



## BYLAW NO 1699

### WATER & WASTEWATER SERVICES BYLAW

**A BYLAW OF KNEEHILL COUNTY, IN THE PROVINCE OF ALBERTA, TO REGULATE AND PROVIDE FOR THE SUPPLY AND USE OF WATER AND WASTEWATER WHEN PROVIDED BY KNEEHILL COUNTY.**

**WHEREAS**, pursuant to the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended, a Municipal Council may pass Bylaws for municipal purposes respecting public utilities, including the maintenance and management of any public utility constructed or maintained Kneehill County and for the establishing of terms, rates, charges, tolls, fares and rents in connection with such public utilities;

**AND WHEREAS**, Kneehill County deems it appropriate and necessary to levy rates and charges on all persons to whom such utility services are provided and to set forth the terms and conditions under which such utility service will be provided.

**NOW THEREFORE**, the Council of Kneehill County, duly assembled, enacts as follows:

#### **PART ONE INTRODUCTION**

**1. TITLE**

**This Bylaw shall be known as the “Water & Wastewater Services Bylaw”.**

**2. DEFINITIONS**

**In this bylaw the following words and phrases mean:**

- a) **“Application”** means the application made by the customer to the County for the supply of utility services;
- b) **“Billing Period”** means the period for which the County assesses its utility services.
- c) **“Building”** means any structure used or intended for supporting or sheltering any use or occupancy;
- d) **“Building Code”** means the Alberta Building Code 1997 and amendments thereto or replacements thereof;
- e) **“Bulk Water Station”** shall mean a service point to obtain potable water which can be loaded for transport.
- f) **“Combined Service”** shall mean the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection;

- g) **"Chief Administrative Officer or CAO"** means the Chief Administrative Officer appointed by Council, or the Chief Administrative Officer's designate.
- h) **"Council"** means the Council of Kneehill County.
- i) **"County"** means the municipal boundaries outlined and designated as Kneehill County
- j) **"County Service" or "County Service Pipe"** shall mean that portion of a pipe used or intended to be used for the supply of water which extends from the water main to the service valve;
- k) **"Customer"** means any person to whom the County supplies utility services, and shall be deemed to be in a situation where the occupant is the registered owner or purchaser or a Building or lot or part of a lot, the occupant.
- l) **"Due Date"** means the date set out in the invoice of the County by which a utility charge shall be paid.
- m) **"Financial Institution"** means a bank, a trust company, or a credit union.
- n) **"Fire Line"** shall mean a pipe intended solely for the purpose of providing supply of water for fire protection purpose;
- o) **"Hamlet"** means the communities of Huxley, Swalwell, Torrington and Wimborne
- p) **"Highway"** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, Lane, alley, square, bridge, causeway, trestle way or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes:
  - (i) a sidewalk (including the boulevard portion of the sidewalk);
  - (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch; and
  - (iii) if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by the Lieutenant Governor in Council not to be a Highway;
- q) **"Matter"** means any solid, liquid or gas;
- r) **"Meter"** means an apparatus used for measuring a supply of water delivered to or received by a customer;
- s) **"Metering equipment"** means the devices used to control pressure and regulate flow at the service connection;
- t) **"Outstanding Account"** means any utility charges (or any portion of) for which the County has not received payment on or before the due date;
- u) **"Owner"** means the registered owner of any premises;
- v) **"Person"** means a natural person, body corporate, proprietor, association, society or partnership;
- w) **"Premises"** means any land or building or both or any part thereof located within the County;
- x) **"Private Service" or "Private Service Pipe"** shall mean that portion of a pipe used or intended to be used for the supply of water which extends from the service valve to the meter;

