

# THE TOWN OF THE CITY OF DAWSON

## BYLAW #06-17

**A Bylaw to provide the rates, terms, and conditions relating to the water and sewer system of the City of Dawson.**

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**WHEREAS** Section 247(a) of the *Municipal Act*, (R.S.Y. 2002), provides that Council may by Bylaw impose and collect fees, utility charges, fines and penalties as considered necessary by Council, and

**WHEREAS** Section 247(b) of the *Municipal Act*, (R.S.Y. 2002), provides that Council may by bylaw take into revenue fines, and any charges for the operation of any services or utilities under the control of council, and

**WHEREAS** it is deemed expedient to replace City of Dawson Bylaw #02-01 being the Water and Sewer Bylaw, and amendments thereto, and

**NOW THEREFORE**, The Council of the Town of the City of Dawson, in open meeting assembled, hereby ENACTS AS FOLLOWS:

### A. SHORT TITLE

This Bylaw may be cited as the "**WATER AND SEWER BYLAW**".

### B. DEFINITIONS

In this Bylaw wherever the male gender is specified it shall be interpreted as including both male and female as applicable; and

In this Bylaw and the schedules attached hereto, unless the context requires otherwise:

- 1) "City" means the Town of the City of Dawson.
- 2) "City service" or "City service pipe" means the portion of pipe, fittings, valves, valve boxes and manholes located between the sewer or water main and the property line.
- 3) "Commercial service" means the provision of water and sewer services to any premise other than premises:
  - a) that are occupied and used primarily for personal, family or household purposes;
  - AND
  - b) that are occupied by their owners.
- 4) "Consumer" means any "real property owner" who receives water supplied by the City.
- 5) "Council" means the Municipal Council of the Town of the City of Dawson.
- 6) "Dwelling Unit" means one (1) or several rooms constituting a self-contained unit and used or intended to be used together for living and sleeping purposes by one (1) household.

- 7) "Dwelling Single Family" means a detached building containing only one (1) dwelling unit designed exclusively for occupancy of one (1) family and that includes a modular home.
- 8) "Dwelling", "Duplex" or "Semi-detached" means a building designed exclusively and for the occupancy of two (2) families living independently of each other either above or below or side-by-side.
- 9) "Dwelling multi-family" means a building devised of three (3) or more dwelling units as above described, each of which is occupied or intended to be occupied as a permanent house or residence of one (1) family and shall be included amongst others, apartments, terrace or row houses, as distinct from a boarding or rooming house, hotel or motel.
- 10) "Futures" means an existing water or sewer service from the main to the property line or any portion thereof.
- 11) "Institution" means:
  - a) a public building, or buildings of any recognized governmental, quasi government body or other decision body, including all federal and territorial government buildings; or
  - b) unless otherwise specifically provided for in this Bylaw, all buildings designed, adopted or used for medical, surgical, charitable, or other treatment or care of persons, and shall include, without prejudice to the generality of the foregoing, a school, college, museum, children's home, home for the aged or infirm, monastery, nunnery, or religious retreat, correctional institution, training school, and all such other uses.
- 12) "Local Improvement" means any or all of the following:
  - a) Opening, widening, straightening, extending, grading, levelling, diverting or paving the street.
  - b) Constructing a sidewalk for crossing, curbing, gutter, bridge, culvert or embankment forming part of the street or constructing a system of storm drainage.
  - c) Making, evening, enlarging or lengthening culverts, sewer and water mains.
  - d) Making sewer and water service connections from a main in the street line or from land abutting a main.
  - e) Constructing a conduit for wires or pipes on order under a street.
  - f) Providing other services necessarily found in organized communities including among other things:
    - i) Constructing underground electrical, telephone and other communications systems; and/or
    - ii) Constructing ornamental street light standards and underground conductors.

