



City of
Saskatoon
Office of the City Clerk

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June 17, 2011

His Worship Mayor D. Atchison
Councillor C. Clark
Councillor R. Donauer
Councillor B. Dubois
Councillor M. Heidt
Councillor D. Hill
Councillor M. Loewen
Councillor P. Lorje
Councillor M. Neault
Councillor T. Paulsen
Councillor G. Penner

Dear Members of City Council:

NOTICE OF SPECIAL MEETING OF CITY COUNCIL

Please take note of the following special meeting:

DATE: MONDAY, JUNE 20, 2011

TIME: 12:45 P.M.

PLACE: COUNCIL CHAMBER

The purpose of the meeting is to amend The Waterworks Bylaw to provide for ticketing powers for breach of mandatory water use restrictions. Attached is Administrative Report No. 12-2011 regarding this matter.

Yours truly,

for: **Janice Mann**
City Clerk

JM:jf

cc: City Manager
City Solicitor
Government and Aboriginal
Relations Manager
Director of Human Resources
Special Projects Manager
Communications Manager

General Manager, Community Services Department
General Manager, Corporate Services Department
General Manager, Fire & Protective Services Department
General Manager, Infrastructure Services Department
General Manager, Utility Services Department
Strategic & Business Planning Manager
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His Worship the Mayor and City Council
The City of Saskatoon

ADMINISTRATIVE REPORTS

Section F – UTILITY SERVICES

**F1) Proposed Bylaw Amendment
Waterworks Bylaw No. 7567
(File No.: CK. 7900-1 and WT. 185-1)**

- RECOMMENDATION:**
- 1) that Waterworks Bylaw No. 7567 be amended as outlined in the report; and
 - 2) that City Council consider Bylaw No. 8953, The Waterworks Amendment Bylaw, 2011.

REPORT

Water Treatment Plant – Week of June 13th, 2011

On Monday, June 13th, a clarifier bearing failed at the Water Treatment Plant resulting in the shut-down of the largest of the City's four clarifiers. Clarifiers are used early in the treatment process to chemically and mechanically remove large particles from the raw river water.

At some time over the next 36 hours while the clarifier was being repaired, one of the remaining clarifiers released excessive amounts of fine particles and other matter to the plant's sand filters, which severely reduced plant capacity to between 50% and 60% of normal volumes. Subsequent filter cleaning was much less effective than under typical conditions, and a number of methods were used in an attempt to restore operation of the filters. By mid-day Friday the plant had been restored to approximately 60% of peak capacity and reservoirs were slowly being re-filled, although conditions remained more fragile than normal.

A number of factors contributed to the problems experienced at the Water Treatment Plant. River water flows have resulted in high loading of sand and fine particles, which negatively impact the entire treatment process. The shifting sand in the river bed plugged the effluent line from the clarifiers to the river, which contributed to the clarifier upset conditions that followed the clarifier bearing failure on Monday. Temporary chemical feed systems being used during a construction project complicated efforts to restore clarifier conditions, and additional chemicals used to mitigate the silt loading from the raw water may have contributed to the filter cleaning difficulties.

In 2005, the Water Treatment Plant realized similar problems due to sand loading when river water levels were as high.

There are many redundancies at the Water Treatment Plant, and under normal operating conditions these redundancies are sufficient to satisfy the demand of the City. Peak summer demands can result in the plant operating at or above its rated capacity. There are a number of projects underway at the Water Treatment Plant that will increase the capacity of the plant. The overall plant growth and rehabilitation strategy was approved by Council in 2009, and since that time many projects have begun, designs have been developed, and project tenders will continue to be issued.

Enforcement of Bylaw 7567

On Monday, June 13th, a Public Service Announcement was issued requesting that people voluntarily restrict water usage. Late Wednesday, the City Manager approved a mandatory restriction as requested by the General Manager of Utility Services, following unsuccessful attempts to restore the plant filter system to reasonable operating conditions.

The citizens of Saskatoon responded, and their significant reduction in consumption allowed operations staff to repair the filters. Sand and silt loading from the raw water supply is an ongoing challenge, and will be until river water levels subside.

Through this process, the Administration identified a gap in the City's ability to enforce the mandatory restrictions under the bylaw. The City maintains the right to turn off water to properties that do not comply with the order, but this is problematic. The measure is extreme, and curb boxes (valves) to individual properties are prone to failure due to infrequent operation.

Although the Administration is hopeful the plant will be restored to normal operating conditions by the time this report and bylaw is considered, it is prudent to have this bylaw enforcement ability in place prior to a subsequent order. Although the bylaw does deal with a penalty for non compliance, the Administration views this as a positive measure. Those people who choose to comply voluntarily with an order could become frustrated with neighbours who continue to water their lawns.

