

BYLAW NO. 1856-02

WATERWORKS BYLAW

The Municipal Council of the Town of Stettler, duly assembled in open meeting, enacts as follows:

A BYLAW RELATING TO THE WATER SYSTEM OF THE TOWN OF STETTLER, including the fixing of rates, charges and conditions for the supply of Potable Water.

This bylaw is cited as the "Waterworks Bylaw".

PART 1 – INTERPRETATION

In this bylaw, unless the content otherwise requires:

- 101 1. **"Accessible"** means that the Town of Stettler requires access to the water meter or control valve for servicing, repair or replacement of the said water meter or control valve with an unimpeded minimum opening as follows:
- a. Building, Self-Contained Unit or Mobile Home – minimum opening of 18 inches by 18 inches.
 - b. Mobile Home - (with an existing water meter located between the ground and the Mobile Home) – minimum opening in the skirting of 6.25 sq. ft. with no measurement less than two feet.
2. **"Account"** means an agreement between the Consumer and the Town of Stettler for the supply of water.
3. **"Applicant"** means an Owner or authorized agent who applies to the Town for the installation of Water Service to a Property.
4. **"Approved"** means, unless otherwise provided, Approved by the Town Manager, or his authorized representative.
5. **"Building"** means a structure and any part of a Building or structure constructed or placed on, in, over or under land and used for residential or business purposes that may contain one or more Self-Contained Units.
6. **"Bylaw Enforcement Officer"** means the Person or Persons appointed from time to time by the Town of Stettler Council to enforce and administer the bylaws of the Town of Stettler.
7. **"Combined Service Pipe"** means an underground pipe that carries water from the Watermain across Town Property to the Curb Stop and up to and across private Property through to the Building where a branch Fire Line is attached for unmetered Fire Protection and the main portion of the Combined Service Pipe is connected to the Water Meter.
8. **"Commercial Development"** means a Building or Buildings located on the Property where one or more commercial or industrial enterprises are located.
9. **"Consumer"** means a Person named on an (or, "who has opened an") Account with the Town for the supply of water and who has agreed to take responsibility for the payment of Utility Bills for a particular Property or a Building, or the Owner or Occupant of a Building or Property receiving Water Service.
10. **"Corporation Stop"** means a Water Service shutoff valve located at a Street Watermain. This valve cannot be operated from the ground surface because it is buried and there is no valve box. Also called a corporation cock.
11. **"Council"** means the Municipal Council of the Town of Stettler.

12. **“Curb Stop”** means a Water Service shutoff valve located in a Water Service Pipe near the curb and between the Watermain and the Building. This valve is usually operated by a wrench or valve key and is used to start or stop flows in the Water Service line to a Building. Also called a curb cock.
13. **“Director”** means the Person duly appointed by the Town of Stettler Council to the position of Director of Operational Services or their authorized representative.
14. **“Fire Hydrant”** means a pipe, extending above the ground, with a valve and spout at which water may be drawn from a Watermain.
15. **“Fire Line”** means a pipe branching off the Combined Service Pipe within the Building that is not metered and is intended solely for the purpose of providing a standby supply of water for fire protection within the Building.
16. **“Fire Protection Service Pipe”** means an underground pipe that carries Potable Water from the Watermain across Town Property and private Property and is intended solely for the purpose of providing a standby supply of water for fire protection purposes.
17. **“Mobile Home”** means a factory constructed self contained unit with an integral frame whether ordinarily equipped with wheels or not that:
 - i) is constructed or manufactured to be moved from one point to another, and
 - ii) is intended to be occupied by one or more persons as a residence,but does not include a holiday trailer or a recreational vehicle when the holiday trailer or recreational vehicle is being used for bona fide recreational purposes.
18. **“Mobile Home Park”** means a parcel of land that includes not less than three Mobile Home sites rented or held out for rent.
19. **“Medical Officer of Health”** means the Medical Officer of Alberta East Central Health Unit, or his authorized representatives.
20. **“Multiple Housing Development”** means two or more Buildings with each Building containing two or more Self-Contained Units, located on a parcel of land, where all the Buildings, recreation areas, vehicle areas, landscaping and all other features have been planned as an integrated development.
21. **“Offense Ticket”** means a violation ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act, RSA 2000, c.P-34, as amended or repealed and replaced from time to time.
22. **“Occupant”** means any Person who is in lawful possession or occupation of the land, or the Buildings situated thereon.
23. **“Owner”** means any Person who is registered under the Land Titles Act, RSA 2000, c.L-4, as amended or repealed and replaced from time to time, as an Owner of the land.
24. **“Person”** includes a corporation and the heirs, executors, administrators or other legal representatives of a Person.
25. **“Potable Water”** means water that is suitable for human consumption.
26. **“Private Service Pipe”** means that portion of the Service Pipe from the Curb Stop to private Property and further on private Property through to the Water Meter located in the Building **or**, in the case where the Curb Stop is located on private Property that portion of the Service Pipe on private Property from the Curb Stop through to the Water Meter located in the Building. The “Private Service Pipe” excludes the Curb Stop and the Service Pipe to the Corporation Stop attached to the Watermain.

27. **“Property”** means the aggregate of the one or more areas of land described in a certificate of title registered under the Land Titles Act, RSA 2000 c.L-4 as amended or repealed and replaced from time to time.
28. **“Remote Reader”** means a device connected to the Water Meter and installed on the outside of a Building or Mobile Home to electronically read the Water Meter.
29. **“Secretary-Treasurer”** means the Person duly appointed by the Town of Stettler Council to the position of Secretary-Treasurer of the Town of Stettler.
30. **“Self-Contained Unit”** means a unit having separate plumbing, heating and entrance.
31. **“Service Pipe”** means the underground pipe which carries Potable Water from the Watermain across Town Property to the Curb Stop and up to and across private Property through to the Water Meter.
32. **“Street” (or “Road”)** includes every road, roadway, avenue, boulevard, sidewalk, thoroughfare, bridge and highway under the direction, control and management of the Town, and where the context requires, a public right-of-way.
33. **“Town”** means the Town of Stettler.
34. **“Town Service Pipe”** means that portion of the Service Pipe from the Corporation Stop attached to the Watermain up to and including the Curb Stop whether the Curb Stop is located on Town or private Property.
35. **“Town Manager”** means the Person duly appointed by the Town of Stettler Council to the position of Town Manager of the Town of Stettler.
36. **“Turn-Off”** means the cessation or turning off of Water Service for a Building or a Property, and may include a final meter reading.
37. **“Turn-On”** means the commencement and turning on of Water Service for a Building or a Property, and may include initial Water Meter reading.
38. **“Utility Bill”** means the statement sent to the Consumer detailing the monthly charges (as set from time to time) for the provision of Potable Water all other rates and charges levied pursuant to this bylaw and any unpaid amounts from previous months.
39. **“Watermain”** means the portion of the Water System that is laid in the Street for the conveyance of Potable Water.
40. **“Water Meter”** means a device used to measure the amount of water used in either imperial or metric measurements.
41. **“Water Service”** means the provision of water by the Town.
42. **“Water System”** means a system of underground piping (service lines and mains), valves, hydrants, pumping stations, reservoirs, treatment facilities, intakes and associated appurtenances utilized for the treatment and distribution of Potable Water, being a public utility as defined by the Municipal Government Act, RSA 2000, c.M-26, as amended or repealed and replaced from time to time.
43. **“Water Tariff”** means the Schedule of Rates, as amended from time to time, and forming Schedule “A” to this bylaw.