- y) **“Remote Reading Device”** shall mean a device which is connected to a water meter by the County and provides a duplicate reading of the water consumed, which may be monitored from the exterior of a building;
- z) **“Service or Service Pipe”** shall mean a pipe used or intended to be used for supplying water which extends from the water main to a meter;
- aa) **“Service Valve”** shall mean the valve on a county service pipe;
- bb) **“Shut Off”** shall mean an interruption in, or discontinuance of, the supply of water;
- cc) **“Sprinkling”** shall mean the distribution to the surface or sub-surface of lawns, gardens, street or other areas situated outside the buildings by pipes, hoses, sprinklers or any other method and includes the washing of motor vehicles and the exterior of buildings;
- dd) **“Release”** means to directly or indirectly spill, discharge, spray, inject, inoculate, abandon, deposit, leak, seep, pour, drain, emit, empty, throw, dump, place or exhaust either intentionally or unintentionally;
- ee) **“Residential Customer”** means those persons who occupy a building used exclusively for residential purposes and connected to or provided with utility services;
- ff) **“Service Connection”** means that portion of the water/wastewater system works located on the property line which connects the main lines of the water/wastewater system with the service lines located on private property;
- gg) **“Sewer Service”** means the portion of the private sewer that connects the building to the main sewer line;
- hh) **“Utility”** means the water system;
- ii) **“Utility Charges”** means the fees imposed by the County for utility services pursuant to this Bylaw;
- jj) **“Utility Contract”** means the agreement between the County and the customer for the supply of utility services in the standard form set out by the County;
- kk) **“Utilities Officer”** means the CAO or designate authorized to act on behalf of Kneehill County;
- ll) **“Utility Service”** means the supply of water delivered via the water system.
- mm) **“Water main”** shall mean those pipes installed by the County for the conveyance of water throughout the County to which service pipes may be connected;
- nn) **“Water System”** means any of the County's works for the collection, transmission, treatment and distribution of water including all lines, equipment and apparatus on the County side of the service connection, the service connection, meters and metering equipment;
- oo) **“Water Utility”** shall mean the system of water works owned and operated by the County and all accessories and appurtenances thereto.

## **PART TWO GENERAL PROVISIONS**

### **3. SUPERVISION AND AUTHORITY**

3.1 The Utilities Officer has the general supervision and control of the utility services.

- 3.2 The Utilities Officer is hereby authorized to do all things necessary in order fulfill the Utilities Officer's authority under this Bylaw.
- 3.3 The County shall have reasonable access to premises receiving utility services and, without restricting the generality of the foregoing, this access shall include:
- a) Entering the premises to read the meter;
  - b) Entering the premises to construct, maintain or repair any part of the water system owned by the County, including the meter, metering equipment and the service connection;
  - c) Entering the premises to construct, maintain or repair the service connection for if the County is not satisfied with the construction, maintenance or repair of the service connection and the customer has failed to comply with the County's instructions;
  - d) Entering the premises in an emergency situation;
  - e) Entering the premises where otherwise contemplated by this Bylaw, or the Municipal Government Act R.S.A. 2000, Chapter M-26.
- 3.4 Any person who considers themselves to be aggrieved by a decision of the Utilities Officer may appeal the decision to Council;
- a) An appeal shall be made within thirty (30) days of receipt of the Utility Officer's decision;
  - b) All appeals shall be in writing addressed to the Utilities Officer; and
  - c) The Council's decision respecting an appeal shall be final and binding.
- 3.5 The provisions of this Bylaw shall apply to all persons using the County's water system both in and outside the County and/or a regional system to which the County is a member of and regardless of whether any person using this system has a contract for water service in the County.

#### **4. SUPPLY AND OWNERSHIP OF FACILITIES AND EQUIPMENT**

- 4.1 Unless otherwise provided for in this Bylaw, the County shall own, supply, and maintain all elements of the water system including meters and metering equipment.
- 4.2 Water use priority is established as follows:
- a) People first;
  - b) Livestock second; and
  - c) Irrigation last.

**PART THREE CONDITIONS OF SERVICE****5. PAYMENT OF UTILITY ACCOUNTS**

- 5.1 The County shall levy utility charges on all premises in accordance with the utility charges set by the Master Rates Bylaw.
- 5.2 The County shall levy utility charges for all premises on a bi-monthly basis.
- 5.3 A customer is not relieved from paying utility charges by reason of non-receipt of a utility account, whatever the reason for non-receipt.
- 5.4 A customer shall pay the applicable utility charges on or before the due date.
- 5.5 Outstanding accounts for current utility charges will be assessed a penalty as set out by the Master Rates Bylaw.
- 5.6 For greater certainty, a customer is obliged to pay for utilities when the bill is rendered and it is a breach of the agreement to supply utilities for the customer to pay late. The late payment penalty is not to be construed as permission for the customer to pay late but is rather a penalty for breaching the terms of the utility service agreement.
- 5.7 Any customer to whom utility services have been shut off or discontinued at the request of the customer or for committing a breach of this Bylaw shall, upon having paid any utility charges owing, and upon requesting the County to restore utility services, pay to the County a reconnection charge set by the Master Rates Bylaw.
- 5.8 The County may discontinue the supply of all utility services for any of the following reasons:
- a) Non-payment of any utility accounts;
  - b) Inability of the County to obtain access to residential premises to read any meter for a period of six months, or to a non-residential premises to read any meter for a period of three months;
  - c) Failure by, or refusal of, a customer to comply with any provision of the Bylaw;
  - d) At the owner's request to have services discontinued;
  - e) The premise is or appears to be abandoned;
  - f) In emergency situations, or where necessary to protect the integrity of the water/wastewater System.
- 5.9 All payments made for utility accounts shall be made by cash, cheque drawn on an accepted financial institution and acceptable credit or debit card, or by other means acceptable to the