- g) Reconstructing or replacing any of the work so mentioned above.
- 13) "Manager" means the Chief Administrative Officer of the City.
  - 14) "Meters" means meters and all other equipment and instruments supplied and used by the City or authorized by the City to be used to calculate the amount of water consumed on the premises.
  - 15) "Person" includes a partnership, a firm, or a body corporate.
  - 16) "Private Service" or "private service pipe" means the portion of sewer or water pipe located between the property line and the building being serviced.
  - 17) "Property Line" means a line which defines the perimeter of a lot (a site or parcel of land) which has frontage on a highway/street and is legally defined either by registered plan or description.
  - 18) "Property Owner" means the owner as registered with the Registrar of the Yukon Land Titles Office or the owner's authorized representative.
  - 19) "Superintendent" means Superintendent of Works of the City or duly authorized representatives.
  - 20) "Rate Schedule" means the rate schedule attached hereto as Appendix "A" and forming part of this bylaw.
  - 21) "Registered owner" means any person registered as owner of real property in the Land Titles Office for the Yukon Land Registration District.
  - 22) "Rental Room" means a room which contains sleeping facilities and may contain either sanitary facilities or cooking facilities but not both.
  - 23) "Residential" means a privately owner occupied dwelling unit used as a permanent residence which may include a suite rented to another person. A housing unit titled to a corporate entity is for the purpose of this Bylaw considered to be a commercial residential service.
  - 24) "Senior Citizen" means a person who on or before March 31 of the year for which a subsidy is provided has reached the age of sixty (60) years.
  - 25) "Sewer" means a building sewer that may conduct sewage and clear water waste, but not storm water.
  - 26) "Sewer and Water Utility" means the systems of water supply and water works, and sewage collection and disposal, owned and operated by the City, including mains, intermediate mains, service pipes, fire hydrants, meters, services, and all other accessories and appurtenances, thereto.
  - 27) "Sewer Mains" means those pipes installed by the City in streets for the collection and disposal of sewage and clear water waste, but not storm water, to which a sewer service may be connected.

- 28) "Sewer Service" means the pipe used or intended to be used to conduct sewage and clear water waste, but not storm water, from a building to a sewer main.
- 29) "Shut Off" means an interruption in or discontinuance of the supply of water.
- 30) "Sprinkling" means the distribution of water to the surface or subsurface of lawns, garden or other areas situated outside buildings by pipes, hoses, sprinklers or any other method.
- 31) "Street" or "Streets" shall include all highways, roads, lanes, alleys, avenues, easements, thoroughfares, utility lots, drives, bridges and ways of public nature, sidewalks, boulevards, parks, public squares and other public places unless the contrary is herein expressed or unless such construction would be inconsistent with the context of this bylaw.
- 32) "Water Main" means those pipes installed by the City in streets for the conveyance of water throughout the City, to which a water service may be connected.
- 33) "Water Outlet" shall include but not necessarily be limited to a sink, a bath tub, a toilet, a shower stall, a water fountain or a free standing water tap.
- 34) "Water Service" means a pipe used or intended to be used for supplying water, and which extends from a water main to a meter or a building being serviced.

### **C. RESPONSIBILITIES AND CONDITIONS**

- 1) The sewer and water utility of the City, together with the sale of water, shall be under the management and control of the Superintendent of Works.
- 2) The Superintendent of Works shall exercise the powers and perform the duties with respect to the sewer and water utility as conferred and placed upon him by this and any other bylaw of the City applicable thereto, and any other direction of the Manager or Council with respect thereto.
- 3) The Superintendent of Works has the authority to shut off water for any consumer or consumers, when in the opinion of the Superintendent of Works it is necessary to do so to properly maintain, repair, renovate or operate the water utility, provided that the Superintendent of Works shall, when it is practical to do so, give due notice of such shutting off.
- 4) The City guarantees neither pressure nor the continuous supply of water, and the City reserves the right at any and all times without notice, to change the operating water pressure and to shut off water, and neither the City, its officers, employees, nor agents shall be liable for any damage or other loss caused by changes in water pressure, or for the shutting off of water, or by reason of the water containing sediments, deposits, or other foreign matter.
- 5) Persons requiring a continuous and uninterrupted supply, or constant pressure of water, or having processes or equipment that require particularly clear or pure water, shall at their own cost provide such facilities as they require to ensure a continuous and uninterrupted supply, pressure, or quality of water, as required for their use.

