

Minutes from the December 11, 2023, Regular Meeting of the Village of Elbow Council, held at Council Chambers, 201 Saskatchewan St, Elbow, SK.

PRESENT:	Deputy Mayor:	Joanne Brochu
	Councillors:	Rhett Bokitch Russ Stevenson
	Village Staff:	CAO, Brandy Losie
REGRETS:	Brian Ford	
	<u>QUORUM</u>	
	Having a quorum present, Deputy Mayor Brochu called the regular meeting to order at 1:01 pm.	
356/2023	<u>AGENDA</u> BOKITCH:	THAT the amended agenda be approved. Carried
357/2023	<u>ACCEPTANCE OF RESIGNATION</u> STEVENSON:	THAT we accept the resignation of Colleen Hoppenreys from her position as Mayor of the Village of Elbow, effective November 15, 2023. Carried

	<u>CONFLICT OF INTEREST</u>	none
	<u>MINUTES</u>	
358/2023	BROCHU:	THAT the minutes of Nov 13 & 14, 2023 are approved as presented. Carried

Discussion was held on Bylaw 2-2022 Council Procedures Bylaw regarding changing the time of Regular Council Meetings. No changes were made.

	<u>DELEGATIONS</u>	None
	<u>FINANCIAL STATEMENTS</u>	
359/2023	BOKITCH:	THAT the Financial Statements for the month ending November 30, 2023 are approved as presented. Carried
	<u>ACCOUNTS PAYABLE</u>	
360/2023	STEVENSON:	THAT the payables to December 11th be approved as presented. (attached) Carried
361/2023	BROCHU:	THAT we authorize the Administrator to pay the bills to December 31 st , 2023 in order to facilitate year end. Carried
362/2023	BOKITCH:	THAT we authorize the Administrator to put overdue accounts receivables for custom work and utilities on to the taxes at year end (over 90 days only). Carried
	<u>REPORTS</u>	
	The following reports were previously sent to council and any questions were answered by the appropriate department at the meeting:	
	CAO Public Works Assistant Admin	

*Facilities Committee
Recreation
Fire Meeting
Building Permits*

363/2023	<u>OLD BUSINESS</u>	
	<u>KEARLEY SUBDIVISION</u>	
	BROCHU:	THAT we will follow the subdivision servicing agreement with Kearley’s with the exception of the emergency road – detail in a letter. Carried
364/2023	<u>CORRESPONDENCE</u>	
	none	
365/2023	<u>NEW BUSINESS</u>	
	<u>LORAAS BIN</u>	
	BOKITCH:	THAT we obtain a 6 yard recycle bin for use at the Harbor Golf Community Centre for pickup every 4 weeks. Carried
366/2023	<u>FACILITIES COMMITTEE</u>	
	BOKITCH:	THAT we authorize the Facilities Committee to be able to call a professional business when an emergent need arises and that up to \$1000 can be spent on an emergent need. Carried
367/2023	<u>APPOINTMENT OF AUDITOR</u>	
	BOKITCH:	THAT we appoint Dudley and Co. to be the auditor for the Village of Elbow for 2024. Carried
368/2023	<u>BY-ELECTION</u>	
	BROCHU:	THAT the by-election for Mayor be held on May 1, 2024. Carried
369/2023	<u>COUNCIL COMMITTEES</u>	
	STEVENSON:	THAT the Council Committee list was reviewed and updated. Carried
370/2023	<u>SUMA CONVENTION</u>	
	BROCHU:	THAT the Administrator is authorized to book 4 hotel rooms for the SUMA Convention 2024. Carried
371/2023	<u>FIRE EQUIPMENT FOR SALE</u>	
	STEVENSON:	THAT the old set of Jaws of Life for the Elbow Fire Department be advertised for sale for \$2000. Carried
372/2023	<u>SUMA SECTOR MEETING</u>	
	BOKITCH:	THAT Joanne and Brandy attend the SUMA virtual sector meeting on January 16, 2024. Carried
373/2023	<u>BYLAWS & POLICIES</u>	
	<u>8-2023 DRIVEWAYS AND CULVERTS BYLAW</u>	
	BROCHU:	THAT Bylaw #8-2023 A Bylaw for Driveways/Culverts be read a first time. Carried
374/2023	STEVENSON:	THAT Bylaw #8-2023 is read a second time. Carried
	BOKITCH:	THAT Bylaw #8-2023 is able to be read a third time at this meeting. Carried Unanimously
375/2023	BROCHU:	THAT Bylaw #8-2023 having been read a third time is adopted.