County. The County reserves the right to require payments in such manner as the County in its unfettered discretion deems appropriate.

## **6. UTILITY ACCOUNTS**

- 6.1 The County hereby levies, and the customer shall pay, for all utility supplied or services rendered hereunder the amounts and charges provided for in this bylaw in the Master Rates Bylaw.
- 6.2 Any person who wants to be supplied with utility services must submit a completed utility contract. The utility contract will be subject to the approval of the County. The account must be opened prior to the water service being provided to the property. The owner of the property is required to sign the application.
- 6.3 The customer may not assign nor transfer the utility contract to another person.
- 6.4 The County shall not provide utility services to any premises until the County has been provided access to the premises for the purpose of obtaining an initial meter reading.
- 6.5 The utility contract remains in full force and effect until the utility contract is terminated in accordance with this Bylaw.
- 6.6 Upon notification by the customer to the County to terminate the customer's contract, the County shall, when deemed necessary, obtain a final reading of any meter as soon as reasonably practical and the customer shall be liable for and pay all service supplied prior to such reading. The County may base the final charge for service on an estimated meter reading which will be prorated from the time of an actual meter reading.
- 6.7 In any case in which the County has rendered an account based upon an estimate of water consumption, the County shall, upon reading the meter in respect of which the estimate was made, render an account for such water service since the time the meter was last read by the County, after crediting all amounts received from the customer in respect of such estimated accounts.
- 6.8 When the premises to which utility service is provided become vacant and no new application for service has been made, the County may terminate the contract and, in lieu of disconnecting the service, open a new utility account in the name of the owner. Nothing herein shall prevent the owner from requesting that the County disconnect such utility service provided the owner pays the service charge prescribed herein.
- 6.9 The Utility Officer is hereby authorized and directed to enter upon and in any property upon which a meter or shut-off valve is situated for the purpose of terminating the supply of water to that property, or for the purpose of supplying water to that property.
- 6.10 No permit for the demolition or removal of a building shall be issued by the County nor shall any person cause, permit or allow to be demolished or removed a building connected to a utility service line or main until there has been paid to the County the cost of disconnecting the utility service in the amount required under this bylaw and such utility service has been disconnected.

- 6.11 Notwithstanding the foregoing, the Utility Officer may, in circumstances which the Utility Officer considers appropriate, permit the service to remain connected to the water service line or main.
- 6.12 Where a request is made, for the purpose of discontinuing a utility service, for whatever reason a disconnection service charge, as stated in the Master Rates Bylaw, will be added to the owner's account.
- 6.13 Where a request is made for the purpose of restoring services to the customer's account where utility services were previously discontinued, a reconnection service charge as stated in the Master Rates Bylaw will be added to the customer's account.

## **7. METER READING**

- 7.1 The County shall perform meter reading using automated monitoring equipment where the County deems it appropriate to do so.
- 7.2 Where a remote reading device is installed in addition to the main water meter, the main meter shall be the official reading.
- 7.3 The County will endeavor to read the meters of customers once every two months, or at such other intervals as are reasonable and practicable under the circumstances. If the County cannot gain access safely to read the meter as aforesaid, the consumption of the water shall be estimated upon as outlined in Paragraph 6.7, non-registering meter, and the account rendered in accordance with such estimate. Each meter shall be read at least once per year and if such reading cannot be obtained, the County may discontinue any or all water services supplied to the premises until such time as the County is able to obtain an actual meter reading.
- 7.4 The customer shall ensure that access to the meter is safe, well lit, and free of hazards to the person reading the meter. If guard dogs are on the premises, the owner may be requested to have them put in a kennel or restrained prior to the meter reading.
- 7.5 When a customer requests a meter reading, disconnection or reconnection at a time other than during the regular work hours of the County, the customer, may be assessed a fee, as stated in the Master Rates Bylaw.

