



CITY OF DAUPHIN

BY-LAW NUMBER 08/2005

BEING A BY-LAW TO AMEND THE CITY OF DAUPHIN BY-LAW NO. 3823 AS AMENDED BY BY-LAW NO. 3919 AND BY-LAW NO. 4012 RESPECTING THE MANAGEMENT AND REGULATION OF THE CITY OF DAUPHIN WATER AND SEWER UTILITY SYSTEM

WHEREAS Section 232(1)(L) of the *Municipal Act* (L.M. 1996 c.58 – Chap 225) provides authority for a municipality to pass bylaws respecting public utilities;

AND WHEREAS it is deemed expedient to amend By-law Number 3823 respecting the management and regulation of the City of Dauphin Water and Sewer Utility System;

NOW THEREFORE THE COUNCIL OF THE CITY OF DAUPHIN IN SESSION ASSEMBLED ENACTS AS FOLLOWS:

Amend Clause 2, Paragraph 5 as follows:

2. The owner shall be responsible for the removal of blockages in the sewer service pipe and the sewer service pipe connection:
 - (a) The City may from time to time visually inspect the condition of the sewer service pipe using closed circuit television camera (CCTV) equipment. The owner of the premises shall allow City workers access to the sewer service cleanout in his premises for purposes of performing the sewer service inspection;
 - (b) The City will visually inspect the internal condition of the sewer service pipe to determine the condition of the pipe and where root infiltration is evident, determine the location along the sewer service pipe where the root infiltration is occurring;
 - (c) Where the sewer service pipe is found to be in such a deteriorated condition as to likely result in internal blockage of sewer flows or root infiltration is evident and this condition exists within the boundaries of the owners property then the cost of clearing the blockage and inspecting the condition of the sewer service pipe shall be born by the owner of the premises;

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- (d) Where the sewer service pipe is found to be in such a deteriorated condition as to likely result in internal blockage of sewer flows or root infiltration is evident and this condition exists within the boundaries of the public right-of-way, then the cost of clearing the blockage and inspecting the condition of the sewer service pipe shall be born by the City;
- (e) Where the sewer service pipe is found to be in such a deteriorated condition as to likely result in internal blockage of sewer flows or root infiltration is evident and this condition exists within the boundaries of the owner's property and the public right of way, then the cost of clearing the blockage and inspecting the condition of the sewer service pipe shall be born equally by the Owner of the premises and the City.

DONE AND PASSED by Council of the City of Dauphin in Regular Session assembled, this 21st day of March A.D., 2005.

Alex Paul, Mayor

Brad D. Collett, Chief Administrative Officer

READ A FIRST TIME this 7th day of March A.D., 2005.

READ A SECOND TIME this 21st day of March A.D., 2005.

READ A THIRD TIME this 21st day of March A.D., 2005.