The amendments are designed to accomplish three things:

1. Section 51 authorizes the General Manager of the Utility Services Department to declare mandatory water use restrictions where these are required to ensure maintenance of an adequate supply of water to meet the health and safety needs of the community. The measures outlined are intended to deal with the current situation only. Further consideration and subsequent amendment may be required to deal with, for example, breakdown of equipment in winter.

2. The old Section 54 (Penalties) is replaced with an up to date general penalty section (54(1) to (4)).
3. Section 54(5) to (7) allows a notice of violation (ticketing) process to be used, with a voluntary payment of \$300.00 to avoid prosecution.

Fire and Protective Services will enforce the bylaw when mandatory restrictions are in effect.

OPTIONS

Leave the enforcement options as-is and shut off water to individual properties if required.

Adjust the fine amount, either higher or lower.

POLICY IMPLICATIONS

There are no policy implications.

FINANCIAL IMPLICATIONS

The Administration is hopeful that there will be no revenue generated through this bylaw amendment.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications.

PUBLIC NOTICE

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

ATTACHMENT

1. Bylaw No. 8953, The Waterworks Amendment Bylaw, 2011.

Respectfully submitted,

Jeff Jorgenson, General Manager
Utility Services Department

BYLAW NO. 8953

The Waterworks Amendment Bylaw, 2011

The Council of The City of Saskatoon enacts:

Short Title

1. This Bylaw may be cited as The Waterworks Amendment Bylaw, 2011.

Purpose

2. The purpose of this Bylaw is to authorize the General Manager of the Utility Services Department to declare mandatory water use restrictions and to impose penalties for breach of such mandatory water use restrictions.

Bylaw No. 7567 Amended

3. The Waterworks Bylaw, 1996 is amended in the manner set forth in this Bylaw.

Section 51 Amended

4. Section 51 is repealed and the following substituted:

“Mandatory Water Use Restrictions

51. (1) The General Manager of Utility Services Department may declare mandatory water use restrictions when he or she determines that, for any reason, the City is not or may not be able to maintain a sufficient supply of water to meet the health and safety needs of the citizens without imposing such restrictions.
- (2) Mandatory water use restrictions may include any or all of the following:
 - (a) limits upon the hours during which lawns or gardens may be watered;
 - (b) limits upon the days upon which lawns or gardens may be watered;

- (c) prohibiting the watering of lawns or gardens;
 - (d) prohibiting the washing of motor vehicles outdoors; and
 - (e) such further or other water use restrictions as may be necessary in the circumstances.
- (3) A declaration announcing mandatory water use restrictions shall remain in effect for the period of time set out in the declaration, unless sooner terminated or extended by declaration of the General Manager of the Utility Services Department, such period of time to commence and be effective from the time specified in the declaration.
- (4) The General Manager of the Utility Services Department shall inform the general public of the existence of a declaration of mandatory water use restriction using whatever means he or she may deem advisable.
- (5) The General Manager of the Utility Services Department shall report each such declaration of mandatory water use restriction to the next City Council meeting following the declaration.
- (6) A person who contravenes the mandatory water use restriction is guilty of an offence.
- (7) This Section applies to the owner or occupant of any property.”

Section 54 Amended

5. Section 54 is repealed and the following substituted:

“Penalties

54. (1) Every person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction:
- (a) in case of an individual, to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues; and
 - (b) in the case of a corporation, to a fine not exceeding \$25,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the offence continues.

- (2) The court may, in default of payment of a fine imposed under this bylaw of The City of Saskatoon, order imprisonment of an individual for a term not exceeding one year.
- (3) If a person is found guilty of an offence against this bylaw, the court may, in addition to any other penalty imposed, order the person to comply with this bylaw or a licence, permit or other authorization issued under this bylaw, or a term or condition of any of them.
- (4) A person to whom an order is made pursuant to subsection (3) who fails to comply with that order within the time specified by the court is guilty of an offence and liable on summary conviction:
 - (a) in the case of an individual, to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the non-compliance continues; and
 - (b) in the case of a corporation, to a fine not exceeding \$25,000 and, in the case of a continuing offence, to a further fine not exceeding \$2,500 for each day during which the non-compliance continues.
- (5) Notwithstanding 54(1), (2), (3) and (4), in respect of any offence pursuant to subsection 51(6), a peace officer or a bylaw inspector may issue a notice of violation to a person.
- (6) The notice of violation shall provide that, if the person pays The City of Saskatoon the sum of \$300 within 14 calendar days of the date of the notice of violation, the person shall not be prosecuted for the offence. The sum may be paid:
 - (a) in person, during regular office hours, to the cashier located at City Hall, Saskatoon, Saskatchewan;
 - (b) by deposit, at the depository located at the main entrance to City Hall, Saskatoon, Saskatchewan; or
 - (c) by mail addressed to the Office of the City Treasurer, City Hall, 222 – 3rd Avenue North, Saskatoon, Saskatchewan, S7K 0J5.