## **8. WATER METERS**

- 8.1 All water supplied by the County to a customer shall be measured by a meter unless otherwise provided for in this bylaw.
- 8.2 All meters used on the water system will be supplied by the County.
- 8.3 Only County authorized personnel shall install, inspect, maintain, remove, disconnect or reconnect a meter or metering equipment.
- 8.4 A customer shall make provision for the installation of a water meter as outlined in the Water Service Standards, and to the satisfaction of the Utility Officer.

- 8.5 Unless the Utility Officer otherwise approves, the County shall not be obligated to supply more than one water meter for any one building. In the event additional water meters are approved, a separate curb stop will be required for each additional water meter.
- 8.6 If, upon the reading of a meter, it is determined that the meter has failed to record the consumption of the utility supplied then the consumption will be estimated.
- 8.7 Where it has been determined by the County that the meter is not recording the consumption of a utility, the County, with reasonable notice to the customer, must be allowed to enter the premises to replace the meter.
- 8.8 A customer who disputes a meter reading shall give written notice to the County. Following receipt of written notice:
- a) A water meter situated on the customer's premises shall be tested or calibrated by a qualified person designated by the Utility Officer. In the event that the meter is found to be accurate within 98.5% to 101.5% of the water passing through the same, the expense of such test or calibration shall be borne by the customer in the amount designated in the Master Rates Bylaw;
  - b) In the event that the said meter is found not accurate within the said limits as outlined in 8.8(a), it shall forthwith be repaired or be replaced by one that is accurate and the expense thereof shall be borne by the County;
  - c) In the event that a meter is found not to be accurate within the limits, as outlined in 8.8(a), then any meter handling and testing fees paid by the customer shall be refunded, and the billings adjusted to fully take into account such error; or
  - d) Unless an examination of past readings or other information discloses the time at which such error commenced, then such error shall be deemed to have commenced three months prior to such testing of the meter or from the date upon which the meter was installed, whichever is the lesser. The amount so determined shall be deemed accepted by the customer and the County as settlement in full of all claims on account of the inaccuracy of such meter.
- 8.9 Each customer shall provide adequate protection for the meter supplied by the County against freezing, heat or any other internal or external damage, failing which the customer shall pay to the County all costs associated with the repair of such meter which amount shall be recoverable in the same manner as all other costs and charges provided for under this bylaw.
- 8.10 A customer may, for their own benefit, install a water meter between the meter supplied by the County and the point of use of the water supply provided that the County shall not maintain such meter, nor shall such meter be read by the County.



**9. UNAUTHORIZED USE, OBSTRUCTION OR WASTAGE**

- 9.1 No person shall release, discharge or deposit any matter into the water system.
- 9.2 Any person who releases, discharges or deposits or causes or permits the release, discharge or deposit into the water system of any matter shall:
- a) Notify the County immediately upon becoming aware of the release, discharge or deposit;
  - b) Provide information respecting the release, discharge or deposit to the satisfaction of the County; and
  - c) Be liable for all costs incurred by the County with respect to the release, discharge or deposit for containment, sampling, testing, removal, cleanup disposal and any other related activity.
- 9.3 No person shall break, damage, destroy, deface, tamper or cause or permit the breaking, damaging, destruction, defacing or tampering with any part of the water system or any permanent or temporary device installed in the water system for the purpose of measuring, sampling, or testing of water. Any person who does perform such acts shall be liable for any damage incurred.
- 9.4 No customer shall cause, permit or allow any apparatus fitting or fixture to be or remain connected to the customer's water supply or to be operated which causes noise, pressure surges or other disturbances which may in the opinion of the Utility Officer, result in annoyance or damage to other customers or to the water utility.
- 9.5 Whenever the County determines that a release from a premise is contrary to this Bylaw, the County, in addition to any other provisions in this Bylaw, requires the customer to:
- a) Install and maintain a device to detect the presence of a release contrary to this Bylaw; and
  - b) Notify the County of a detection of a release contrary to this Bylaw, and to provide all information to the County's satisfaction.
- 9.6 No customer shall cause, permit or allow the discharge of water so it runs waste or useless, whether by reason of leakage from private service pipe, a faulty plumbing system or otherwise.
- 9.7 Notwithstanding the foregoing, the Utility Officer may under such condition as the Utility Officer may consider reasonable allow a customer to discharge water so that it runs waste or useless if such customer's water service would otherwise be susceptible to freezing.
- 9.8 No customer shall:
- a) Lend or sell water without written permission from the County;
  - b) Give away or permit water to be taken;
  - c) Use or supply any water to use or benefit of others or to any other than the customer's own use and benefit;
  - d) Increase the usage of water beyond that agreed upon with the County; or

- e) Extract or remove any water from any hydrant within the County without first obtaining written permission from the Utility Officer for such use of water.

