

## BYLAW NO. 9892

### The Private Sewer and Water Service Connection Amendment Bylaw, 2023

The Council of the City of Saskatoon enacts:

#### Short Title

1. This Bylaw may be cited as *The Private Sewer and Water Service Connection Amendment Bylaw, 2023*.

#### Purpose

2. The purpose of this Bylaw is to amend *The Private Sewer and Water Service Connection Bylaw, 2010* to:
  - (a) enable eligible property owners to add the costs of certain sewer service connection replacements to their tax rolls; and
  - (b) make minor housekeeping amendments.

#### Bylaw No. 8880 Amended

3. *The Private Sewer and Water Service Connection Bylaw, 2010* is amended in the manner set forth in this Bylaw.

#### Whereas Clauses Repealed

4. Page 1 of the Bylaw is amended by:
  - (a) repealing all sentences that begin with “whereas”; and
  - (b) repealing “Now therefore the Council of the City of Saskatoon enacts as follows” and substituting “The Council of the City of Saskatoon enacts.”.

### Section 3 Amended

5. Section 3 is repealed and the following substituted:

“3. In this Bylaw:

- (a) **“basement replacement”** means the complete demolition and reconstruction of the foundation and walls of a basement;
- (b) **“building”** means a building as defined in *The Cities Act*;
- (c) **“General Manager”** means the General Manager of Transportation and Construction or their designate;
- (d) **“lead water service connection”** or **“LWSC”** means a water service connection that is made of lead;
- (e) **“live tapping”** means connecting the lines of a water service connection located above, on or underneath a parcel of land to the main lines of the water works system while the water main remains pressurized during the connection;
- (f) **“parcel of land”** means a parcel of land as defined in *The Cities Act*;
- (g) **“public sewage system”** means any City asset or facility used or intended to be used for the collection, transmission, treatment and disposal of domestic and non-domestic wastewater, including the main lines of the system;
- (h) **“service connection”** means a service connection as defined in *The Cities Act*;
- (i) **“sewer service connection”** means a service connection that connects a building on a parcel of land to the public sewage system;
- (j) **“specifications”** means the current version of the City’s Standard Construction Specifications and Drawings for Roadways and Water and Sewer;
- (k) **“tapping”** means connecting the lines of a service connection located above, on or underneath a parcel of land to the main lines of a public utility while the valve is closed and the main line is depressurized;

- (l) **“water service connection”** means a service connection on a parcel of land through which water is conveyed from the water works system;
- (m) **“water works system”** means any City asset or facility used or intended to be used for the collection, transmission and treatment of water, including the main lines of the system.”.

### Part III Amended

6. Part III is repealed and replaced with the following:

#### **“PART III Private Service Connections Assistance Program**

#### **Interpretation**

14. In this Part:

- (a) **“amount due”** means the cost of work or services performed by, or performed at the request of, the City in connection with the replacement of a LWSC, a sewer service connection, or both a LWSC and a sewer service connection, and includes the fee to administer the Program as set out in section 19;
- (b) **“deferred costs”** means an amount equivalent to the amount due that has been added to the tax roll of a property in accordance with section 361.1 of *The Cities Act*;
- (c) **“household income”** means the total income of all family members who live or ordinarily reside in a dwelling unit;
- (d) **“low income”** means having a household income below the low income cut-off thresholds that are periodically published by Statistics Canada;
- (e) **“principal residence”** means the primary location that a person inhabits, and for further certainty, a person may only have one principal residence;
- (f) **“Program”** means the Private Service Connections Assistance Program established pursuant to section 15 of this Bylaw;

- (g) **“property”** means a property at which the City has offered to replace, is replacing or has replaced a LWSC, a sewer service connection, or both a LWSC and a sewer service connection;
- (h) **“residential property”** means land and improvements used or intended to be used for a residential purpose;
- (i) **“tax arrears”** does not include deferred costs;
- (j) **“taxpayer”** means the person whose name is shown on the tax roll of a property.

### **Program Established**

- 15. The Private Service Connections Assistance Program is established.

### **Purpose of Program**

- 16. The purpose of the Program is to enable eligible taxpayers to add the amount due to the tax roll of their property so that payment may be made over time.

### **Deferral Terms**

- 17. The City may allow an eligible taxpayer to repay the amount due over a deferral term of one year, three years, five years or ten years.

### **Eligibility Requirements**

- 18. (1) To qualify for a one-year, three-year or five-year deferral:
  - (a) the taxpayer must own the property, either solely or jointly with another person;
  - (b) the property must not be in tax arrears; and
  - (c) in cases where only a sewer service connection is being replaced, the property must be a residential property.
- (2) To qualify for a ten-year deferral:
  - (a) the taxpayer must:

- (i) own the property, either solely or jointly with another person;
    - (ii) be an individual; and
    - (iii) be low income; and
  - (b) the property must:
    - (i) not be in tax arrears;
    - (ii) be residential property; and
    - (iii) be the principal residence of the taxpayer.
- (3) Only sewer service connections made of materials that are approved by the General Manager are eligible for the Program.