PART 2 – AREA OF RESPONSIBILITY

Town to Operate and Supply

- 201 The Town shall operate a water supply and distribution system for the purposes of supplying the residents and Consumers within the Town with Potable Water and fire protection.

Council Authorization

- 202 The Council may, as becomes necessary, authorize the construction, replacement or upgrading of the water supply system with funding for such projects obtained from whatever sources may be appropriate.

PART 3 – DUTIES AND MANAGEMENT

Delegation of Powers

- 301 The Town Manager, Secretary-Treasurer and Director are hereby authorized to do all things necessary in order to fulfill their responsibilities and duties under this bylaw.

Management and Control

- 302 Town of Stettler Water System shall be under the management of the Director subject to the authority of the Town Manager.

Licenses and Permits

- 303 The Director shall be responsible for obtaining all necessary licenses and permits required by the Water System in accordance with:
- A. Provincial and Federal Statutes and Regulations.
 - B. This bylaw and related regulations and policies.

PART 4 – WATER SERVICE CONNECTIONS

Water Service Only to Properties with Watermain Laid

- 401 Unless the Director determines otherwise, services shall be constructed only to those properties which abut directly on a Street where a Watermain is laid.

Owner Responsible to Pay for Private Service Piping

- 402 (1) The Owner shall be responsible to arrange and pay for the laying of Private Service Pipe from the Curb Stop through to the Water Meter.
- (2) Installation of a Private Service Pipe shall be governed by those provisions in Part 6 of this bylaw.

Restrictions on Private Service Piping

- 403 (1) Private Service Piping shall not be extended from one lot to another.
- (2) No connection shall be made on the Private Service Pipe between the Curb Stop and the Water Meter.

Application Form for Water Service

- 404 (1) A Person who wishes to have Water Service shall make application to the Town, in accordance with Section 1301, for installation of the Town Service Pipe. Such application forms shall be signed by the Owner of the Property to be provided with Water Service, their contractor or by the Owner's authorized agent.

- (2) Where the Town undertakes work pursuant to this Part the costs to be charged to the Owners shall be calculated in accordance with policies adopted from time to time by Council.

Water Service by Town

- 405 (1) Except as provided in Section 405(2) and Section 405(3), irrespective of the zoning of any lot, one Town Service Pipe of suitable size shall be constructed from the Watermain to the Curb Stop located no more than 600mm (24 inches) from the Property line nearest the Watermain, as shown on a registered plan in the Land Titles Office for the North Alberta Land Registration District.
- (2) If any lot contains more than one Building or Self-Contained Unit, then at the discretion of the Director, a maximum of one service per Self-Contained Unit or Building may be installed.
- (3) In other special circumstances the Director may authorize the installation of more than one Service Pipe per Property.

Multiple Developments to Submit Plans for Watermain Systems. Developer to Furnish Two Sets of "As Built" Plans to the Town

- 406 (1) The developers of Multiple Housing Developments, Commercial Developments and Manufactured Home Parks shall submit private Watermain system design plans, duly signed by a Professional Engineer, to the Town for review and approval prior to construction start. The Town may provide technical advice for private Watermain system designs to ensure acceptable standards in design, materials and construction.
- (2) The developer shall furnish two sets of "as built" plans to the Town within 30 days of completion of the private Watermain system. Accompanying these "as built" plans shall be a letter indicating that the private Watermain system is fully operational.

Subdivision Development

- 407 Where any new lot or group of lots is developed the Watermain system or Water Service installation will be governed by an Approved development or servicing Agreement between the developer and the Town.

Application for Larger Service Pipe

- 408 1. When a Service Pipe becomes inadequate to supply the volume of water required at any Building or Self-Contained Unit and the Owner desires a larger Service Pipe, the said Owner shall sign an application form in accordance with Section 1301. The larger Service Pipe shall be installed provided that the Owner pays, in advance, the cost of the new Town Service Pipe plus the cost of abandoning the older Service Piping.
- (2) If application is made for a Service Piping of a size greater than the Director considers is warranted by foreseeable water demand, the Service Piping for which application is made may be installed providing the difference in cost between the size of Service Piping applied for and the size of Service Piping deemed necessary by the Director is paid in advance by the Owner.

Additional Construction Costs – Responsibility of Owner

- 409 Pursuant to this Part all additional costs of construction due to development on private Property, including additional costs required for bridging or repairing of disturbed Streets, shall be borne by the Owner on whose Property development is occurring.

PART 5 – SERVICE PIPING FOR FIRE PROTECTION

Application for Fire Protection Service Piping

- 501 When an Owner is required by Provincial Legislation or wishes to provide fire protection by means of sprinkler heads, Fire Hydrants, or outlets for hose lines, or some other manner, application for a Fire Protection Service Pipe shall be made to the Town in accordance with Section 1301.

Separate Special Service Pipe for Fire Protection Only

- 502 When an application pursuant to Section 1301 is Approved by the Director, a separate Fire Protection Service Pipe, to be utilized for fire protection only, shall be constructed by the Town at the Owner's expense.

Combined Service Pipe

- 503 (1) Where, pursuant to Section 1301, a Person has applied for a Combined Service Pipe and this application is Approved, the Town shall install a main valve on the Watermain, attach a pipe and extend this pipe underground across Town Property to within 600mm (24 inches) of the Property line.
- (2) The Owner is responsible for the connection and continuation of the underground Combined Service Pipe from the location, stated in Section 503(1), up to and across private Property to the Self-Contained Unit or Building.
- (3) In the case of Section 503(1) if a larger size underground pipe and a larger Water Meter are required for the Combined Service Pipe then the additional cost occasioned by a larger size underground pipe and Water Meter than would be required for only non-fire protection service, shall be paid in advance by the Owner.
- (4) The Combined Service Pipe installation will meet the same requirements as a Private Service Pipe as stated in Part 6 except Section 608.

Town Ownership and Maintenance

- 504 After completion of construction under Part 5.
- a) the Town shall immediately take ownership and maintain at its expense that portion of the underground pipe on Town Property from the Watermain to the connection of private pipe located within 600mm (24 inches) of the Property line.
- b) the Owner shall immediately take ownership and maintain at their expense that portion of the underground pipe from the connection of the Town pipe to the private pipe up to and across private Property to the Self-Contained Unit or Building.

No Tapping on Service

- 505 Fire Protection Service Pipe or a Combined Service Pipe constructed pursuant to this Part shall not be tapped in any place, on either the Town Property or the private Property, without the permission of the Director.

Operation of Fire Hydrants

- 506 It is an offence for any person to open or close a Fire Hydrant located on private or public lands, except Town employees or Fire Department Personnel in the performance of their duties.

Additional Construction Costs – Responsibility of Owner

507 Pursuant to this Part all additional costs of construction due to development on private Property, including additional costs required for bridging or repairing of disturbed Streets, shall be borne by the Owner on whose parcel development is occurring.

