of Residence: _____

I, the undersigned request that water delivery service be discontinued at the above address until further notice.

I understand that I will have to reapply to the Village of Teslin before service is recommenced.

Signed _____

Approved _____