

Town of Portugal Cove- St. Philip's

WATER & SEWER SERVICE LINE LEAK POLICY

Pursuant to the authority vested in the Town Council of Portugal Cove- St. Philip's, the following policy was adopted on the 6th day of August 2026.

1.0 TITLE

- 1.1 This document shall be known and cited as the *Water & Sewer Service Line Leak Policy*.

2.0 INTERPRETATIONS

- 2.1 ***“Act”*** shall mean the Towns and Local Service Districts Act.
- 2.2 ***“Town”*** shall mean the Town of Portugal Cove-St. Philip's as defined by Order of Council dated February 1st, 1992.
- 2.3 ***“Council”*** shall mean the duly elected Town Council of Portugal Cove-St. Philip's.
- 2.4 ***“System”*** shall mean the public water supply and sewage system operated and maintained by the Town of Portugal Cove-St. Philip's as the owner and operator of the treatment plant, equipment for procurement, transmission, or delivery of water to the public, and for the collection, conveyance, and disposal of sewage.
- 2.5 ***“Property Owner”*** shall mean any legal owner (person, firm, or corporation) of real property which contracts to be supplied with water and/or sewage disposal by the system.
- 2.6 ***“Domestic Service”*** shall mean the type of service supplied to the owner, occupant or tenant of a space or area occupied for the distinct purpose of a dwelling house, rooming house, apartment, other residence, or commercial establishment.
- 2.7 ***“Service Stub”*** shall mean a service pipe connected to the system and extending to the property line of the Property Owner.
- 2.8 ***“Municipal Master Specification”*** shall mean the Municipal Water, Sewer and Roads Master Construction Specifications, most recent edition.

3.0 GENERAL

- 3.1 This policy shall apply only in the area or areas of the Town in which water and/or sewage service is provided by Council. Section 130 of the Act empowers the Town to impose a water and sewage tax upon the owners of all real property that is either connected to the system or is capable of being serviced by the system. This mandatory provision applies to all real property including all vacant land that is capable of being serviced.
- 3.2 Council shall not be responsible for any loss or damage from flooding by water occasioned by rains storms, thaws, breakage, or blockage of any water main or sewer, or from any cause over which Council has no control.
- 3.3 No work related to water and/or sewage system repair(s) shall commence prior to submission of an application (which must be signed by the Property Owner/contractor) and supplementary documents to the Town for consideration, and issuance of a Permit.

4.0 PROCESS

- 4.1 The Town is to be notified immediately in all cases of suspected water & sewer service line leaks or breaks.
- 4.2 The Town's Water & Sewer staff will investigate to determine if leak or break is present in the domestic and/or service system. If conclusive for water line break, the Town will attempt to locate the break. The Town will check the sewer main to confirm that the mains are flowing as they should.
- 4.3 In the event of a sewer backup to a customer, the property owner is responsible for investigating and finding the cause of the backup.
 - 4.3.1 If the cause of the sewer backup is due to a plug anywhere in the service line, then the property owner will be responsible for clearing the plug.
 - 4.3.2 The property owner, or agent working on their behalf, shall attempt to clear the plug from within the property. If the plug is found to be in the street reservation and it cannot be cleared from within the property, then the Town will dig in the street reservation to clear the plug at the property owner's expense.

4.3.2.1 If the Town is required to intervene, then the Town will provide a cost estimate of the anticipated work which the property owner shall pay upfront. The Town will refund or issue a second invoice as necessary when the final costs are determined.

4.3.3 If the cause of the sewer backup is due to failure in the wall of the sewer line, then the property owner shall be responsible for repairs and costs outside of the Town's property or street reservation. Inversely, if the failure in the wall of the sewer line is within the street reservation, then the Town will repair the line within the street reservation at the Town's expense.

4.3.3.1 The Town will not reimburse the costs incurred by the property owner to investigate or attempt to clear blockages in service lines.

4.3.4 The property owner, or agent acting on their behalf, shall not dig within the Town's street reservation under any circumstances.

4.3 If the break is discovered to be located on the water service line within the street reservation, the Town will perform repairs at its own expense.

4.4 If the break is on the domestic side and not within the street reservation or Town property, the property owner will be responsible for repair of the break in the system.

4.4.1 The contractor hired to perform repair must apply for a permit before commencing any work on the domestic system. This is to allow proper inspection by Town staff on infrastructure.

4.6 If the property owner is unable to perform work due to financial or other reasons within a timeline of 5 business days from discovery and determination of location, the Town must be contacted to advise of inability to perform repair to system. The Town will then contract the work to be completed, and the property owner will be responsible for repayment of costs associated with this repair to the Town on an agreed upon monthly payment or other agreed upon schedule. Failure to do so may result in a lien being placed on the property.

- 4.7 Work must be performed in accordance with the Towns Water & Sewer By-Law, as well as the Municipal Master Specification of the current date. This includes appropriate inspections of installation. Failure to comply with the Towns W&S By-Laws, and the Municipal Master Specification may result in financial penalty or loss of service until such time as compliance is reached.

5.0 PENALTIES

- 5.1 Any person(s) found to be in contravention of the above Policy shall also be deemed in contravention of the Towns Water and Sewer By-Law and shall adhere to sections 6, 7 & 8 of that By-Law.

6.0 REPEALS

- 6.1 None.

7.0 AMENDMENTS

- 7.1 June 17th, 2025, Motion # 2025-222.
7.2 August 6th 2026, Motion # 2026-285.

8.0 INITIAL EFFECTIVE DATE / RESOLUTION

- 8.1 Resolution # 2023-101
8.2 Effective Date: 18 day of April 2023.



Dave Bartlett, Mayor



Claudine Murray, Town Clerk