**Administration Fee**

19. A taxpayer shall pay the following administration fee to participate in the Program:
- (a) \$0.00 for a one-year deferral;
  - (b) \$190.00 for a three-year deferral;
  - (c) \$240.00 for a five-year deferral;
  - (d) \$365.00 for a ten-year deferral.

**Agreement with City**

20. A taxpayer who qualifies for the Program, as determined by the City, may enter into an agreement with the City respecting:
- (a) the work or services the City will perform at the taxpayer's property; and
  - (b) the addition of the amount due to the tax roll of the taxpayer's property.

### **Amount Due Added to Taxes**

21. (1) If a LWSC, a sewer service connection, or both a LWSC and a sewer service connection are:
  - (a) replaced on or before September 30, the amount due, if unpaid, may be added to the tax roll and form part of the taxes of the property on January 1 of the next calendar year;
  - (b) replaced after September 30, the amount due, if unpaid, may be added to the tax roll of the property and form part of the taxes on January 1 of the year following the next calendar year.
- (2) Prior to adding the amount due to the tax roll of the property, the City may register it as a pending liability.

### **Payment of Deferred Costs**

22. Unless earlier payment is required by any other provision of this Bylaw, payment of the deferred costs shall be as follows:
  - (a) for a one-year deferral, the entire amount of the deferred costs becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property as set out in section 21;
  - (b) for a three-year deferral, one third of the deferred costs becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property as set out in section 21, with one of the remaining thirds becoming due and payable on June 30 of each of the subsequent two calendar years;
  - (c) for a five-year deferral, one fifth of the deferred costs becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property as set out in section 21, with one of the remaining fifths becoming due and payable on June 30 of each of the subsequent four calendar years;

- (d) for a ten-year deferral, one tenth of the deferred costs becomes due and payable on June 30 of the calendar year in which the amount due is added to the tax roll of the property as set out in section 21, with one of the remaining tenths becoming due and payable on June 30 of each of the subsequent nine calendar years.

### **Voluntary Early Repayment**

- 23. (1) The taxpayer may, at any time prior to the deferred costs becoming due and payable pursuant to section 22, repay the full balance of the deferred costs or a portion of the deferred costs without penalty.
- (2) If a taxpayer repays only a portion of the outstanding deferred costs pursuant to subsection (1), payment of the remaining amount owing must be paid in accordance with the procedure set out in section 22.

### **Duty to Notify City of Sale of Property or Death of Taxpayer**

- 24. (1) A taxpayer who sells a property that is subject to an agreement under the Program shall, within 60 days of the sale, notify the City that the property has been sold.
- (2) If a taxpayer dies, a representative of the taxpayer's estate must, within 60 days of the taxpayer's death, notify the City that the taxpayer is deceased.

### **Mandatory Early Repayment of Deferred Costs**

- 25. (1) Notwithstanding section 22, the total outstanding amount of the deferred costs becomes due to the City upon:
  - (a) failure to make payment as required by section 22;
  - (b) the property falling into tax arrears;
  - (c) death of the taxpayer; or
  - (d) sale of the property.
- (2) Upon becoming aware of one of the circumstances set out in subsection (1), the City shall send out a notification to the taxpayer, or the taxpayer's estate, that identifies:

- (a) the amount of the outstanding deferred costs that must be paid; and
- (b) the date by which the outstanding deferred costs must be paid.

### **Registration of Interest**

26. (1) In order to ensure repayment of the deferred costs, the City may register an interest against the property.
- (2) The interest shall remain on the title of the property for as long as there are deferred costs unpaid with respect to the property.
- (3) The interest shall be discharged when the full amount of the deferred costs has been paid.

## **PART IV Offences and Penalties**

### **Offences and Penalties**

27. (1) No taxpayer shall:
- (a) wilfully furnish the City with false or misleading information in an application under the deferral program; or
  - (b) fail to notify the City of the death of a taxpayer or the sale of a property in accordance with section 24.
- (2) Every taxpayer who contravenes subsection (1) is guilty of an offence and liable on summary conviction:
- (a) in the case of a first offence, to a fine of not less than \$100.00 and not more than \$500.00; and
  - (b) in the case of a second or subsequent offence, to a fine of not less than \$200.00 and not more than \$1,000.00.
- (3) Any outstanding deferred costs must be paid to the City within 30 days of the date of a conviction of an offence under this Bylaw.



**Penalties on Late Payments**

28. If a required payment of deferred costs remains unpaid after 30 days, the City may impose penalties on the outstanding amount at the rates established by Bylaw No. 6673, *A bylaw of The City of Saskatoon to provide for the payment of taxes and the application of discounts and penalties thereto.*

**PART V  
Miscellaneous**

**Administration and Enforcement of Bylaw**

29. The administration and enforcement of this Bylaw is delegated to the General Manager.

**Bylaw No. 1523 Repealed**

30. Bylaw No. 1523 is repealed.

**Coming Into Force**

31. This Bylaw comes into force on the day of its final passing.”.

**Coming into Force**

7. This Bylaw comes into force on the day of its final passing.

Read a first time this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Read a second time this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Read a third time and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk