



Mohawk Council of Kahnawake

Water & Sanitation Policy

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Approved Date:	Policy Owner: Chief and Council Governing Body: Chief and Council
Effective Date:	Policy Author: Water & Sanitation Committee
Review Cycle: 36 months	Inquiries: Portfolio Chief
MCK Strategic Objective: Council of Chiefs’ Political Principles, Holistic Support & Well-Being, 2017/18 - 2021/22 Strategic Plan	

1.0 Context: Objective

1.1. The Mohawk Council of Kahnawà:ke (MCK) is committed to protecting the health and well-being of our community. As a foundation to this commitment, the MCK recognizes the right to drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights. This social policy will provide the guidelines, principles, and activities in providing drinking water and sanitation that affect all Kahnawà:ke ro:non’s quality of life.

Principles

1.2. The right to drinking water entitles everyone to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use.

1.3. The right to sanitation entitles everyone to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, and socially and culturally acceptable and that provides privacy and ensures dignity.

Accountability & Transparency

1.4. This policy is required to ensure compliance with the Kahnawà:ke Sanitary Conditions Law specifically in the protection of drinking waters and sanitation disposal systems.

1.5. The Water and Sanitation Committee, by the authority of the Mohawk Council of Kahnawà:ke, under MCR No. **06/1988-89** shall have the responsibility of overseeing the application of this policy.

1.6. The Finance, Administration, and Operation Committee of the Mohawk Council of Kahnawà:ke is responsible to hear any appeals in the application of this policy as per Chief and Council directive dated December 13, 2011.

Strategy

1.7. The Mohawk Council of Kahnawà:ke has made the health and well-being of our community one of its political priorities within the current strategic plan. This priority includes ensuring that we have the infrastructure available to support and foster our emotional, physical, spiritual, mental health and well-being. This policy aims to ensure support of this priority.

2.0 Application:

2.1. This policy is applicable to any individual, party, or entity that requires water and sanitation services for a structure that is located within the current boundaries of Kahnawà:ke.



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- 3.0 Policy:**
- 3.1. Availability and accessibility to drinking water and sanitation are open to all residents of Kahnawà:ke subject to certain guidelines, requirements, specifications and standards as detailed herein.
 - 3.2. The Mohawk Council of Kahnawà:ke and the property holder/owner are together responsible for the provision of drinking water and sanitation subject to the conditions contained herein.
 - 3.3. All property holder/owners will be encouraged to utilize the centralized water and sewer system where said system is reasonably accessible.
 - 3.4. The Mohawk Council of Kahnawà:ke shall remain owner of all mechanical installations servicing the drinking water and/or sanitation system which the MCK install.
 - 3.5. The Mohawk Council of Kahnawake and the property holder/owner are together responsible for the maintenance of the drinking water and sanitation systems and are together responsible to share the cost of said maintenance on an annual basis in accordance with the terms of an agreement to be entered into between the MCK and property holder(s)/owner(s).

Centralized W&S Network Connections

- 3.6. The property holder/owner is 100% responsible for the associated costs to make a connection to the centralized water and sanitation network.

Non-Centralized W&S Services

- 3.7. In areas where a central system is not reasonably accessible, this policy will govern the installation of a drinking water well and sanitation disposal systems specifically by:
 - 3.7.1. Providing guidelines to establish a water well service **or** installing a water well service, and/or
 - 3.7.2. Providing guidelines to establish a sanitation disposal system or install a sanitation disposal system, and/or
 - 3.7.3. Technical advice, and/or
 - 3.7.4. Estimating costs, etc.
- 3.8. The property holder/owner is 100% responsible for the associated costs to install the water well and sanitation disposal system.
- 3.9. The property holder/owner is 100% responsible for the associated costs for the maintenance of the drinking water and sanitation systems.



W&S Conditional Grant Program

3.10. In order to ensure access and affordable drinking water and sanitation, the MCK through this policy has created a conditional grant program that will financially assist in providing these services. This grant can be used for the installation of either a centralized or non-centralized W&S system. The following criteria will apply to access this program:

- 3.10.1 Applicant/s must be on the Kahnawà:ke Kanien'kehá:ka Registry.
- 3.10.2 Applicant/s must be the land title holder for the lot applying for W&S service.
- 3.10.3 Applicant/s lot must be within the current boundaries of Kahnawà:ke.
- 3.10.4 Applicant/s must be applying for their primary residence.
- 3.10.5 Applicant/s can only receive benefits under this conditional grant program once in their lifetime.
- 3.10.6 The applicant/s lot must be large enough to accommodate proper systems requirements as detailed with the references listed in Section 8.0 of this policy.
- 3.10.7 Applicant/s is/are responsible to pay a flat rate installation cost of \$750.00 for the drinking water and sanitation service.
- 3.10.8 In order to promote the usage of the centralized water and sewer network, this conditional grant program will provide a discounted installation rate for a primary residence that previously had a water well and sanitation system installed by the Mohawk Council of Kahnawà:ke. The applicant's financial participation applicable to these installations will be 50% of the total water and sanitation installation cost up to a maximum of \$1,500.00.

4.0
Consequences:

- 4.1. Noncompliance with this policy will be subjected to terms and conditions as stated within the Kahnawà:ke Sanitary Conditions Law.
- 4.2. Breach of conditions found within Item 7.2 Agreement for Water and Sewer Services will lead to termination of this agreement.

5.0
Foundational
Records and
Documents:

- 5.1. Mohawk Council Resolution No. 06/1988-89 dated July 19, 1988
- 5.2. Mohawk Council Resolution No. 73/1992-93 dated November 9, 1992
- 5.3. Mohawk Council Resolution No. 81/1995-96 dated November 27, 1995
- 5.4. Mohawk Council Resolution No. XX/2018-19 dated XXXXXX rescinding MCR No. 81/1995-96



6.0

**Definitions
 Abbreviations &
 Acronyms:**

Centralized W&S Network Connections: means any connection to Kahnawà:ke’s communal W&S network which is serviced by the Water Treatment Plant and/or Sewage Treatment Plant.

Kahnawà:ke Kanien'kehá:ka Registry: means the list of Kanien'kehá:ka of Kahnawà:ke maintained by the Registrar in accordance with Kanien'kehá:ka of Kahnawà:ke Law and, for greater certainty, does not mean any similar lists kept by Canada or any other government.

Mohawk Council of Kahnawà:ke (MCK): The legal authority responsible for the affairs of Kahnawà:ke.

Non-Centralized W&S Services: means an individual W&S system installed to service one or several structures which is not connected to the Water Treatment Plant and/or Sewage Treatment Plant.

Primary Residence: is the legal residence of an individual which refers to a dwelling where a person usually lives. It may be a house or apartment, and at a given time, a person shall not have more than one primary residence.

Resident of Kahnawà:ke: Any individual who’s primary residence is situated within the current boundaries of Kahnawà:ke.

W&S: Water and Sanitation.

W&S Conditional Grant Program: are non-repayable funds provided by the MCK to Kanien'kehá:ka of Kahnawà:ke that meet the required conditions as detailed within this policy to install W&S services to their primary residence.

7.0

**Forms &
 Templates:**

- 7.1 Application for Water and Sewer Services
- 7.2 Agreement for Water and Sewer Services
- 7.3 Agreement to Construct a Water Well in Kahnawà:ke

8.0

References:

- 8.1 Kahnawà:ke Sanitary Conditions Law
- 8.2 Kanien'kehá:ka of Kahnawà:ke Law
- 8.3 Kahnawà:ke's Guide to Water Wells
- 8.4 Guidelines for Canadian Drinking Water Quality - Summary Table (2017)
- 8.5 Bureau de Normalisation du Quebec 1809-300/2007 Construction Work – General Technical Specifications – Drinking Water and Sewer Lines
- 8.6 Quebec’s “Regulation respecting waste water disposal systems for isolated dwellings” - Updated to March 1, 2018

9.0

Enactment:

9.1 This policy shall take effect by decree of the Mohawk Council of Kahnawake and duly registered by Mohawk Council Executive Decision No. XX/2018-19 dated XXXXXXXXXXXXXXXX and supersedes any and all previous policies, amendments, and procedures dealing with the same subject matter.