- 6) The Superintendent of Works may, as a condition to the supply of water, inspect the premises of any person who applies to the City for such supply, in order to determine if it is appropriate to supply water to such premises, and whether such premises comply with all relevant bylaws of the City and Ordinances of the Yukon Territory.
- 7) The Superintendent of Works may, with the permission of the occupant, inspect the premises of any consumer in order to perform any tests on piping or fixtures in or on such premises in order to determine whether this bylaw is complied with and in the event that such occupant fails or refuses to give such permission, the supply of water to those premises may be shut off.

**D. SPRINKLING**

- 1) The Manager may at such times and for such length of time as considered necessary or advisable, regulate, restrict or prohibit sprinkling to reduce water usage during time of short supply.
- 2) The Manager may cause the water supply to any person who causes, permits or allows sprinkling in contravention of any regulation, restriction or prohibition to be shut off until such person undertakes to abide by and comply with such regulation, restriction or prohibition and has paid to the City the fee for reinstatement of service as designated in the rate schedule.

**E. ACCESS, DISCHARGE, DISTRIBUTION & DISTURBANCE**

- 1) No person shall operate, use, interfere with, obstruct or impede access to the sewer and water utility or any portion thereof in any manner not expressly permitted by this bylaw.
- 2) No person shall cause, permit or allow the discharge of water so that it runs to waste or is useless, whether by reason of leakage from underground piping, faulty plumbing, or otherwise.
- 3) Notwithstanding the previous subsection, the Superintendent of Works may, under such conditions as he considers reasonable, allow a person to discharge water so that it runs to waste if such person's water service would otherwise be in danger of freezing.
- 4) No person shall sell or distribute water unless specifically licensed to do so.
- 5) Any person who contravenes any part of this section shall forfeit any right to be supplied with water until such contravention has been corrected, after receipt of notice where it is practical to give such notice.
- 6) No person shall cause, permit or allow apparatus, fitting or fixture to be or to remain connected to his water supply system, or allow his water system to be operated in such a manner as to cause noise, pressure surges or other disturbances which result in annoyance or damage to other consumers or the water utility. The Superintendent of Works may cause the water supply to any person contravening the provisions of this section to be shut off, provided that the Superintendent of Works shall, if it is practical to do so, give notice to such person prior to water supply being shut off. The water supply to any such person shall not be restored until such time as the problem has been

corrected and that person has paid to the City the fee for reinstatement of service as designated in the rate schedule.

- 7) No special waste or Hazardous waste (ie: gasoline, oil) shall be poured or otherwise discharged into any sanitary or storm sewer.
- 8) Every building or premises used for the purpose of commercial garage or service station, or for the business of washing or lubricating motor vehicles, shall be provided with a readily accessible sand trap and sump. The design of such sand trap and sump are to be approved by the Building Inspector.
- 9) All plumbing when constructed and connected to the City mains shall conform to the Plumbing code. In addition, the main sewage drain from a building shall be fitted with a clean-out extension of a minimum four (4) inch diameter which:
  - a) extends beyond an exterior wall of the building so that it is readily accessible without having to crawl under the building, and
  - b) may have bends in the line of no more than 45° (degrees), and
  - b) must be approved by the City Public Works Superintendent.

#### **F. WATER DELIVERY**

- 1) The Manager may cause water to be delivered every week to any household within the City but not within the piped water service area upon advance payment of the prescribed monthly fee.
- 2) The Manager may, on reasonable grounds, designate delivery days.
- 3) Any permanent change to delivery days, shall be advertised within the community by the Manager through any means feasible.
- 4) The Manager may cause special deliveries of water to be made.
- 5) A member of a household requesting water delivery shall advise the Manager of the exact location where water is to be delivered.
- 6) To allow for scheduling of deliveries, one-month notice is required from parties requesting new deliveries and requesting any changes to existing deliveries. This notice shall be made in writing on a City of Dawson work request.
- 7) A member, or members of a household requesting water delivery shall provide free and clear access for the delivery truck to within not more than 30 feet of the point of delivery.

#### **G. METERS / BLEEDERS**

- 1) Water supplied by the City through a private service equipped with a water meter may at the option of the Superintendent of Works be measured by the flat rates shown in schedule "A".

- 2) If a meter reading is disputed by either the City or a consumer, the meter shall be tested by a qualified person delegated by the City. If the meter is found to be accurate within 98.5% to 101.5% of water passing through the meter, the expense of such test, at cost, shall be borne by the party giving such notice. If the meter is found not to be accurate within the above limits, it shall be repaired or replaced by another meter at the expense of the City. If a meter is found not to be accurate within the above limits, accounts based upon the reading of that meter for the maximum of three bills rendered immediately preceding the date of such test shall be corrected in proportion to the inaccuracy found, after which the consumer shall pay or there shall be refunded to the consumer as the case may be, the amount so determined, such refund or repayment to be in full settlement to the date thereof of all claims on account of such inaccurate meter.
- 3) Every owner and occupier of premises connected to the water utility shall, when a water meter is installed, provide free and convenient access to the meter by authorized City personnel for purposes of obtaining meter readings, performing inspections and carrying out replacement and repairs.
- 4) If, upon the reading of a meter, it is determined that the meter has failed to properly record the flow of water, the City shall estimate the flow and render an account based upon such method as he considers to be fair and equitable which in no case shall exceed the average monthly flow for the previous three months.
- 5) The meters of all consumers shall be read at intervals as determined by the Superintendent of Works. In the event that any meter cannot be read as aforesaid the City shall estimate the flow of water upon such basis as he considers to be fair and equitable and render an account in accordance with such estimates.
- 6) If a meter seal installed is broken, the occupant of the premises shall notify the City within 24 hours. Failing such notification the Superintendent of Works upon discovering the break may cause the water supply to such premises to be shut off until satisfactory arrangements have been made for the calculation of any payment for water supplied and not recorded on the meter, and there has been paid to the City the fee for reinstatement of service as designated in the rate schedule.
- 7) Every consumer shall provide adequate protection against freezing, heat, and vandalism, for any water meter and remote read-out supplied by the City.
- 8) No bypass of the water meter shall be permitted without the approval of the Superintendent of Works.
- 9) All buildings constructed following the passing of this Bylaw shall allow for provisions to install a water meter.
- 10) Every owner or occupier of premises connected to the water utility shall provide free and convenient access by authorized City personnel or authorized contractors for the City of Dawson for the purpose of installing a meter / bleeder system.