9-2023 MOTORHOMES AND TRAILERS BYLAW

376/2023 BROCHU: THAT Bylaw #9-2023 A Bylaw for Motorhomes/Trailers be read a first time. Carried

377/2023 STEVENSON: THAT Bylaw #9-2023 is read a second time. Carried

378/2023 BOKITCH: THAT Bylaw #9-2023 is able to be read a third time at this meeting. Carried Unanimously

379/2023 BROCHU: THAT Bylaw #9-2023 having been read a third time is adopted.

10-2023 LANDFILL BYLAW

380/2023 STEVENSON: THAT Bylaw #10-2023 A Bylaw for the Landfill be read a first time. Carried

381/2023 BOKITCH: THAT Bylaw #10-2023 is read a second time. Carried

382/2023 BROCHU: THAT Bylaw #10-2023 is able to be read a third time at this meeting. Carried Unanimously

383/2023 STEVENSON: THAT Bylaw #10-2023 having been read a third time is adopted.

11-2023 LAGOON USE BYLAW/AGREEMENTS

384/2023 BOKITCH: THAT Bylaw #11-2023 A Bylaw for Lagoon Use be read a first time. Carried

385/2023 BROCHU: THAT Bylaw #11-2023 is read a second time. Carried

386/2023 STEVENSON: THAT Bylaw 11-2023 is able to be read a third time at this meeting. Carried Unanimously

387/2023 BOKITCH: THAT Bylaw #11-2023 having been read a third time is adopted.

12-2023 GENERAL PENALTY BYLAW

388/2023 BROCHU: THAT Bylaw #12-2023 A Bylaw to allow for General Penalties be read a first time. Carried

389/2023 STEVENSON: THAT Bylaw #12-2023 is read a second time. Carried

390/2023 BOKITCH: THAT Bylaw #12-2023 is able to be read a third time at this meeting. Carried Unanimously

391/2023 BROCHU: THAT Bylaw #12-2023 having been read a third time is adopted.

14-2023 WATER & SEWER MANAGEMENT BYLAW

392/2023 BROCHU: THAT Bylaw #14-2023 A Bylaw for the Management of Water & Sewer read a first time. Carried

393/2023 STEVENSON: THAT Bylaw #14-2023 is read a second time. Carried

394/2023 BOKITCH: THAT Bylaw #14-2023 is able to be read a third time at this meeting. Carried Unanimously

395/2023 BROCHU: THAT Bylaw #14-2023 having been read a third time is adopted. Carried

18-2023 LAGOON HAULER ACCESS BYLAW

396/2023 BOKITCH: THAT Bylaw #18-2023 A Bylaw for Lagoon Hauler Access is read a first time. Carried

397/2023 STEVENSON: THAT Bylaw #18-2023 is read a second time. Carried

398/2023 BROCHU: THAT Bylaw #18-2023 is able to be read a third time at this meeting. Carried Unanimously

399/2023 BOKITCH: THAT Bylaw #18-2023 having been read a third time is adopted. Carried

IN-CAMERA

400/2023 BROCHU: THAT the Village of Elbow move in-camera at 3:25 p.m. as per section 54 of Bylaw No. 2-2022 Council Procedures Bylaw, and Part III of *The Local Authority Freedom of Information and Protection of Privacy Act* to discuss human resources. Carried

Administrator Losie left the meeting at 4:03 pm & returned at 4:18 pm.

OUT OF CAMERA

401/2023 STEVENSON: THAT Council exits out of in-camera session at 4:18 pm. Carried.

EMPLOYEE BONUS

402/2023 STEVENSON: THAT the full & part time employees be given bonuses as noted. Carried

ADJOURNMENT

403/2023 STEVENSON: THAT this meeting be adjourned at 5:37 pm. Carried.

Correspondence

none




Deputy Mayor – Joanne Brochu


CAO – Brandy Losie

**A BYLAW OF THE VILLAGE OF ELBOW TO
REGULATE THE INSTALLATION OF PRIVATE DRIVEWAYS AND CULVERTS**

The Council of the Village of Elbow, in the Province of Saskatchewan, hereby enacts:

1. Any owner who desires to construct a private driveway crossing over a concrete or asphalt sidewalk, curb, boulevard, or ditch, for the purpose of gaining vehicular access to his property, shall follow the specifications in this bylaw.
2. “Owner” in this bylaw shall mean either the assessed owner or the registered owner.
3. Culvert specifications that must be met for all new and re-constructed installations:
 - a. At the discretion of the village foreman, a smaller diameter culvert may be approved. See Appendix “A”.
 - i. **Size:** 254 mm diameter or larger (10”)
 - ii. **Length:** culverts shall extend out from the driveway edge with side slopes at 3H:1V from driveway to culvert bottom or have a vertical wall from driveway edge to culvert bottom.
 - iii. **Material:** corrugated steel, PVC, corrugated poly, or reinforced concrete
 - iv. **Slope:** minimum grade of 0.5% along the length of the culvert
4. Driveway specifications that must be met for all new and re-constructed installations:
 - a. The maximum width for driveway crossings is as follows:
 - i. Residential: 9.14 meters (30’)
 - ii. Commercial: 12.2 meters (40’)
 - iii. Industrial: 12.2 meters (40’)
 - b. Driveways shall not be constructed which are more than one third of the total property frontage or flankage; minimum length being 6.1 m (20’).
 - c. The minimum distance between two driveway crossings is 3 meters.
 - d. Driveway crossings shall be constructed at least 1 meter (residential) and 3 meters (commercial and industrial) away from a property line in order to accommodate curb returns
 - e. No Village owned tree may be removed to accommodate installation of a private driveway crossing.
5. All culverts shall be supplied at cost by the Village to the owner.
6. Driveway construction and culvert installation shall be the responsibility of the owner, and shall be supervised and/or inspected by Village staff.
7. If it is found that an owner has not complied with this bylaw and their driveway construction or culvert installation does not meet the specifications outlined in this bylaw, the owner shall be responsible to see that the installation is corrected within 30 days of notification. Failure to correct within 30 days of notification will result in the Village contracting the work out to meet the specifications of this bylaw, and all costs will be charged back to the owner as custom work.

8. Bylaw No. 19-04 is hereby repealed.

9. This bylaw shall come into force and take effect on the day of the final passing thereof. (Dec 11 2023)





Mayor



Administrator

Appendix "A" – Culvert Sizing other than 10"

Village of Elbow

Culvert Installation

APPLICANT (OWNER OR AUTHORIZED AGENT):

Name _____
Address _____ Postal Code _____
Telephone #(s) _____

REGISTERED OWNER (if different from above):

Name _____
Address _____ Postal Code _____
Telephone #(s) _____

PROPERTY CIVIC ADDRESS

LEGAL DESCRIPTION / LAND LOCATION:

SIZE OF CULVERT REQUESTED:

REASON FOR DIFFERENT SIZE THAN BYLAW:

DECLARATION BY APPLICANT

I agree to pay the applicable fee for the size of culvert requested.

Signature _____ Date _____

*This culvert install is approved by the Elbow Village Foreman.

Signature of Foreman _____ Date _____

A BYLAW TO REGULATE THE USE OF MOTOR HOMES AND TRAILERS WITHIN THE VILLAGE OF ELBOW

The Council of the Village of Elbow, in the Province of Saskatchewan, hereby enacts:

1. Definitions:

- a) Motor Home shall mean a self-propelled vehicle equipped with sleeping accommodation;
- b) Trailer shall mean a towed or fifth-wheel recreational vehicle equipped with sleeping accommodation.
- c) Canopy shall mean an overhanging, roof-like projection or covering stretching from the motorhome or trailer outwards.
- d) Deck shall mean a raised platform, with or without rails, attached or unattached to a motorhome or trailer.

2. Use of motor homes or trailers:

No owner of a property within the Village of Elbow shall use or permit the use of any motor home or trailer for overnight accommodation on their property except in the following circumstances:

- a) The owner of a house that is currently connected to municipal water and sewer/septic on his/her property, may use or permit the use of any motor home or trailer for overnight accommodation of guests provided it is not for commercial use, with a maximum limit of one (1) motor home/trailer per residence.
- b) With the permission of Council, the owner of a property may use or permit the use of any motor home or trailer on the property for the purpose of accommodating persons involved in the construction of a home on the property for a period not exceeding one (1) year;
- c) No permanent or temporary decks or canopies shall be used in conjunction with the motorhome or trailer.
- d) The owner of a property may use or permit the use of a motor home or trailer where, and in such manner, as may be specifically permitted by the Village of Elbow Zoning Bylaw.

3. Offence

Any owner of a property who uses or permits the use of a motor home or trailer for overnight accommodation that is in contravention of this bylaw shall be guilty of an offence per motor home or trailer as follows:

1st offence.....\$500
each subsequent offence\$1,000 on each occasion.

4. Repeal

Bylaw No. 20-08 is hereby repealed




Deputy Mayor


Administrator

Adopted this 11th day of December, 2023.

