

## Revision to Bylaw No. 8880, The Private Sewer and Water Service Connection Bylaw, 2010

### ISSUE

Bylaw No. 8880, The Private Sewer and Water Service Connection Bylaw, 2010 (Bylaw) allows for one-, three-, five-, and ten-year options for a residential property owner to defer their costs for lead water service connection replacements to their taxes. Currently sewer service connection replacements are only offered a one-year deferral period. This report proposes amending the Bylaw to offer one-, three-, five-, and ten-year deferral options for the costs of sewer service connection replacements.

### RECOMMENDATION

That the Standing Policy Committee on Environment, Utilities and Corporate Services recommend to City Council that:

1. The proposed amendments to Bylaw No. 8880, The Private Sewer and Water Service Connection Bylaw, 2010, as outlined in this report, be approved; and
2. The City Solicitor be requested to prepare the appropriate amendments to Bylaw No. 8880, The Private Sewer and Water Service Connection Bylaw, 2010.

### BACKGROUND

The City of Saskatoon (City) replaces residential sewer services made of non-compliant materials when the service has failed, or the service has been selected for replacement as part of a capital infrastructure improvement program. When replacing the public side of a residential sewer service, and the parallel water service to the property is non-lead, the City will replace the sewer service only and leave the existing water service. In these cases, the property owner is offered an opportunity to replace the private side of the sewer service at the same time using the City's contractor. If the property owner opts out of replacing the private side, only the public side is replaced.

Based on feedback from residents, the one-year deferral option for sewer only replacement costs are unaffordable for some residents who would otherwise want to replace their portion of the connection.

### DISCUSSION/ANALYSIS

When a property owner opts out of replacing their portion of sewer service at the same time the public portion is being replaced, this property is no longer eligible for free emergency sewer service back up response by City crews. The property owner is required to call a plumber for any future sewer service back ups.

If a property owner has had sewer back up issues in the past, they may want to replace their sewer service connection but may be unable to afford the monthly payments of a one-year deferral and, therefore, opt out of the private side replacement. If the City were

to offer longer deferral periods to spread payments out, these owners may instead opt to proceed with replacement.

Currently the Bylaw only authorizes deferrals in situations where the City mandates replacement of a lead water service connection, in which case, a property owner may be eligible to defer the costs of replacing the lead water service connection as well as the sewer connection, if replaced concurrently.

It is recommended that the Bylaw be updated to provide one-, three-, five-, and ten-year deferral options for sewer-only service connection replacements.

A property owner will be eligible to defer the costs of a sewer service connection replacement in situations where the City replaces the public side of the sewer service connection, and the property owner chooses to have the private side of the connection replaced by the City's contractor. The deferral for costs of sewer service connection replacements will only be available to residential property owners. Other eligibility requirements will mirror the eligibility requirements that apply to lead water service connection deferrals.

The following housekeeping amendments are also recommended:

- The reference to Section 361 of *The Cities Act* in Section 13.1 should be updated to refer to Section 361.1, the new section of *The Cities Act* that authorizes this type of deferral program.
- The "whereas clauses" of the Bylaw should be repealed as they are outdated. The whereas clauses refer to sections of *The Cities Act* that are no longer relied on as authority to offer deferral programs. The clauses also reference City Council's previous direction to permit deferrals of lead connection replacement costs specifically. Modern drafting practice is to exclude whereas clauses from bylaws.
- The definitions section should be repealed and replaced to modernize formatting and make minor editorial changes.

## **FINANCIAL IMPLICATIONS**

The proposed deferral program is considered cost neutral for the City.

Under the existing Bylaw, the deferral program includes administration fees to be paid by the property owner for lead service deferrals as follows:

- No cost for a one-year deferral;
- \$190.00 for a three-year deferral;
- \$240.00 for a five-year deferral; and
- \$365.00 for a ten-year deferral.

It is recommended that the same administration fees apply to sewer only deferrals.

### **OTHER IMPLICATIONS**

Delivery of communication packages to owners of properties selected for planned sewer service replacement in the 2023 construction season are already underway. For multi-year deferrals to be offered to residents for the 2023 construction season, new communication packages will need to be delivered.

To facilitate this process, new communication packages will be distributed upon City Council's approval of this report, effectively offering the deferrals prior to the official changes to the Bylaw to be prepared by the City Solicitor's Office. Section 361.1 of *The Cities Act*, which sets out the City's authority to provide deferral programs, does not require that deferrals be authorized by bylaw.

### **NEXT STEPS**

Upon approval by City Council, the City Solicitor will prepare the appropriate amendments to Bylaw No. 8880, The Private Sewer and Water Service Connection Bylaw, 2010.

#### Report Approval

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