

**District of Barriere**  
**REPORT TO COUNCIL**

<b>Date:</b> May 9, 2022	<b>File:</b> 530.20/Rpts
<b>To:</b> Council	<b>From:</b> Paul Amos, Senior Utilities Specialist
<b>Re: DRAFT Water System Bylaw No. 189, Amendment Bylaw No. 219</b>	

**Background:**

In January of 2021, Council completed a comprehensive review, rewrite and consolidation of its water system bylaws (Bylaw No. 189). Section 6 of the Bylaw: “Application for Service Connection and Water Connection” outlines the regulations on water line ownership, responsibilities and prohibitions relating to water service connections.

**Discussion:**

Section 6.11 relates, specifically, as to the ownership of a waterline between the connection point from the watermain and building. At present, Section 6.11 reads as follows:

***“6.11 The District shall be responsible for the maintenance of the water service from connection at property line to the District’s water main. The property owner shall be responsible for the maintenance of the water service on their property, from the connection at property line to their building.”***

For clarity purposes, and to prevent unnecessary confusion and added expense for either party, it is recommended that the section be changed to determine the connection point to be from the **center of the curb stop**, regardless of where the curb stop is located:

- From center of curb stop to watermain = District responsibility
- From center of curb stop to building = Property owner responsibility.

This proposed change will aid in the technician’s diagnosis of where the responsibility of a leak resides. For example, in the case where there is a reported leak and it isn’t clear where the leak is located, a technician turns off the curb stop and if the leak stops, then it means the leak is the responsibility of the property owner. Alternatively, if the technician turns off the curb stop and the leak continues, it is clear that the responsibility is on the District to complete the repair.

At present, with the wording as is, turning off the curb stop does not confirm responsibility. Work must be completed by someone, either the District or property owner in order to diagnose the exact location of the leak. In many cases, this creates a dispute, confusion and unnecessary hardship on a party that ends up not being responsible for the leak.

The attached Draft Bylaw includes the following, proposed wording change:

***“6.11 The District shall be responsible for the maintenance of the water service from the center of curb stop to the District’s water main. The property owner shall be responsible for the maintenance of the water service, from the center of curb stop to their building.”***

**Recommendation: That Council proceed with 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings of “District of Barriere Water System Bylaw No. 189, Amendment Bylaw No. 219”.**

Prepared by: Paul Amos, Senior Utilities Specialist

Reviewed by: Bob Payette, CAO

*\*attachment: Draft Bylaw No. 219*

DISTRICT OF BARRIERE

**DRAFT** BYLAW NO. 219

**A BYLAW TO AMEND  
“District of Barriere Water System Bylaw No. 189”**

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The Council of the District of Barriere, in open meeting assembled, enacts as follows:

1. “*District of Barriere Water System Bylaw No. 189*”, is hereby amended by the replacing the following section:

***6.11 The District shall be responsible for the maintenance of the water service from connection at property line to the District’s water main. The property owner shall be responsible for the maintenance of the water service on their property, from the connection at property line to their building.***

with:

***6.11 The District shall be responsible for the maintenance of the water service from the center of curb stop to the District’s water main. The property owner shall be responsible for the maintenance of the water service, from the center of curb stop to their building.***

2. This Bylaw shall be cited for all purposes as “*District of Barriere Water System Bylaw No. 189, Amendment Bylaw No. 219.*”

Read for a first time the                                      day of                                      , 2022

Read for a second time the                                      day of                                      , 2022

Read for a third time the                                      day of                                      , 2022

**Adopted on the                                      day of                                      , 2022**

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Mayor Ward Stamer

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T. Buchanan, Corporate Officer