BYLAW NO. 10-2023

A BYLAW OF THE VILLAGE OF ELBOW TO PROVIDE FOR THE COLLECTION AND DISPOSAL OF DOMESTIC WASTE AND OTHER REFUSE

The Council of the Village of Elbow in the Province of Saskatchewan, enacts as follows:

1. In this Bylaw the following definitions shall apply:

- (a) "Administrator" means the administrator of the municipality;
- (b) "Burnable Waste" means wood, trees, shrubs, stumps, branches and other untreated or unpainted wood;
- (c) "Bulk Waste" means all wastes not approved for pick-up, including construction materials, metal wastes, burnable wastes or mixed wastes that are taken to the waste disposal ground;
- (d) "Commercial Waste" means waste from businesses;
- (e) "Construction Waste" means waste from any construction or renovation project, including singles;
- (f) "Council" means the council of the Village of Elbow;
- (g) "Designated Areas" means separate sites within the transfer station set aside for particular disposal, i.e., household waste; wood, bulk refuse, or metal;
- (h) "Domestic Waste" means animal, mineral and vegetable waste that is or may become putrid;
- (i) "Household Waste" means any waste arising from the day-to-day operations of a household that is contained for pick-up in a plastic garbage bag in an appropriate container and includes domestic waste;
- (j) "Liquid Domestic Waste" means any waste which contains animal, mineral or vegetable matter in solution or suspension, but does not include paint, oil products or farm chemicals;
- (k) "Metal Wastes" means large metallic objects such as major appliances, water heaters, stoves, furnaces, washers, dryers, refrigerators, deep freezers, dishwashers, stripped bed springs, steel fencing, gates, etc.;
- (l) "Municipality" means the Village of Elbow;
- (m) "Public Highway" means a road allowance or a road, street, or lane, vested in Her Majesty or set aside for such purposes and includes the entry road to the transfer station, a bridge, culvert, drain or other public improvement erected upon or in connection with such public highway;
- (n) "Special Waste" includes batteries, tires, fluorescent light tubes and any other material that maybe so designated by Council;
- (o) "Transfer Station" means the municipal waste transfer station located on Pt SE 12-25-5 W3rd;
- (p) "Waste" does not include any material taken to a recycling site and deposited in an appropriate bin;

2. A person disposing of household waste shall:

- (a) place it in a designated contractors container for pick-up;

3. A person disposing of bulk waste shall either:

- (a) place it in contractor's containers for pick-up or;
- (b) take it to the transfer station and deposit it in an appropriate designated area or;
- (c) if a container is provided, place it in a contractor's container at the transfer station.

4. A person disposing of construction waste, including shingles, shall make arrangements with either:
 - (a) the Village of Elbow for a 4yd or 6yd construction bin; or
 - (b) the waste contractor for a larger construction bin;
 - (c) if disposing of shingles, container can be only half full.
5. A person disposing of Commercial waste shall:
 - (a) place it in a designated contractors container for pick-up, or;
 - (b) where it is bulk waste, take it to the transfer station and deposit it in an appropriate designated area.
6. No person shall deposit liquid domestic waste in any household or commercial waste for pick-up or take to the transfer station.
7. No person shall deposit concrete rubble, rocks, or dirt at the transfer station.
8. If a person, after receiving notice from Council to provide proper waste and refuse receptacles, neglects to do so, Council may order the municipal staff, or person who has been contracted with the Council, to cease gathering refuse until this bylaw is complied with.
9. The removal of all wastes other than the pick-up of household, commercial, or bulk waste as specified in (2), (3), and (4) shall be the responsibility of the landowner for disposal at the transfer station.
10. Any person making a pile of brush or similar material shall ensure the same is removed within two weeks.
11. The owner of any business shall keep his/her premises free from the accumulation of junk, trade litter, cans, or other waste by keeping same in a suitable container and removing the same regularly to the transfer station.
12. Manure, grain, petroleum wastes, cooking oil, slaughter house wastes, dead animals and other comparable wastes shall not be deposited at the transfer station.
13. No person shall place, dump, or dispose of any waste other than in the transfer station during a time when it is opened and subject to:
 - (a) the direction of any person appointed by Council for this purpose;
 - (b) any load charges that Council may approve of as prescribed in Schedule A as attached.
14. Any person dumping waste on any public highway, adjacent to or over the fence or gate of the transfer station is guilty of an offence.
15. (a) No person shall remove, disturb, or take away any material, object or thing from the transfer station without permission from the municipal staff.
(b) The Municipality shall own and have the sole right to dispose of all refuse collected and delivered to the transfer station.
16. No person shall operate any vehicle transporting waste over any public highway unless the load is completely enclosed, covered with a tarpaulin or secured in such a manner that it is impossible for any part of the said load to escape.
17. No person shall set fire to any material at the transfer station unless authorized by the Municipality or its representative and a permit or letter of approval is received from the Ministry of Environment.

18. No person shall deface, destroy, or alter any signs, gates or fencing at the transfer station.
19. Hours of operation of the transfer station are as prescribed in Schedule A as attached. The hours of operation shall be posted at the transfer station.
20. Load charges at the transfer station shall be noted by a representative of the Municipality and signed by the depositor and are as set out in Schedule A as attached and posted at the transfer station. These charges will be billed monthly by the village office.
21. Council may, from time to time, by resolution, designate and approve contractors for the purpose of handling waste.
22. (a) A person who infringes any of the provisions of this bylaw or fails to comply therewith shall be liable on summary conviction to a penalty of not more than \$500.00.

(b) The imposition of such penalty for failure to comply with any of the provisions of this bylaw shall not relieve the person in default from carrying out the work therein mentioned, but he shall be liable on summary conviction to a further penalty of not more than \$10.00 for each day after the first penalty is imposed until he has complied with the provisions of this bylaw.
21. Bylaw No. 9-2022 of the Village of Elbow is hereby repealed.




Deputy Mayor


Administrator

December 11, 2023

Schedule A

to Bylaw No. 10-2023

HOURS OF OPERATION:

May 1 to October 31 – weather dependent

Tuesday: 4:00 p.m. to 7:00 p.m.
Saturday 10:00 a.m. to 2:00 p.m.

SCHEDULE OF LOAD CHARGES:

Load sizes shall be determined by the Village of Elbow or its agent and that decision is final.

All painted, stained, or treated wood MUST be placed in 30 yd bin.

LARGE LOAD OR MIXED LOAD FEE SCHEDULE

All painted, stained or treated wood MUST be placed in 30 yd bin.

No railway ties
No concrete
No hazardous waste

TYPE OF LOAD		LOAD SIZE	RATEPAYER FEE	MISTUSINNE/RM LOREBURN DIVISION 1 ONLY
Clean Wood/Branches/Trees/Leaves/Garden Waste <u>PLASTIC BAGS MUST BE REMOVED</u>		Any Size No Daily Limit	FREE	\$10 per load
Burn Bin - Clean Wood/Large Branches		Any Size No Daily Limit	\$5 per load	\$10 per load
Metal Bin - No Wire		Any Item No Daily Limit	\$5 per load	\$10 per item
Household Bin - household waste & Painted/Stained/Treated Wood *one load daily		1/2 Ton	\$25 per load	\$35 per load
		1 Ton	\$50 per load	\$70 per load
Appliances		Any Item No Daily Limit	\$5 per item	\$10 per item
Furniture		Any Item No Daily Limit	\$20 per item	\$30 per item
Lawnmowers *Fuel and Oil must be removed		Any Item No Daily Limit	FREE	\$10 per item
OFF SEASON				
Appliances		We Pick Up	\$20 per item	N/A
		You Drop Off	\$10 per item	N/A

**A BYLAW OF THE VILLAGE OF ELBOW TO PROVIDE FOR
ENTERING INTO AN AGREEMENT RESPECTING LAGOON
USAGE BY OTHERS**

The Council of the Village of Elbow, in the Province of Saskatchewan, enacts as follows:

1. The authority for the Bylaw is Section 24 of *The Municipalities Act* to enter into an agreement for public utility services.
2. The Village of Elbow is hereby authorized to enter into the agreements attached hereto and forming part of this bylaw, and identified as Schedules 1 to 7 with Harbor Golf Club & Resort, Lakeside Marina Services, R.M. of Loreburn (Blocks 1-14 in Lakeside RV Trailer Park Ltd.), and Coyote Springs Campground for the purposes of providing lagoon usage for the 2024 calendar year only.
3. The Mayor and Administrator of the Village of Elbow are hereby authorized to sign, affix the corporate seal of the Village of Elbow, and execute the attached agreements identified as Schedules 1 to 7.
4. Bylaw No. 18-04 of the Village of Elbow is hereby repealed.
5. This Bylaw shall come into force and take effect January 1, 2024.




Deputy Mayor


Administrator

Bylaw No. 11-2023 adopted by resolution of Council
on the 11th day of December, 2023.

**A BYLAW OF THE VILLAGE OF ELBOW TO PROVIDE FOR
PENALTIES FOR THE CONTRAVENTION OF BYLAWS**

As per Section 38(3) of *The Municipalities Act*, the Council of the Village of Elbow, in the Province of Saskatchewan, enacts as follows:

1. This bylaws may be referred to as the “General Penalty Bylaw” of the municipality.
2. Every person who contravenes any provision of any Bylaw of the Village of Elbow is guilty of an offense and liable upon summary conviction:
 - a. To the penalty specified in the bylaw or in another bylaw providing for a penalty with respect to the contravention of that bylaw; or
 - b. If no penalty is provided for by the bylaw:
 - i. First offence: \$500
 - ii. Second and any offence thereafter: \$1000
3. Bylaw 81-01 is hereby repealed.
4. This bylaw shall come into force and take effect upon final reading thereof.