PART 6 – REQUIREMENTS FOR PLUMBERS OR PLUMBING AND MECHANICAL CONTRACTORS FOR INSTALLATION OF PRIVATE WATER SERVICE PIPE

Plumbers and Contractors Comply With

601 Part 6 refers to the Private Service Pipe and applies to both new installation and to any renewal, alteration or change in old installation. In addition, plumbers and contractors shall comply with the provisions of the current Plumbing and Drainage Act, Alberta Regulations, as amended and in force from time to time and with the following instructions on behalf of Property Owners.

Positioning of Private Service Pipe

- 602 (1) Every Private Service Pipe shall be laid evenly, without kinking or undo bending, with its centre at least 300mm (12 inches) distant from another Service Pipe or sewer pipe.
- (2) A Private Service Pipe shall cross the Property line which separates the Property to be serviced from the Street in which the Watermain is laid at an angle of 90° to the Street.
- (3) A Private Service Pipe shall not cross a Property line separating adjacent Properties unless the approval of the Director is obtained pursuant to Section 401. The Private Service Pipe shall be the same material and size throughout and meet the minimum requirements of Section 603.

Material Requirement for Private Service Pipe

- 603 (1) The minimum material requirements for Private Service Piping shall be:
- a. Copper Piping

Copper piping shall be in conformance with ASTM specification B-88-1962, "Type K" or "Type L" or equivalent thereto.
 - b. Plastic Pipe

Polyvinyl Chloride (PVC) pressure pipe shall conform to A.W.W.A. specification C900 and CSA B137.3 class 150 for 150mm (6 inch) pipes and larger.
 - c. Other material shall be at the discretion of the Director.
- (2) Size of Service Pipe

The size of Service Pipe for both the Town Service Pipe and Private Service Pipe, shall not be less than 20mm (3/4") inside diameter, for both new construction and renewal of old Service Piping.

Point of Entrance Agreed to on Application

604 Point of entrance to private Property as agreed to at the time of application for Water Service shall be strictly adhered to. Any additional costs arising from non-adherence to the point of entrance shall be borne by the Property Owner.

More Than One (1) Private Service Pipe in the Same Trench

- 605 When more than one Private Service Pipe is laid in the same trench, the Private Service Pipes shall:
- a) Be spaced to the satisfaction of the Director, and
 - b) Be laid in the same plane, and
 - c) Be laid in uniformity and in rotation corresponding to the Buildings to be served, and
 - d) Be laid in such a manner that pipe crossings are avoided.

Passage of Private Service Pipe Through or Under Foundation Wall or Retaining Wall

- 606 When Private Service Piping passes through or under a foundation wall or a retaining wall, it shall comply to the Alberta Building Code, Plumbing Code and Plumbing Regulations as amended and in force at the time of construction.

Town Not Responsible

- 607 When a Private Service Pipe passes through an excavation or backfill, or through a basement wall, finished or unfinished, or through a retaining wall, the Town shall not be responsible for any settlement, or any cause due to the Owner's operations, whether damage occurs during Building operations or afterwards.

Connection of Private Service Pipe to Curb Stop

- 608 (1) For any new construction of a Building requiring a new Private Service Pipe or replacement of a Private Service Pipe the Owner shall be responsible to have a certified plumber connect his portion of the Private Service Pipe to the Curb Stop.
- (2) For a replacement of an existing Town Service Pipe, the Town shall bear responsibility for the reconnection of the Private Service Pipe to the Curb Stop. This will be recorded by the Town and kept in the appropriate Property file.
- (3) If the Private Service Pipe is installed before the installation of the Town Service Pipe and Curb Stop, then the Owner shall terminate the private portion of the Service Pipe no more than 600mm (24 inches) on the Town side of the private Property line.

In this case the Owner shall:

- a. Before filling in the excavation put a 2 X 4 into the ground at the end of the Private Service Pipe so a minimum of 24 inches is protruding from the ground. This portion of the 2 X 4 protruding may be painted blue or marked appropriately.
 - b. Be responsible for adequately protecting the open end of the Private Service Piping to prevent blockage through the entry of foreign material.
- (4) The Owner shall be responsible to provide an adapter if required by the Director, regardless of which portion of a Service Pipe has been installed first.

Property Owner Responsible for Cost of Change in Material or Size

- 609 The Private Service Pipe shall be of the same material and size as the Town Service Pipe unless authorization for a change in material or size is obtained from the Director. If authorization is given, the Owner shall pay additional costs that may be incurred by the Town by reason of such difference.

Additional Construction Costs – Responsibility of Owner

- 610 Pursuant to this Part all additional costs of construction due to development on private Property, including additional costs required for bridging or repairing of disturbed Streets, shall be borne by the Owner on whose Property development is occurring.

PART 7 – TEMPORARY WATER SERVICE

Application for Temporary Water Service

- 701 Persons who wish temporary Water Service in a new Building or Self-Contained Unit for construction purposes or to test plumbing shall make application in accordance with Section 1301 to the Town before the Town turns on the water at the Curb Stop. Such application shall be signed by the Owner of the Property to be served, their contractor or by the Owner's authorized agent.

Applicant to Pay in Advance for Temporary Water Service

- 702 The charge for temporary Water Service must be paid at the time of application before the Town turns on the water at the Curb Stop and such charge shall be in accordance with the "Temporary Water Service Charge" as set out in Schedule "A" Water Tariff attached to and forming part of this bylaw.

703 Responsibility of Applicant for Meter Setting for Temporary Water Service

A Person requiring temporary Water Service shall provide a Water Meter setting meeting the requirements of Section 1003 and Section 1004.

Responsibility of Applicant for Provision of Control Valves for Temporary Water Service

- 704 A Person requiring temporary Water Service shall install a control valve meeting the requirements of Section 1003 and Section 1005(1).

Attendance Required Before Water is Turned On

- 705 The Town will turn on the water at the Curb Stop only if there is a Person in attendance in the Building to be supplied with temporary Water Service.

Applicant to Provide 24 Hours Notice

- 706 The Applicant shall provide the Town with at least 24 hours notice before temporary Water Service is required or there shall be an additional charge in accordance with the "Temporary Water Service Charge" as set out in Schedule "A" Water Tariff attached to and forming part of this bylaw.

Applicant to Apply for Utility Account

- 707 If a Building or Self-Contained Unit has been provided with Temporary Water Service and no application for an Account has been made in accordance with Section 1201 then the Water Service will be turned off after forty-five (45) days and shall not be turned on until such time as an Account has been established in accordance with this bylaw.

Plumber Shall Not Operate Curb Stops

- 708 It is an offence for any person to open or close any Curb Stop, located on private or public land, except Town employees or Fire Department personnel in the performance of their duties.

PART 8 – REPAIR AND MAINTENANCE OF EXISTING WATER SERVICE PIPES

Town Responsibility

- 801 The Town shall be responsible for the maintenance and repair of the Town Service Pipe, including the thawing of frozen Service Pipes, from the Watermain up to and including the Curb Stop valve.

Town Not Responsible for Negligence Costs

802 Should damage occur to the Town Service Pipe, including that arising as a result of the freezing of Service Pipes or the thawing of frozen Service Pipes, which has been caused by the negligence or improper action of the Owner, Occupant or contractor, the cost for repairing or thawing the Town Service Pipe shall be charged to the Owner.

Property Owner Responsible for the Service Pipe on Their Property

803 The Owner shall be responsible for the maintenance and repair of the Private Service Pipe, including the thawing of frozen Private Service Pipes, from the Curb Stop through to the Water Meter.

Determining the Exact Location of a Problem and Responsibility for Costs

- 804 (1) Where the exact location of a problem with the Service Pipe cannot be determined to be either clearly on Town Property or on private Property the Town will undertake to determine the location of the problem.
- (2) If the problem exists with the Town Service Pipe between the Watermain up to and including the Curb Stop, the Town will continue to complete the repairs.
- (3) If the problem is found to exist with the Private Service Pipe between the Curb Stop and the Water Meter then the Owner shall be responsible for the costs incurred by the Town to that point and shall be responsible for the completion of the repairs or all costs incurred if the Town is required to complete the repairs.
- (4) Where the Owner undertakes the repair of the Private Service Pipe on his own Property and finds that the problem exists on the portion of the Town Service Pipe or Curb Stop for which the Town is responsible, the Town will complete the repairs and compensate the Owner for reasonable costs incurred to that point.

Owner/Occupant Requirements and Responsibilities for Hydrants and Curb Stops

- 805 (1) The Owner or Occupant of a premise shall ensure that the Fire Hydrant and Curb Stop valve on their Property is accessible.
- (2) Obstacles or obstructions placed or created that hinder access to Fire Hydrants or Curb Stops may be removed at the discretion of the Director and any costs associated with the removal shall be the responsibility of the Owner.

Responsibilities for Damages to Fire Hydrants or Curb Stops or Both

806 Should damage occur to a Fire Hydrant or Curb Stop or both whether on private or Town Property and the damage has been caused by the negligence or improper action of a Person, the Property Owner, contractor or authorized agent then the costs for repairing or replacing the Fire Hydrant or Curb Stop or both will be the responsibility of that Person or Property Owner.

PART 9 – REPLACEMENT OF EXISTING WATER SERVICE LINES ON PRIVATE PROPERTY

Correction of Non-Conforming Private Service Pipe

901 Upon notice to any Property Owner that an existing Private Service Pipe fails to meet the requirements of this bylaw or the Plumbing Code, or for any reason is unsatisfactory to the Director, the Owner shall effect the changes required in the notice at their cost.

Responsibility for Cost

- 902 (1) If the Owner wishes to replace private service piping it shall be at the Owner's cost.
- (2) Where a Private Service Pipe needs replacement because it can no longer be economically repaired, the replacement and costs are the responsibility of the Owner.

Private Service Pipe Replacement Requirements

- 903 Installation of replacement Private Service Pipes shall be governed by those provisions in Part 6 of this bylaw.

PART 10 – WATER METERS & CONTROL VALVES

Water Service Must be Metered

- 1001 All Water Service to any
- (i) Building(s)
 - (ii) Self-Contained Unit(s)
 - (iii) Mobile Home Not Within a Mobile Home Park

within the Town shall be metered using a Water Meter meeting the specifications as determined by the Director.

Access to Property – Water Meters

- 1002 No Person shall do, or shall cause to be done, or shall permit to be done, any act which may obstruct, interfere with or impede direct, safe and convenient access to a Water Meter for the purpose of installation, inspection, removal, repair, replacement, reading or a similar activity at all times as defined by the Municipal Government Act, RSA 2000, c.M-26, as amended or repealed and replaced from time to time.

Location of Meter Setting and Control Valves

- 1003 The meter setting and control valves shall be positioned as close as is reasonably possible to the point where the Private Service Piping enters the Owner's Building, Self-Contained Unit or Mobile Home.

Location of a Permanent Water Meter Setting

- 1004 (1) The Owner, their contractor or the Owner's authorized agent shall provide, during installation, a permanent Water Meter setting in a Building or Self-Contained Unit by ensuring that the Private Service Pipe, extends:
- a. not less than 300mm (12 inches) from the floor or wall; and
 - b. not more than 1.5 meters (60 inches) from the floor or wall.
- (2) If Water Service has been provided to a Mobile Home and a Water Meter has to be installed then the Owner, their contractor or the Owner's authorized agent shall ensure that the Water Meter setting is provided inside the Mobile Home at a location to be determined by the Director.

Installation of Control Valves

- 1005 (1) The Owner, their contractor or the Owner's authorized agent shall install a control valve on the Private Service Piping ahead of the meter setting no higher than 1.5 meters (60 inches) from the Private Service Piping entering the Building. A control valve installed under this subsection must be accessible at all times.

- (2) In addition to the control valve mentioned in subsection (1), in cases where the Water Meter size or Service Pipe size is 25mm (1 inch) or greater, the Owner shall install a control valve immediately after the Water Meter setting.

Maintenance of Control Valves

- 1006 At all times the Owner shall maintain the control valves mentioned in Section 1005 in sound working order and protect them against frost or other damage.

Water Meters Supplied by the Town

- 1007 The Town shall supply, install, own and maintain all Water Meters as required.

Water Meter Installation

- 1008 (1) Persons who wish to have a Water Meter installed shall make application to the Town in accordance with Section 1301. Such application shall be signed by the Owner, their contractor or the Owner's authorized agent before installation.
- (2) The Town is responsible to install the Water Meter in a horizontal position.
- (3) Every Owner, their contractor or the Owner's authorized agent shall make allowance for the installation of Water Meters in accordance with Section 1004. The Water Meters shall remain accessible and exposed in accordance with the Town's specifications and this bylaw.
- (4) Where the installation requires pipefitting and alterations beyond the norm the Owner shall be responsible for those additional costs.

Water Meters Sealed

- 1009 (1) The Town shall attach a wire and seal to all water meters at the time of installation.
- (2) Only a Person authorized by the Director shall interfere with, cut or remove the wire seal on a Water Meter.

Owner or Occupant Responsible for Meter Protection and Accessibility

- 1010 (1) The Owner or Occupant of a Building, Self-Contained Unit or Mobile Home in which a Water Meter is located shall provide adequate protection for the Water Meter against damage due to frost, heat or other causes.
- (2) The Owner or Occupant of a Building or Self-Contained Unit in which a Water Meter is located shall ensure that the Water Meter is accessible and not enclosed, either partially or completely, by gyproc or other construction material. The Owner shall be responsible to remove such enclosure at their expense.

Owner Responsible for Costs

- 1011 Where the Owner or Occupant of a Building, Self-Contained Unit or Mobile Home in which a Water Meter is located fails to protect the Water Meter from frost or heat or the Water Meter is lost or the Water Meter is damaged or destroyed by the negligence or improper action of the Owner or Occupant then the Town shall charge the cost of repairs or replacement for the Water Meter to the Owner.

Owner or Occupant is Responsible for the Proper Operation of the Water Meter

- 1012 The Owner or Occupant of a Building, Self-Contained Unit or Mobile Home shall not prevent or impede the flow of water through a Water Meter or do anything which may affect the proper operation of the Water Meter.

Water Meter Repairs by the Town

1013 The Town shall undertake:

- a) any repairs necessary to the Water Meter or associated fittings to ensure proper operation and remedy leaks.
- b) replacement of the Water Meter.

Authorization to Disconnect or Remove a Water Meter

1014 Only a Person authorized by the Director shall disconnect or remove a Water Meter.

Service Connection and Metering Requirements for Single Units

1015 Unless otherwise determined by the Director, for single-family Self-Contained Units, Mobile Homes and for single Self-Contained Unit commercial or industrial Buildings, a single service connection shall be constructed, and a single meter shall be installed by the Town in the Water Meter setting provided.

Service Connection and Metering Requirements for Multi-Family Residential Buildings

1016 Unless otherwise determined by the Director for Multiple Housing Developments, the service connections and Water Meters installed shall be the following:

- a) Up and down duplexes – one Water Service connection and one Water Meter only.
- b) Side by side duplexes (semi-detached) – one Water Meter and one Water Service connection on each side.
- c) Apartment Buildings – one Water Service connection and one Water Meter only.
- d) Multiple housing units consisting of three or more side-by-side Self-Contained Units may have one Water Service connection and one Water Meter per unit.
- e) Multiple housing units consisting of three or more clustered or stacked Self-Contained Units may have one Water Service connection and one Water Meter for each Self-Contained Unit providing approval is given by the Director.

Water Service Connection and Water Metering Requirements for Commercial Developments

1017 Unless otherwise determined by the Director, for industrial and commercial Buildings at its expense the Town shall provide the following Water Meters:

- a) Subject to subsection (2), multiple side-by-side Self-Contained Units – one meter per unit, but all meters banked at a location where the Service Pipe enters the Building.
- b) Meters may be installed for individual Self-Contained Units providing a main header line is located outside the Building, and each Self-Contained Unit has its own Curb Stop.

Meter Chambers

1018 (1) Should the Director determine that a Water Meter setting should not be positioned inside a Building to which Water Service is provided, at the Owner's expense the Owner shall construct a chamber to hold the Water Meter.

- (2) Meter chambers shall be positioned at a location satisfactory to the Director and constructed in accordance with specifications Approved by the Director.

Subsidiary Water Meters

- 1019 (1) For his own purposes an Owner may install, at their cost, a subsidiary Water Meter in his Building. Such installation shall be done in accordance with Town specifications Approved by the Director.
- (2) The Town will not read or maintain a subsidiary Water Meter.

Customer Requests Testing of Meters

- 1020 (1) If any Consumer claims that a Water Meter is recording inaccurate readings, the said Consumer shall deposit with the Town the sum of one hundred dollars (\$100.00). After receipt of the deposit, the Water Meter shall be removed from service and tested by an independent laboratory.
- (2) If the said Water Meter is reading less than the standards of the American Waterworks Association or a higher variance of these standards as determined by the Director, then the Consumer shall forfeit the deposit to the Town and shall pay all costs associated with the Water Meter removal, testing and replacement in excess of one hundred dollars (\$100.00).
- (3) If the said Water Meter is found to be over reading in excess of the standards of the American Waterworks Association or a higher variance of these standards as determined by the Director, then the Town shall replace the Water Meter and return the deposit to the said customer. Adjustments will be made to the customer's utility Account in accordance with Town policy.

PART 11 – REMOTE READERS

Water Meters Shall be Connected to a Remote Reader

- 1101 All Water Meters shall be connected to a Remote Reader meeting the specifications as determined by the Director.

Ownership and Maintenance of Remote Readers

- 1102 The Town shall supply, install, own and maintain all Remote Readers as required.

Application for a Remote Reader

- 1103 Persons who wish to have a Remote Reader installed shall make application to the Town in accordance with Section 1301. Such application forms shall be signed by the Owner, their contractor or the Owner's authorized agent before installation.

Installation and Location of Remote Reader

- 1104 (1) For new residential construction and new Mobile Homes:
- a) The Owner is responsible for installation of the Remote Reader wiring from the water meter to the location specified in Section 1104(c). This wire shall be 22-gauge 4-strand wire.
 - b) Upon completion of installation of the Remote Reader wiring by the Owner to the location specified in Section 1104(c) the wire must protrude outside the exterior wall at least 20.32 cm (8 inches). There must be no other exposed Remote Reader wire outside the Building or Mobile Home.

- c) The Town is responsible to install the Remote Reader in a location on the Building's exterior wall which faces the Street:
 - i) at no more than one-half (1/2) meter (1.64 ft.) from either front corner towards the center of the exterior wall which faces the Street.
 - ii) at a height of not less than 1.22 meters (4 ft.) and not greater than 1.37 meters (4.5 ft.) above grade at the Building or Mobile Home.
- (2) For new Building construction other than residential or Mobile Homes the Remote Reader will be in a location as specified by the Director to provide 24-hour accessibility.

Access to Remote Reader

- 1105 Access to the Remote Reader shall not be obstructed by decks, balconies, fences, shrubs, trees, etc. Obstacles or obstructions placed or created that hinder access to the Remote Reader may be removed at the discretion of the Director and any costs associated with the removal shall be the responsibility of the Owner.

Owner's Responsibility to Protect Remote Reader

- 1106 (1) The Owner or Occupant of a Building on which a Remote Reader is located shall provide adequate protection against damage to the Remote Reader, wiring or associated fittings.
- (2) Where the Owner or Occupant fails to protect the Remote Reader, wiring or associated fittings to ensure proper operation or if the Remote Reader is lost or destroyed, the Town shall charge the cost of repairs and/or replacement to the Owner. The minimum charge to repair the Remote Reader will be \$25.00 or the entire labor and material cost for removal and replacement which ever is greater.

PART 12 – WATER RATES AND CHARGES OPENING AND CLOSING OF ACCOUNTS

Opening of Accounts

- 1201 (1) Where the Owner, Occupant or Person wishes to obtain Water Service he shall make application for an Account at the Town's Administration Office in person before Water Service is turned on.
- (2) New utility Accounts shall include initial installations and any subsequent connections.
- (3) Where Water Services are being provided and no application has been made, the Owner is deemed to be the Consumer and Utility Billings shall be their responsibility.
- (4) A service fee for the opening of an Account will be charged in accordance with Schedule "A", the Water Tariff and a guarantee deposit shall be required as specified in Section 1202.
- (5) Persons who use water without opening an Account will be liable for the cost of water consumed as estimated by the Town.
- (6) If the Consumer does not utilize the Water Service for an extended period and the Service Pipe freezes, the Consumer shall be responsible for the costs of thawing the Service Pipe.

Guarantee Deposit

- 1202 (1) As a condition of providing Water Service and before the Water Service is turned on the Town shall require from every Consumer, who is not an Owner, a guarantee deposit.

- (2) A guarantee deposit is non-transferable and may be:
 - a) an amount levied in accordance with the Water Tariff, which is attached to and forms Schedule "A" to this bylaw.
 - b) a letter of credit reference from another public utility company acceptable to the Secretary-Treasurer.
- (3) The amount levied as a guarantee deposit in accordance with Section 1202(2) shall be retained for a minimum period of one (1) year by the Town and shall only be refunded if:
 - a) The Consumer has not been in violation of Section 1203 during the most recent one (1) year period, or
 - b) The Water Service has been discontinued prior to the one-year period, the guarantee deposit shall be returned provided that the guarantee deposit shall be applied to any unpaid Account at the time of discontinuance of the service.
- (4) Interest for the period of time which the guarantee deposit is held by the Town shall not be paid.

