THE CITY OF WINNIPEG

BY-LAW NO. 179/2004

A By-law of THE CITY OF WINNIPEG to amend By-law No. 7070/97, being the "Sewer By-law".

THE CITY OF WINNIPEG, in Council assembled, enact as follows:

1. By-law No. 7070/97 is hereby amended by deleting Section 13(7) thereof and substituting therefore the following:

"13(7) Cost of Installation and Maintenance

(a) The *Owner* of the *premises* serviced is responsible for the cost of installation and maintenance, including replacement, of every *sewer* from the *premises* to the *common sewer*.

(b) Upon application to the *City*, an *owner* may receive financial assistance from the *City* for the repair or renewal costs of a *wastewater sewer* under the City *street*, in accordance with the provisions of Schedule "B"."

2. By-law No. 7070/97 is hereby further amended by deleting Schedule "B" thereof and substituting therefore the following:

"SCHEDULE "B"

This is Schedule "B" to By-law No. 7070/97 of The City of Winnipeg.

In accordance with Subsection 13(7) of this by-law, the *City* shall bear that portion of the reasonable costs of repair or replacement of a *wastewater sewer* exceeding the sum of $500.00 for owner occupied single family dwellings or a duplex unit one half of which is owner occupied and exceeding the sum of $1,000.00 for all other properties, as approved by the *Sewer Utility* and subject to the following:

(1) The *City's* financial contribution shall only apply to repairs that require excavation of the *wastewater sewer* that is made within the public *street*.

(2) No financial contribution shall be made by the *City* for the purpose of cleaning or other maintenance work which may be required to restore a *wastewater sewer* to use after blockage.

(3) To be eligible for financial assistance, an *owner* shall notify the *Sewer Utility* prior to excavation of the *wastewater sewer* and shall:

(a) provide, where possible, a maintenance history of the *wastewater sewer* with dates and costs to the satisfaction of the *Sewer Utility*; and

(b) undertake, at his/her own expense, an additional attempt to liberate the *wastewater sewer*, without excavation, if so requested by the *Sewer Utility*; and

(c) undertake, at his/her own expense, a sewer video inspection showing the current condition of the *wastewater sewer* piping, if so requested by the *Sewer Utility*; and

(d) provide access, at reasonable times, to the property for inspection.

(4) Payment may be authorized by the *Sewer Utility* only when:

(a) the blockage in the *wastewater sewer* cannot be liberated satisfactorily by auguring from within the property, or

(b) there have been at least four occurrences of the need for the cleaning of the *wastewater sewer* with a frequency exceeding once in nine months, as evidenced by receipts to be provided.

(5) Where one *wastewater sewer* is shared by two or more owner occupied residential premises, only one deductible of $500.00 will be charged on a pro-rata basis.

(6) Where one *wastewater sewer* is shared by two or more residential premises, none of which are owner occupied, there will be only one deductible of $1,000.00 charged on a pro-rata basis.

(7) Where one *wastewater sewer* is shared by one or more owner occupied residential premises and other property, only one deductible of $500.00 will be charged on a pro-rata basis in respect of residential premises and only one deductible of $1,000.00 will be charged on a pro-rata basis in respect of other property"

3. This By-law shall be deemed to have come into force as of the 1st day of January, 2005.

DONE AND PASSED in Council assembled this 24th day of November, 2004.

Mayor

City Clerk

Approved:

Director, Water and Waste Department

Certified as to form:

for City Solicitor/Manager of
Legal Services