Read a third time and adopted this 11th day of December, 2023.




Deputy Mayor


Administrator

**A BYLAW OF THE VILLAGE OF ELBOW TO REGULATE AND CONTROL THE
USE AND CONSUMPTION OF WATER FROM THE MUNICIPALITY'S
WATERWORKS SYSTEM AND CONTROLLING AND REGULATING THE
DISCHARGE OF SEWAGE INTO THE MUNICIPALITY'S SEWAGE SYSTEM**

The Council of the Village of Elbow, in the Province of Saskatchewan, hereby enacts:

PART 1 - INTRODUCTION

1. Title
That this bylaw shall be cited as "The Water and Sewer Management Bylaw".
2. Purpose
The purpose of this bylaw is to provide and regulate water and sanitary sewer services to residential and commercial users.
3. Scope
This bylaw shall apply to all those connected to the Village of Elbow's water system and/or discharging sewage into the Village of Elbow's sewage system and lagoon.

PART 2 – DEFINITIONS

4. Wherever in this bylaw, the following words or terms are used, they shall, unless the context otherwise provides, be held to have the following means:
 - (a) **ADMINISTRATOR** shall mean the Village Administrator of the Village of Elbow or an employee of the Village designated by the Administrator to act on behalf of the Village.
 - (b) **COUNCIL** shall mean the Council of the Village of Elbow.
 - (c) **VILLAGE** shall mean the Village of Elbow in the Province of Saskatchewan
 - (d) **OWNER** shall mean the owner of any land or building to which water and sewer services are supplied by the Village of Elbow.
 - (e) **USER** means:
 - i. the owner of any land or building who makes application to the Village of Elbow for water and sewer services to any premises situated on their land or within their building; or
 - ii. any other person, persons or bodies corporate who are not the owners of the land or building upon or within which they occupy premises and make application to the Village of Elbow for water and sewer services.
 - (f) **PREMISES** means:
 - i. a single family dwelling house;
 - ii. a building used wholly for commercial or industrial purposes;
 - iii. a residential suite in a building used wholly or partially for commercial or industrial purposes;
 - iv. a residential suite in a multi-family dwelling house, duplex, a condominium, or an apartment building; or
 - v. a residential suite in a single family dwelling house.

PART 3 – GENERAL REGULATIONS

5. Every owner who wishes to obtain water and sewer services to any premises shall make application to the Village Office and pay all necessary fees and charges levied by the Village of Elbow for the installation of any service lines, connections, meters, fittings apparatus, appliances or any other thing deemed necessary by the Village for the provision of water and sewer services.
6. Every user, who is not the owner of the land or building they occupy, shall make application for water and sewer services before occupying those premises to the Village Office and shall pay a \$150 utility deposit. This utility deposit shall be refunded upon service being discontinued at the request, by consumer, provided all utility charges are paid in full.

7. Every owner or user wanting their water turned on at the curbstop, for a property that is not currently on (does not have a water meter installed), shall pay a \$50 connection fee to the Village of Elbow to have the water turned on at the curbstop and the water meter installed. There is no charge to have the water disconnected.
8. Every owner or user wanting their water turned on (at the curbstop), for a property that is already currently on (water meter is installed) , shall pay a \$10 transfer fee to the Village of Elbow to have the curbstop turned on.

PART 4 – WATER SUPPLY REGULATIONS

9. Every owner shall make provision for installation of the inside water meter in a location easily and readily accessible to Village staff for examination and maintenance and shall at all times, properly and efficiently protect the service pipe and meter from frost or other injury so that the meter shall not be damaged.
10. The Village will supply the initial meter which the consumer must show due care and attention. If in the case that the meter needs to be replaced due to neglect, the user must pay the full cost of a replacement meter and the charges shall be added to the users account.
11. Every owner or occupant of premises connected to the Village water and sewer system, shall permit access to the building by Village staff to examine, inspect and/or repair the water meter at all reasonable times.
12. All water meters shall be sealed at time of installation and it shall be an offense for any person to break the seal and/or to tamper with the meter in any way. Where evidence of tampering with the seal or meter is found, the person who applied for service and who is billed for service shall be deemed responsible and be liable for the penalty prescribed in this bylaw.
13. In the event that a meter when read is found to register incorrectly, an amount based on that user's average usage from the previous related periods or based on average usage of a similar family size will be used to calculate the billing.
14. It shall be an offense for any person who is not an employee of the Village or who has not been authorized by the Administrator to open, close or tamper with a fire hydrant, curb stop or valve connected with the Village water system.
15. It shall be an offense for any person to interfere, obstruct or abuse any Village employee engaged in maintenance, inspection or repairing of a fire hydrant, curb stop or water meter connected to the Village water system.
16. For reason of making repair, or extension of mains or services, the Village shall have the right to shut off water to any user without notice for a period necessary to complete the repair of connection.
17. The Village, or its employees, shall not be liable for any damages resulting from the discontinuance of water supply, with or without notice, to any building, boiler or other apparatus deriving its supply from the Village water system.
18. The Village shall have the right to limit the amount of water furnished to any user upon reasonable notice to the user of such intended action.
19. Every occupant of premises connected to the Village water supply shall give notice to the Administrator of his intended or actual vacating of the premises.
20. No person shall convey, sell, dispose of or give away or permit water to be carried or taken away or use it or supply it for the use or benefit of others.
21. The Village shall be responsible for any water line up to and including the curb stop. The property owner shall be responsible for any point after the curb stop.