Water Rates, Charges and Utility Billing

- 1203 (1) The Consumer shall at all times maintain their Account in good standing.
- (2) All Consumers shall pay for their water consumption and all other rates and charges levied pursuant to this bylaw in accordance with the Water Tariff, which is attached to and forms Schedule "A" to this bylaw.
 - (3) Where the calculation of a Utility Billing is based on the consumption of water, the quantity used shall be determined from the present and previous Water Meter readings as recorded by the Town or should an actual reading not be available, by an estimated consumption based on the consumption history of the service or customer of similar characteristic.
 - (4) A Utility Bill showing the value of water provided by the Town for a one month period shall be calculated, as soon as is practical after the end of the billing period, using the prescribed metered rates in accordance with the Water Tariff which forms Schedule "A" to this bylaw.
 - (5) The Water Service charge shall be combined on the same Utility Bill with the sewer service charges, garbage charges and any other charges, but separate entries identifying each charge shall be made on the Utility Bill.
 - (6) A Utility Bill shall be mailed to each Consumer on a monthly basis.
 - (7) All rates and charges shall be due and payable upon receipt of billing.
 - (8) Failure to receive a Utility Bill shall in no way affect the liability of the Consumer to pay the Account.
 - (9) No reduction in rates or charges shall be made for any interruption in Water Service during a billing period.

Penalties and Collection of an Unpaid Utility Account

- 1204 (1) In the event that any such Utility Bill remains unpaid for a period of twenty-five (25) days from date of mailing of the Utility Bill, there shall be added thereto a penalty in accordance with Schedule "A" Water Tariff attached to and forming part of this bylaw on the current charges of the Utility Bill. This penalty shall form part of the arrears and shall be subject to collection in the same manner as all other rates and charges.

- (2) Where a Utility Bill has been in arrears for a period of fifty-five (55) days from date of mailing of the Utility Bill, a notice shall be mailed or delivered to the Consumer giving warning that Water Service may be shut off unless payment of the full Utility Bill is received within five (5) days.
- (3) If payment is not received within the time period specified in Sections 1204(1) and 1204(2) or if the Consumer has failed to make other arrangements, the Water Service shall be turned off and shall not be turned on until such time as the Utility Bill, including penalties, arrears, and a Reconnect/Disconnect fee, in accordance with this bylaw, is paid in full.
- (4) Notwithstanding Section 1204(3) where the Consumer is unable to pay the entire amount of the outstanding Utility Bill the Secretary-Treasurer may upon negotiation of a satisfactory repayment schedule postpone the shut-off of Water Services pending the successful payment of the Utility Bill.
- (5) Council may add to the tax roll of a parcel of land, and collect as a tax owing to the municipality in accordance with s. 553 of the Municipal Government Act, RSA 2000, c.M-26 as amended, repealed and replaced from time to time the amount of the unpaid Utility Bill and any other charges and fees levied pursuant to this bylaw and owing by the Owner of the parcel.
- (6) Where an outstanding Utility Bill cannot be collected as a result of shutting off the Water Service or if it cannot be added to the Tax Roll the Secretary-Treasurer shall undertake collection by any means provided by law, including but not limited to:
 - action in court.
 - seizure of goods and chattels.
 - deduction from any sums payable by the Town (for any reason) to the Consumer or his companies.
- (7) The Consumer shall be levied a fee (of an amount as may be adopted from time to time by Council) for each cheque or automatic withdrawal for which the Consumer has insufficient funds to cover the amount of payment.
- (8) In the event that a Service Pipe freezes following disconnection due to non-payment of a Utility Bill, the Consumer shall be responsible for all costs associated with thawing the Service Pipe and any damages that may result from the freezing of the Service Pipe.

Discontinuance of Water Service and Final Billing

- 1205
- (1) Any Consumer intending to vacate any premises that has been supplied with Water Service and wants this Water Service discontinued shall give two (2) working days prior notice at the Town Office, otherwise the water rates shall be charged to the Consumer until such notice is given or the water turned off.
 - (2) Where a Consumer's Water Service is to be discontinued a final billing will be calculated on a pro rata basis from the date of the last billing to the date of discontinuance.

Discontinuance of Service

- 1206
- (1) The Secretary-Treasurer may discontinue Water Service for any of the following reasons:
 - a. Failure to open an Account.
 - b. Non-payment of charges levied pursuant to this bylaw.
 - c. Failure to provide a guarantee deposit.
 - d. Failure to perform any term of a Water Service Agreement.
 - e. Failure to provide free access.
 - f. Contravention of any other sections of this bylaw.

- (2) If Water Service to a Consumer has been discontinued for non-payment of an Account at one location, the Town may discontinue Water Service to the same Consumer at another location.
- (3) When Water Service is discontinued neither the Town nor its employees or any municipal official shall be liable for any costs or damages resulting from the discontinuance.
- (4) If the Water Service has been disconnected in accordance with Section 1206(1)(b) (non-payment of charges) a Reconnect/Disconnect Fee in accordance with the Water Tariff, which is attached to and forms Schedule "A" to this bylaw shall be levied for the reconnection. The reconnection shall not occur until all outstanding charges, penalties, interest and current charges have been paid in full or satisfactory arrangements made with the Secretary-Treasurer.

Emergency Discontinuance or Reconnection of Water Service

- 1207 (1) The Owner or Occupant, their contractor or authorized agent may request the discontinuance or reconnection of Water Service at their Self-Contained Unit or Building in an emergency situation.
- (2) If the Water Service has been disconnected or reconnected in accordance with Section 1207(1) a Reconnect/Disconnect Fee in accordance with the Water Tariff, which is attached to and forms Schedule "A" to this bylaw, shall be charged to the Owner.

Attendance Required Before Water is Turned On

- 1208 When an application for Water Service is Approved or the Water Service is to be reconnected and the water has to be physically turned on at the Curb Stop then the Consumer or their designate shall be in the Self-Contained Unit or Building when the Water Service is turned on by the Town.

PART 13 – APPLICATION FORMS

Town Requires Application Forms Before Installation

- 1301 (1) A Person shall apply for the installation of Town Service Pipe, Fire Protection Service Pipe or Combined Service Pipe on a form Approved by the Town Manager. Such forms shall be signed by the Owner of the Property to be provided with Water Service, their contractor or by the Owner's authorized agent before installation.
- (2) A Person shall apply for temporary Water Service, the installation or replacement of a Water Meter or the installation or replacement of a Remote Reader on a form Approved by the Town Manager. Such forms shall be signed by the Owner of the Property to be provided with Water Service, their contractor or by the Owner's authorized agent before installation.

PART 14 – BULK WATER DISPENSER

Bulk Water Dispenser Regulations

Town to Operate

- 1401 Bulk water is available through a Town operated coin and key operated facility.

Obtaining a Bulk Water Key

- 1402 Where a person wishes to obtain a bulk water key they shall enter into a Bulk Water Servicing Agreement with the Town.

Deposit for Bulk Water Keys

- 1403 (1) Bulk water facility users shall provide, for each key they require, a key deposit in accordance with the Water Tariff, which is attached to and forms Schedule "A" to this bylaw.
- (2) The key deposit referred to in Section 1403(1) shall be:
- (i) non-transferable
 - (ii) returned following return of the key and provided that such deposit may be applied to any unpaid accounts receivable with the Town for the identical keyholder at the time of return.
- (3) Interest for the period of time which the key deposit is held by the Town shall not be paid.

Charge for Replacement Key

- 1404 If the bulk water facility user requests a replacement bulk water key the Town shall charge a replacement fee based on the cost of the bulk water key.

Bulk Water Rates

- 1405 The bulk water rates are levied in accordance with the Water Tariff, which is attached to and forms Schedule "A" to this bylaw.

Billing, Penalties and Collection

- 1406 (1) All bulk water facility users shall pay for their purchase of water and all other rates and charges levied pursuant to this bylaw.
- (2) All bulk water facility users who have entered into a Bulk Water Servicing Agreement with the Town will be sent a Utility Bill.
- (3) The calculation of a Utility Bill is based on the quantity of water provided at the bulk water facility which shall be determined from the present and previous Water Meter readings as recorded by the Town.
- (4) A Utility Bill showing the value of water provided by the Town for a one month period shall be calculated as soon as practical after the end of the billing period.
- (5) A Utility Bill shall be mailed to each bulk water facility user who has entered into a Bulk Water Servicing Agreement with the Town on a monthly basis if any rates or charges apply in accordance with this bylaw.
- (6) All rates and charges shall be due and payable upon receipt of billing.
- (7) Failure to receive a Utility Bill shall in no way affect the liability of the bulk water facility user to pay their Utility Bill.
- (8) The bulk water facility user shall be subject to the provisions of Section 1204 in regards to collection and penalties of their unpaid Utility Bill.

PART 15 – GENERAL PROVISIONS GOVERNING USE OF WATER AND WATER SERVICES

Authority to Shut Off Water Supply

- 1501 (1) Emergency Shut-Off

The Director may without notice shut off the water supply to any part of the Town should he decide an emergency makes such action necessary.

(2) Non-Emergent Shut-Off

- a) In case of making repairs or in construction of new works or in connection or repairing Service Pipes, the Town shall have the right to shut off the water from any Consumer or customer without notice and keep it off as long as may be necessary.
- b) The Town shall endeavor to provide notice to customers of such interruption of service and shall seek to minimize the inconvenience to customers as may be possible and reasonable.

Regulating and Restricting Hours of Use

- 1502 (1) When an emergency in the water supply occurs, the Town Manager or in his absence the Town Manager's backup may restrict the use of water from the Water System.
- (2) When said restrictions are in effect, no Persons shall water any lawns, gardens, Streets, yards or grounds or use a hose or similar device to wash the exteriors of houses or other Buildings or vehicles except at commercial car washes, during such times that may be fixed by the Town Manager provided that notice of the times during which the use of water for the purposes specified herein as prohibited, shall be given to the public in an announcement in the local newspaper, radio, public address system, or such other means as is deemed appropriate by the Town Manager.
- (3) The foregoing restrictions do not apply to a Person using an ordinary sprinkling can or pail, where said water is used only for the watering of plants or shrubs.
- (4) The Town Manager, or Town Manager's backup, in fixing restrictions on the use of water for the purpose set out in this Section may vary the hours and days of use of differing portions of the Town or may attach other conditions as they deem necessary.
- (5) When an emergency occurs and at the discretion of the Town Manager, no Person being Owner and Occupant, of any Self-Contained Unit, Building or other premises which are supplied with water from the Water System, shall vend, sell or dispose of water therefrom, or give away or permit the same to be taken or carried away from the Property unless specifically authorized by the Town Manager.

Unauthorized Use of Water

1503 (1) No Interference with Water Supply System

No Person, other than authorized Town employees, shall operate, handle or interfere with the Town's portion of a Water Service including: the Town's Corporation Stop, Curb Stop, Water Meter, control valves, pipes, Watermain, Fire Hydrant or any Water System appurtenance.

(2) No Keeping or Use of Key or Wrench

- a) No Person, other than Town employees authorized by the Director, shall make, keep, use or dispose of any key or wrench, the purpose of which is to operate any valve, Curb Stop, Fire Hydrant, chamber, or any other Water System appurtenances on the Water System.
- b) In the event of illegal water Turn-Ons by Persons other than Town employees, the Water Service will be immediately turned off without notice and a reconnection fee of one hundred (\$100.00) dollars will be charged to the Owner of the Property. In addition, illegal water Turn-Ons will be back charged to date of use of service, and the fee will be double the amount of regular billing.

No Wasting of Water

- 1504 (1) Neither the Owner nor Occupant of premises nor any other Person shall allow water to run to waste for any reason.
- (2) The Director may shut off the water supply to any Building or Property if in his opinion water is being wasted.
- (3) The Director shall endeavor to give notice of intention to close a Water Service, bearing in mind all the circumstance of the particular case including, but not limited to, the estimated rate of wastage, the age of piping, the possibility of damage to adjacent Property and the season of the year. The time allowed for stopping the wastage shall be reasonable, but at the discretion of the Director.
- (4) In cases where the water has been shut off for allowing waste or leaks or defects in pipes or connections the Director may refuse to restore Water Service until the defects have been repaired.

Town Not Liable for Damage Due to Cessation of Water Service

- 1505 The Town shall not be liable for damages, including business losses:
- a) Caused by the break of any Watermain, Service Pipe, or for the breaching of any ditch, or
 - b) Caused by the interference of cessation of water supply necessary in connection with the repair or proper maintenance of the Town of Stettler Water System, or
 - c) Generally for any accident due to the operation of the Town of Stettler Water System, unless such action has been shown to be directly due to the negligence of the Town or its employees.

Right to Inspect

- 1506 (1) Any Persons so authorized by Council may enter any land, Buildings or premises to inspect for conditions that may constitute a nuisance, or otherwise to ensure compliance with or address a contravention of this bylaw.
- (2) Any Person exercising a right of inspection under this bylaw shall comply with Section 542 of the Municipal Government Act RSA 2000, c. M-26 as amended or repealed and replaced from time to time.

PART 16 – PENALTIES AND OTHER PROVISIONS

Application of Bylaw to Water Service Contract

- 1601 The provisions of this bylaw shall form a part of every contract for Water Service in the Town.

Penalties

- 1602 (1) Everyone who contravenes any provision of this bylaw either by doing something which he is prohibited from or failing to do something which he is required to do, is guilty of an offense punishable on summary conviction and is liable for any or all of the following:
- (i) for a first offense, to a fine of not less than \$100.00 and not more than \$500.00.
 - (ii) for a second or subsequent offense, to a fine of not less than \$300.00 and not more than \$1,000.00.
 - (iii) to disconnection of the Water Service until the contravention is rectified and the Consumer pays all outstanding fines and Utility Bills.

- (2) The Director or the Bylaw Enforcement Officer shall have the authority to levy fines or disconnect Water Service as identified in Section 1602 in respect of any violations of this bylaw.
- (3) Where a breach is of an ongoing nature additional charges may be laid in each succeeding 12-hour period.
- (4) An Offence Ticket issued under this bylaw shall be in the form of a Violation Ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act, RSA 2000, c.P-34, as amended or repealed and replaced from time to time, and shall be served in accordance with the provisions of the Provincial Offences Procedure Act and any regulations thereunder.

Injunction

- 1603 (1) Whether or not Offence Ticket has been issued to a Person by the Town pursuant to Section 1602 of the bylaw the Town may, where a contravention of this bylaw is of a continuing nature, in addition to any other remedy or penalty imposed under this or any other enactment or bylaw, apply to the Court of Queen's Bench by way of Originating Notice for an Injunction or other Order for the purpose of enforcing compliance with the provisions of this bylaw.
- (2) In seeking such an Order, the Town may seek recovery of its costs incurred in seeking the Order and in enforcing the bylaw, or its costs incurred in making repairs or performing maintenance to Property to restore the operating condition of the Water System, from the Person responsible for the contravention.

PART 17 – GENERAL PROVISION OF THIS BYLAW

Severability

- 1701 If any term, clause or condition of this bylaw or application thereof, to anything or circumstance shall to any extent be invalid or unenforceable, the remainder or this bylaw or application of such terms, clause or condition to anything or circumstance, other than those to which it is held as invalid or unenforceable, shall not be affected thereby and each other term, clause or condition of this bylaw shall be enforced to the fullest extent permitted.

PART 18 – EFFECTIVE DATE AND REPEAL

- 1801 (1) Enactment

This bylaw shall come into force and effect on November 1, 2002.

- (2) Repeal of Bylaws

Upon the coming into effect of this bylaw, Bylaw 1544 and all amendments thereto are hereby rescinded in their entirety.

READ a first time this 3rd day of September, A.D. 2002.

READ a second time this 15th day of October, A.D. 2002 as amended.

READ a third time and duly passed this 15th day of October, A.D. 2002 as amended.

Mayor

Secretary-Treasurer

WATERWORKS BYLAW NO. 1856-02

The following index is provided for reference only and is not part of the Waterworks Bylaw No. 1856-02.

1. Interpretation
2. Area of Responsibility
3. Duties and Management
4. Water Service Connections
5. Service Piping for Fire Protection
6. Requirements for Plumbers Or Plumbing And Mechanical Contractors for Installation of Private Water Service Pipe
7. Temporary Water Service
8. Repair and Maintenance of Existing Water Service Pipes
9. Replacement of Existing Water Service Lines on Private Property
10. Water Meters & Control Valves
11. Remote Readers
12. Water Rates And Charges Opening and Closing of Accounts
13. Application Forms
14. Bulk Water Dispenser
15. General Provisions Governing Use of Water and Water Services
16. Penalties and Other Provisions
17. General Provision of this Bylaw
18. Effective Date and Repeal

Schedule "A" – Water Tariff

WATERWORKS BYLAW 1856-02

SCHEDULE "A" - WATER TARIFF

Water Tariff

1. Metered Rates:

Flat Base Rate Per Month \$8.32

1 to 44 m³ @ 1.05 m³

45 to 114 m³ @ .96 m³

115 to 225 m³ @ .83 m³

226 m³ & over @ .695 m³

2. Service Fee:

The Service fee is \$50.00 per service from 8:30 a.m. to 4:30 p.m. Monday to Friday (except Statutory Holidays).

If the Consumer wishes to obtain Water Service:

- a. after 4:30 p.m. and before 8:30 a.m., or
- b. on a Saturday, Sunday or Statutory Holiday;

and the Town has to turn on water at the Curb Stop, then there will be charged to the Consumer an additional \$50.00 overtime charge per service.

3. Guarantee Deposit:

- a. Every Consumer (with the exception of restaurants) who is not an Owner - \$100.00
- b. Consumers for restaurants (rented or leased premises) - \$300.00

4. Reconnect/Disconnect Fee:

The reconnect/disconnect fee is \$25.00 per service from 8:30 a.m. to 4:30 p.m., Monday to Friday (except Statutory Holidays).

If the discontinuance or reconnection of water service is requested by the Consumer and provided by the Town:

- a. after 4:30 p.m. and before 8:30 a.m., or
- b. on a Saturday, Sunday or Statutory Holiday;

there will be charged to the Consumer an additional \$25.00 overtime charge per service.

5. Overdue Accounts:

Utility Bills, if unpaid for 25 days from the date of mailing the Utility Bill, shall have a penalty of 5% charged to the current charges of the Utility Bill to form part of the arrears.

6. Temporary Water Service Charge:

Where a Building or Self-Contained Unit is to be provided with temporary Water Service in accordance with Part 7 and there will be temporary water consumption for construction purposes and:

1. An application has been made to the Town to provide temporary water.
2. Section 1004, Provision of a Meter Setting, has been complied with.
3. Section 1005, Provision of Control Valves, has been complied with.
4. At least 24 hours notice has been provided to the Town.

Then the Owner of the Property, their contractor or the Owners authorized agent shall be charged \$25.00 and this shall include the Town turning on the water at the Curb Stop and water consumed for construction purposes.

If at least 24 hours notice has **NOT** been provided then the charge shall be \$50.00.

If the Owner of the Property, their contractor or the Owner's authorized agent requests the Town to provide temporary Water Service and the Town sends staff to the Building to turn on the water at the Curb Stop but cannot, because either or both Sections 1004 or 1005 have not been complied with, then there will be an additional charge of \$15.00.

7. Water Meter Installation Fee:

Where a Building has Water Service provided to it and a Water Meter and Remote Reader are required in accordance with Part 10 & Part 11 and:

1. An application has been made to and Approved by the Town to supply and install a Water Meter and a Remote Reader;
2. A new utility Account has been set up with the Town for any new Building construction;
3. Section 1004, Provision of a Meter Setting, has been complied with;
4. Section 1005, Provision of Control Valves, has been complied with;
5. Section 1104(1)(a), Installation of Remote Reader wiring has been complied with;
6. At least 24 hours notice has been provided to the Town.

Then the Owner of the Property will be charged \$25.00.

If at least 24 hours notice has **NOT** been provided then the charge shall be \$50.00.

If the Owner of the Property, their contractor or the Owner's authorized agent requests the Town to provide and install a Water Meter and Remote Reader and the Town sends staff to the Building to install both the Water Meter and Remote Reader but cannot, because one or all of Sections 1004, 1005 or 1104(1)(a) have not been complied with, then there will be an additional charge of \$15.00.

8. Bulk Water Dispenser:

1. Bulk Water Key Deposit

The bulk water key deposit collected in accordance with Section 1403(1) shall be \$100.00.

2. Bulk Water Rates

- a. Bulk Water facility users who have entered into a Bulk Water Servicing Agreement with the Town shall be charged for the purchase of water at the rate of:

(i) \$2.75 per cubic meter (m³) or any portion thereof.

- b. When using coins to operate the bulk water dispenser the rate shall be \$1.00 per 66 Imperial gallons or any portion thereof, converted to metric \$3.33 per cubic meter (m³) or any portion thereof.