

Bylaw No. 8 (2007)

**A Bylaw Of The Town of Bienfait In The Province of Saskatchewan  
To Provide For Connections To Municipal Systems Of  
Sanitary Sewers**

**THE COUNCIL OF THE TOWN OF BIENFAIT, UNDER *THE LOCAL IMPROVEMENTS ACT*, 1993, IN THE PROVINCE OF SASKATCHEWAN,  
ENACTS AS FOLLOWS:**

**SECTION 49**

1. All owners of property in the municipality, or in any defined part of the municipality, whether occupied or not, shall be required to connect the property with the municipal systems of sanitary sewers.
2. The connections must be of the type approved by the municipality as constructed or as they may be extended from time to time.
3. This section applies only to property owners, a portion of whose land is benefiting from the sanitary sewer.
4. Where the council has passed a bylaw pursuant to subsection (1) of *The Local Improvements Act*, 1993, the council shall give each owner of property required to have work done pursuant to the bylaw notice as provided by Section 15 of *The Local Improvements Act*, 1993, of:
  - (a) its requirement;
  - (b) the consequences of failing to comply; and
  - (c) the owner's right to appear before council at its next meeting to state reasons why the work required to be done should not proceed.
5. An owner of property required to have work done pursuant to a bylaw pursuant to subsection (1) may appear before the council, at its next meeting after receipt of the notice referred to in subsection (4), to dispute the requirement or otherwise to show cause why the work required to be done should not proceed.
6. Where an owner has satisfied the council pursuant to subsection (5) that all or part of the work should not be proceeded with, the council may rescind or amend its decision.
7. Where an owner of a property has failed:
  - (a) to comply with the requirement of the council pursuant to subsection (1);

or

- (b) to comply by requesting connection pursuant to section 50 of *The Local Improvements Act, 1993*;

within 90 days of the publication notice of any greater period to time specified in the bylaw, the council may cause the required connection to be made as a local improvement pursuant to section 11 of *The Local Improvements Act, 1993*, and other relevant provision of this Act.

8. The amount to be assessed against each lot with respect to a sewer connection is the cost of making the connection from the centre of the street to the building, whether or not the sewer main is laid in the centre of the street, unless the council, by bylaw, prescribes some other method of assessment.
9. Section (42) of *The Local Improvements Act, 1993* applies, with any necessary modification, with respect to:
  - (a) the raising of temporary loans; and
  - (b) borrowing on the credit of the municipality at large by way of debenture;

to defray the cost of any connection undertaken under this section.

#### SECTION 50

1. The council may pass bylaws providing:
  - (a) that, on the written application of the owners of benefiting lots, sewer connections may be constructed from the sewer main to the street line or to any building or buildings on the lots; and
  - (b) for assessing the costs of the connections against the properties affected.
2. The council, for the purpose of paying for the connections in the first instance and before any connection is made, may borrow moneys on the credit of the municipality at large and issue debentures for the borrowing.
3. It is not necessary to pass bylaws imposing special assessments on individual properties connected but the assessments may be made under the terms of a bylaw of general application.
4. The amount to be assessed against each lot with respect to a sewer connection shall be calculated as from the centre of the street whether or not the main to which the connection is made is laid in the centre of the street.

5. The assessment may be paid by the owner in a lump sum or in any number of annual instalments, as the council may prescribe, and in fixing the amount of the annual instalments, moneys sufficient to cover interest at a rate determined by the council may be added.
6. Each annual instalment prescribed by the council pursuant to subsection (5) of *The Local Improvements Act, 1993* shall be added to and form part of the taxes on the land on which the connection is made.

#### PENALTY CLAUSE

1. Under Section 61 (1) of *The Local Improvement Act, 1993*, every person who fails to comply with or contravenes any provision of this bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than \$500, and in the case of a continuing offence to a further fine of not more than \$75 for each day during which the offence continues.
2. The provision of this section apply in addition to any provisions to which a person may be subject to pursuant to the appropriate municipal Act.

THIS BYLAW shall come into force and have effect from and after the date of the final reading thereof.



Certified a true copy of bylaw  
Number 8 (2007) adopted by  
resolution on the 22  
day of October 20 07.

Garry Hammett  
Mayor

L. M. K. K. K.  
Administrator

Sections 49, 50, 61 of *Local Improvements Act, 1993*