PART 5 – SEWAGE SERVICE REGULATIONS

22. Every owner or user shall take every precaution not to cause a blockage in the sewer service line between the building and the Village sanitary sewer main.
23. Every owner or user who make a claim or demand, takes any action or alleges that they have a cause of action, claim or demand against the Village of Elbow for or by reason of loss of whatsoever kind or nature arising out of any incident of sewer back-up and/or flooding shall, within 30 days of making such claim or demand or taking such action, install a sewer back-up valve on the premises which are the subject-matter of such claim, demand or action in accordance with specifications provided by the Village Administrator and the owner or user shall also provide satisfactory proof of such installation to the Village Administrator.
24. No person shall discharge into any drain, sewer, or lagoon system operated by the Village of a harmful matter, substance or thing, whether liquid or solid, that would be injurious to health, life or property or that would injure, pollute or damage any stream, watercourse, drain, sewer, lagoon, or sewage treatment plant.
25. The Village shall be responsible for any sewage main. The property owner shall be responsible for the construction, maintenance, repair, clean out (i.e., roto-rooting), and replacement of the portion of the service connection from their building to the sewer main.
 - a) The Village of Elbow will share the cost 50/50 for the price to repair/replace asphalt and sidewalks that are required to be removed to repair sewer and/or water lines.

PART 6 – ENFORCEMENT OF ARREARS AND PENALTIES

26. Any person found guilty of an infraction of this bylaw, or any part thereof, shall be liable on summary conviction, to the penalties prescribed by the General Penalty Bylaw of the Village of Elbow.
27. If a user of water and sewer services fails to pay amounts charged for usage or fails to pay any other charges, fees, rents or amounts levied by the Village of Elbow in relation to the provision of water and sewer services, the Village of Elbow may, in addition to any other remedies available to it for the non-payment of charges, fees, rents or amounts levied, discontinue the provision of water and sewer services to the user upon giving reasonable notice of its intention to do so to the user. The Village, or its employees, shall not be liable for any damages resulting from the discontinuance of water supply to any building, boiler or other apparatus deriving its supply from the Village water system.
28. If the person to whom water and sewer services are supplied is the owner of the land or building to which the service is supplied, the sum payable by him for the service and all rates and costs imposed pursuant to this bylaw are a lien on the land and building which has priority over all other liens or charges save that of the Crown, and are a charge on the goods and chattels of the owner and may be levied and collected in the same manner as taxes are recoverable.
29. If the person to whom the water and sewer services are supplied is a person other than the owner of the land or building to which the service is supplied, then the sum payable by him for the service and all rates and costs imposed pursuant to this bylaw are a debt due by him and are a lien on his goods and chattels and may be levied and collected with costs by distress.
30. A distress and sale for rates, charges or rents pursuant to this bylaw is to be conducted in the same manner as distresses and sales are conducted for the arrears of taxes, and the costs chargeable are those payable pursuant to *The Distress Act*.
31. An attempt to collect any rates, charges or rents pursuant to this bylaw does not in any way invalidate any lien the Village is entitled to on land, buildings, or goods and chattels by virtue of this section.

32. If any rate, charge or rent owed by an owner or user of land or a building is in arrears after the renter of owner has vacated the premises and the meter deposit has been reversed against the outstanding amounts, the balance of the outstanding rate, charge or rent may be added to, and thereby form part of the taxes on the land or buildings of the owner with respect to which the water and sewer service was provided.

PART 7 – REPEAL

33. Bylaw No. 20-06 is hereby repealed.





Mayor



Administrator

Bylaw No. 14-2023 adopted by resolution of Council on the 11th day of December, 2023.

LAGOON HAULER ACCESS

A BYLAW OF THE VILLAGE OF ELBOW, IN THE PROVINCE OF SASKATCHEWAN, TO ALLOW FOR THE DUMPING OF LIQUID DOMESTIC WASTE HAULED TO THE VILLAGE OF ELBOW LAGOON.