## H. SERVICE INSTALLATIONS

- 1) Any person who desires a new sewer or water service installation from the City main to the property line shall apply in writing to the City on a form supplied by the City for that purpose, not less than 14 working days prior to requiring the service. The City reserves the right to perform any of the required work with respect to the water system or water service connection within the right-of-way. Unless the Superintendent of Works otherwise approves, there shall be no more than one service to any building or site.
- 2) Any new service hooked up to the water and sewer system shall require a water meter and a fixed orifice bleeder device. The water meter, meter horn if required, fixed orifice bleeder device, brass sediment strainer and nylon bleeding line shall be provided by and remain property of the City of Dawson. All other plumbing parts are to be provided by and remain property of the property owner. The installation shall be performed by the applicant and must be inspected and approved by the building inspector prior to water being turned on by the City. The water meter must be installed horizontally as per figure #1 in Appendix "B".
- 3) Where a sewer or water futures service is in place and the charge for this installation has not already been made either directly or as a local improvement charge payable with respect to that property, the cost of the service installation as designated in the rate schedule shall be paid by the applicant prior to the installation being made.
- 4) The full cost of every sewer or water service installation from a main to a property line after the first such installation to each property shall be paid by the applicant prior to the installation being made, and such costs shall include, in addition, to the amounts designated in the rate schedule, the cost of returning the road surface to its original condition.
- 5) The City Works Department under authority of the Superintendent of Works may, with the consent of the owner, install a private service pipe and charge the cost thereof to the property owner who shall pay the full estimated cost to the City prior to the installation of such private service.
- 6) All installations approved and permitted shall be made under the direction and supervision of the Superintendent of Works.
- 7) If an applicant wishes to install a service himself from the property line to termination on property he shall:
  - 1) be permitted to do work to install service only during normal work hours of the City of Dawson Public Works Department;
  - 2) should City lines be damaged, City forces will do the repairs, all costs of which will be borne by the applicant;
  - 3) use only material approved by the Public Works Superintendent;
  - 4) allow the Public Works Superintendent to be on-site at all times during the installation of the services; and

- 5) pay the cost of inspection. Costs shall be based upon current third party rates. The inspection will involve viewing the work a maximum of four (4) times at the following stages of construction:
  - (a) inspection when main is bare and has been tapped;
  - (b) when sand bedding is in place;
  - (c) when ditch is 50% full and is compacted; and/or
  - (d) when backfill is completed.

#### **I. INTERRUPTION OF SERVICE**

- 1) Any property owner complaining of a failure or interruption of a water supply or sewer service, the investigation of which complaint necessitates the opening up and excavating of a street, shall, prior to such opening up and excavating, sign a work order in the prescribed form. In the event that such failure or interruption was caused by a defect in the private service, or was a result of misuse or negligence on the part of the property owner or occupant as determined by the Superintendent of Works, the actual cost of such work shall be paid by the property owner, and shall be collectible in the same manner as water rates.
- 2) The cost of thawing a frozen water service shall be borne as follows:
  - a) By the property owner if the City service or private service is frozen, and such freeze-up is not a result of a frozen main or an interruption in the supply of water through the main, as determined by the Superintendent of Works.
  - c) By the City if the City service or private service is frozen as a result of a frozen main or as a result of an interruption in the supply of water through the main, as determined by the Superintendent of Works.
- 3) The City shall not thaw a private service or plumbing system unless the property owner shall first have signed an acknowledgement in a prescribed form, recognizing that thawing may be inherently dangerous to property including the private service or plumbing system, and may cause damage to electrical systems or the outbreak of fire, and waiving any claim against the City for any damage whatsoever.
- 4) The cost of thawing or clearing any obstruction in a sewer service shall be borne as follows:
  - a) By the property owner if the City service or private service is frozen or obstructed due to grease, dirt, or improper use of the fixtures within the premises, or as a result of misuse or negligence on the part of the property owner or occupant, or for any other reason not related to failure or interruption of the City service as determined by the Superintendent of Works.
  - b) By the City if the City service or private service is frozen or obstructed as a result of failure, malfunction or interruption of the City service as determined by the Superintendent of Works.

## **J. GREASE TRAPS**

- 1) All water entering the sewer system from restaurants, or any other commercial area where food is prepared or greasy dishes and/or utensils washed, or any other area so designated by the Superintendent of Works must first pass through a grease trap.
- 2) Where a grease trap is required under J(1) the said trap shall be maintained in good working order at all times to the satisfaction of the Superintendent of Works.
- 3) Grease traps shall be cleaned on a regular basis as required to prevent the entry of grease into the sewer system.
- 4) Notwithstanding J(3), in no case shall frequency of cleaning be less than once per week.
- 5) The Superintendent of Works shall, as a condition of continued supply of water, inspect grease traps to ensure compliance with this Bylaw.
- 6) In the event that a property owner is required to have a grease trap under J(1) fails or refuses to install a grease trap or to allow regular inspections of grease traps, the supply of water to those premises shall be shut off without further notice until the property owner undertakes to abide by and comply with this Bylaw and has paid to the City the fee for reinstatement of service as designated in the Rate Schedule.
- 7) Where failure to comply with the provisions of this section results in restricted or obstructed flow in any part of the sewer system, the Superintendent of Works may have the sewer line flushed or other repairs effected, and the costs of such activity shall be paid by the contravening property owner as outlined in the rate schedule.

## **K. GENERAL PROVISIONS**

- 1) Application for initial supply shall be made in writing to the City upon the form supplied by the City for that purpose.
- 2) The provision of sewer and water service to every consumer or property owner shall at all times be subject to the terms and conditions set out in this bylaw and the changes designated in the rate schedule.
- 3) Following notice by a property owner to discontinue service, the City shall shut off the water supply as soon as reasonably practical and the property owner shall pay all the rates and charges payable hereunder for that year, including the cost of such shut off, as designated in the rate schedule.
- 4) All applications for reconnect or disconnect shall allow a minimum of 5 working days before such application is to become operative.
- 5) The supply of water to any property owner may be shut off for any or all of the following reasons:
  - a) repair
  - b) want of supply
  - c) non-payment of account

- d) defective piping
  - e) breach of this Bylaw where specified
  - f) for any other reason necessary for the proper operation of a water supply system as determined by the Superintendent of Works.
- 6) If a property owner requires the supply of water to be shut off or turned on for his own purposes, he shall pay therefore the amount specified in the rate schedule.
- 7) To ensure that an undue burden is not placed on residents of the community all building permit applications shall state the impact the anticipated new building(s) or addition to present building(s) will place on the municipal infrastructure. Should the impact be significant as determined by the City, the property owner shall enter into a development agreement with the City prior to issuance of a building permit.

#### **L. RATES, TERMS & CONDITIONS FOR WATER AND SEWER**

- 1) Each property owner shall pay for all water and sewer services supplied as set out in the rate schedule.
- 2) All accounts, including interim accounts for sewer and water service, shall be due and payable when rendered.
- 4) Where a service rate or change is designated to have a minimum charge for a certain time, the charge for a lesser period of time shall in no case be less than that minimum.
- 5) The registered property owner of real property within the City shall be liable for all rates and fees charged and/or payable under this Bylaw with respect to their property.
- 6) The registered property owner shall be charged the flat rate together with any appropriate surcharge where applicable.
- 7)
  - i. For any property not able to qualify for the water and sewer subsidy and where no change is made to the rate schedule or penalty deadlines in the current year, the City shall render water and sewer accounts for the entire calendar year in the first quarter of each calendar year.
  - ii. For any property not able to qualify for the water and sewer subsidy and where a change is made to the rate schedule or penalty deadlines in the current year, the City shall render water and sewer accounts for the entire calendar year within thirty (30) days of Council's approval of the change or by the end of the first quarter of the year, whichever is latter.
- 8) For any property able to qualify for the water and sewer subsidy, the City shall render water and sewer accounts on a quarterly basis as follows;
  - 1<sup>st</sup> Invoice – no later than January 15<sup>th</sup>
  - 2<sup>nd</sup> Invoice – no later than March 15<sup>th</sup>
  - 3<sup>rd</sup> Invoice – no later than August 15<sup>th</sup>
  - 4<sup>th</sup> Invoice – no later than October 15<sup>th</sup>