The Council of the Village of Elbow, in the Province of Saskatchewan, enacts as follows:

1. DEFINITIONS

1.1 In this bylaw:

- a. **Administrator** – The person appointed as Administrator pursuant to Section 111 of *The Municipalities Act*.
- b. **Council** – The Mayor and Councillors of the Village elected pursuant to the provisions of *The Local Government Election Act, 2015*.
- c. **Lagoon** – The facility known as the Village of Elbow Lagoon located at Parcel A, Plan 102710641, which exists for the treatment of effluent and to accommodate overflowed surface water during heavy rains.
- d. **Liquid Agricultural Waste** – Liquid waste resulting from agricultural and farming processes, including fertilizer and other extraneous chemicals.
- e. **Liquid Commercial Waste** – Liquid waste resulting from portable toilets, restaurant grease traps, oil and petroleum products, and commercial holding tanks.
- f. **Liquid Domestic Waste** – Any remains or by-products which contain animal, mineral or vegetable matter in solution or suspension that originates from residences.
- g. **Liquid Industrial Waste** – Liquid waste resulting from industrial or manufacturing processes.
- h. **Village** – The Village of Elbow, its employees or employees whose employment requires them to undertake certain works under this Bylaw.

2. ACCESS

- 2.1 Only those septic haulers that have been approved by the Village of Elbow will be permitted to haul liquid domestic waste to the lagoon.
- 2.2 For the Village to approve the septic haulers having access to the lagoon, they must submit the following to the Village:
 - a) A *Liquid Domestic Waste Disposal Permission Form* obtained from the Saskatchewan Water Security Agency website;
 - b) A copy of their *Permit to Transport and Dispose of Liquid Domestic Waste* as issued by the Saskatchewan Water Security Agency;
 - c) A copy of their liability insurance policy that demonstrates a minimum of \$2,000,000 (two million dollars) liability threshold.
- 2.3 Upon approval of the application, a signed copy of the *Liquid Domestic Waste Disposal Permission Form* will be provided to the hauler.
- 2.4 Approvals that are granted shall expire at the end of each calendar year and are required to be renewed annually.

3. GATE & KEYS

- 3.1 Each approved septic hauler will be given a gate key.
- 3.2 Each approved septic hauler must agree to keep the gate locked at all times and to not allow other septic haulers to access the lagoon with their key.
- 3.3 Approved septic haulers are not allowed to keep the gate open to allow multiple trucks to access the lagoon in one trip.
- 3.4 Septic haulers found to be in breach of Sections 3.2-3.4 will have their access revoked to the lagoon.

4. ACCEPTANCE OF LIQUID WASTE

- 4.1 The Village has the right to deny the acceptance of liquid domestic waste and all other effluent that may not conform to the requirements of the *Permit to Operate a Sewage Works* as issued by the Saskatchewan Water Security Agency.
- 4.2 For each disposal trip, the following must be recorded: the number of gallons disposed and the company to bill for the disposal. This information must be provided quarterly to the Administrator.
- 4.3 The Village, at its discretion, may require a septic hauler to provide sample testing prior to depositing any liquid domestic waste at the Village's lagoon if, in the opinion of the Village, the effluent being hauled may contain materials and chemicals that are deemed to be hazardous or dangerous to the environment.
- 4.4 The septic hauler shall be responsible for all costs relating to performing the required tests and submitting analysis information to the Village for review.
- 4.5 Only liquid domestic waste shall be accepted at the Village lagoon. No liquid commercial, agricultural or industrial waste shall be accepted.

5. AGREEMENTS

- 5.1 The Village may enter into specific agreements with other municipalities in regards to hauling their liquid domestic waste to the Village's lagoon.
- 5.2 These agreements are identified as Appendices "A-Z" and can added to this Bylaw as needed.

6. PENALTY & DAMAGES

- 6.1 Any septic hauler found to be hauling liquid domestic waste to the Village's lagoon without a valid permit, as issued by the Village, or found to be depositing hazardous or environmentally sensitive waste without proper authorization, shall be guilty of an offence as per Subsection 381(2) of *The Municipalities Act*.
- 6.2 Any septic hauler found to be responsible for damages to the lagoon, including damages to the berm, road, fence or other related structures, will be required to cover the costs of repair and could potentially be evicted from using the facility.

7. **SEVERABILITY**

- 7.1 A decision of the court that one or more of the provisions of this Bylaw are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts thereof with respect to this bylaw.

8. **COMING INTO FORCE**

- 8.1 This bylaw shall take effect and come into force upon the date of final passing by the Council.




Deputy Mayor


Administrator

Adopted by resolution of Council
on the 11th day of December, 2023.