- 9) A private non Government property owner, who is invoiced for water and sewer at the residential rate shall be eligible to receive water and sewer subsidy, as set out in Appendix "A", for each individual residential dwelling unit providing his account is paid in accordance with section 2.00 of Appendix "A".
- 10) A property owner who is a senior citizen and who is invoiced for water and sewer services at the residential rate shall be eligible to receive additional water and sewer subsidy, as set out in Appendix "A", for their principal residential dwelling unit providing their account is paid in accordance with section 2 of Appendix "A".
- 11) Water and sewer accounts not paid by the 30th day of November of the year rendered may be shut off and/or disconnected without notice. Such an account shall not be reconnected until the City is in receipt of not only the outstanding balance but also the following year's account estimated by the City.
- 12) In any case in which the City has rendered an account based upon an estimate, the City shall, upon determining the correct amount in respect of which the estimate was made, credit all amounts received from the property owner in respect of such estimated account, and render an account or issue a refund for the difference, as appropriate.
- 13) A 10% Penalty will be applied to all unpaid accounts after their respective due dates.
- 14) Payment Due Dates are as follows:
  - a) Government accounts, which are annually billed, are due within thirty (30) days of receipt of invoice.
  - b) Non government residential accounts, which are billed as per section L(8) above, are due as follows:
    - 1<sup>st</sup> quarter invoice: February 28<sup>th</sup>
    - 2<sup>nd</sup> quarter invoice: April 30<sup>th</sup>
    - 3<sup>rd</sup> quarter invoice: September 30<sup>th</sup>
    - 4<sup>th</sup> quarter invoice: November 30<sup>th</sup>
  - c) Commercial and all other accounts, which are annually billed, are due on August 31<sup>st</sup>.

#### **M. RATES, TERMS & CONDITIONS FOR WATER DELIVERY**

- 1) The fee for water delivery to a household within Dawson Proper but not within the piped water service area, as well as the Dome Subdivision shall be as set out in Appendix "A", payable in advance of any delivery.
- 2) Senior Citizens (60 years of age or older) applying for water within the City shall receive a discount of forty percent (40%) of fees herein prescribed, provided that:
  - a) Proof of age is provided as deemed necessary by the Manager;  
AND
  - b) Where the Senior Citizen is the real property owner and the residence is owner-occupied.

**N. APPENDICES**

- 1) Appendix "A", which may be referred to as the "Rate Schedule", is attached to this Bylaw, forms part of the Bylaw and is to be read in conjunction with it; and Appendix "B" is attached to this Bylaw, forms part of the Bylaw and is to be read in conjunction with it.

**O. CONTRAVENTION**

- 1) Every person who violates any of the provisions of this Bylaw, who fails to comply with an order made pursuant to this Bylaw, or who suffers or permits any act or thing to be done in violation of any of the provisions of this Bylaw, commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars (\$500.00) or to imprisonment for a term not exceeding six (6) months, or to both fine and imprisonment.
- 2) Where an offence is committed or continued on more than one (1) day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
- 3) A Judge before whom any person is convicted of an offence under this Bylaw may, in addition to assessing a penalty, order that any non-compliance with this Bylaw or the Code be corrected within such time as the Judge in his discretion may allow, at the expense of the person so convicted.

**P. VALIDITY and CONFLICT**

- 1) The invalidity of any section, clause, sentence, or provisions of this Bylaw shall not affect the validity of any other part of this Bylaw, which can be given effect without such invalid part or parts.
- 2) Where any provision or provisions of this Bylaw conflict with any provisions of any other Bylaw of the Municipality, this Bylaw will prevail.

**Q. REPEAL**

Bylaws #02-01, #02-06, #02-15, #03-21, #04-05 are hereby repealed.

**R. EFFECTIVE DATE**

This Bylaw shall be deemed to have been in full force and effect upon the final passing thereof.

READ A FIRST TIME THIS 19<sup>TH</sup> DAY OF DECEMBER, 2006.

READ A SECOND TIME THIS 23<sup>RD</sup> DAY OF JANUARY, 2007.

READ A THIRD TIME AND FINALLY PASSED THIS 6<sup>th</sup> DAY OF FEBRUARY, 2007.

John Steins,  
MAYOR

Paul Moore,  
CITY MANAGER