## **10. AUTHORITY TO SHUT OFF OR RESTRICT SUPPLY**

- 10.1 The County by notice published in a newspaper, or broadcast on the radio and or television, may restrict customer shall use of any water supplied to any premises for vehicle washing, lawn watering or other irrigation purposes.
- 10.2 The County at any time may limit or control water usage from Bulk Water Stations.
- 10.3 The Utility Officer may at such times and for such lengths of times as the Utility Officer considers necessary or advisable regulate, restrict or prohibit the use of water for use other than human consumption. The Utility Officer may cause the water supply to any customer who causes, permits or allows consumption or sprinkling in contravention of any such regulation, restriction or prohibition to be shut off until such customer undertakes to abide by and comply with such regulation, restriction and prohibition.
- 10.4 The County does not guarantee the pressure nor the continuous supply of water and the County reserves the right at any and all times without notice to change operating water pressures and to shut off water and the County, its officers, employees or agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of the water containing sediments, deposits or other foreign matter.
- 10.5 Customers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply pressure or quality of water required for their use.
- 10.6 The County may post a sign on the premises providing at least twenty-four (24) hours prior notice or, in an emergency situation, without providing any prior notice, of discontinuing the supply of Utility Services or preventing access to the utility services on the premises pursuant to this Bylaw, advising that access to utility services may be discontinued or prevented and that there may be a health risk to persons entering the premises.

## **11. MAINTENANCE OF COUNTY WATER SUPPLY INFRASTRUCTURE**

- 11.1 The cost of thawing a frozen service shall be borne as follows:
  - a) If the private service or the plumbing system connected is thereto is frozen, as determined by the Utility Officer, by the customer;

- b) If the County service is frozen as a result of negligence of the customer, as determined by the Utility Officer, by the customer; or
  - c) If the County service is frozen for any other reason, as determined by the Utility Officer, by the County.
- 11.2 If the Utility Officer is of the opinion that a private service or plumbing system has frozen without any negligence on the part of the customer or any other person for whose negligence the customer is responsible, the Utility Officer may waive the cost of one thawing during any one winter season which shall be deemed to run from November 15<sup>th</sup> to May 15<sup>th</sup>.
- 11.3 The County shall not thaw a private service or plumbing system unless the customer shall first have signed and or written an acknowledgment recognizing that thawing may be inherently dangerous to property including private service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against the County for any such damage whatsoever except damage caused by the negligence of the County.

## **12. FIRE PROTECTION SERVICES**

- 12.1 When an owner wishes to provide fire protection by means of sprinkler heads, fire hydrants or outlets for hose lines, or in some other manner, application for a special service pipe shall be made in accordance with Section 12 and be consistent with County policy. It should be noted that the County rural water lines are not engineered to provide fire protection and as such cistern storage may be required.
- 12.2 A water line which provides combined domestic service and fire line service shall not be installed prior to the approval of the Utility Officer.
- 12.3 When an application is approved by the County a separate special service pipe to be utilized for fire protection only may be constructed by an approved contractor at the owner's expense.
- 12.4 The County may maintain, at its expense, that portion of the special service pipe between the main and property line where a tapping valve and sleeve form the connection to the main or between the main and valve when the control valve is located within 1200 mm of County property.
- 12.5 Portion of the service pipe constructed on the County lands becomes the property of the County.
- 12.6 If a fire line shall be used only for fire protection purposes then the Utility Officer shall determine whether or not a meter shall be affixed to such fire line. If the Utility Officer requires such a meter, the same shall be supplied and installed in a manner satisfactory to the Utility Officer at the sole expense of the customer.

- 12.7 No trees, shrubs or plant material shall be planted within 3 feet (1 meter) of a fire hydrant. In addition, no tree branches or plant material shall be allowed to encroach within 2 feet (0.7 meters) of a hydrant.
- 12.8 Services constructed pursuant to this part shall not be tapped in any place, on either the County's portion or the private property portion, without the permission of the County.
- 12.9 Fire hose valves may be sealed by the County. No person, other than authorized employees or agents of the County shall break such a seal except in case of emergency. In such case, the owner or occupant shall immediately notify the County that the seal has been broken.

#### **PART FOUR RURAL WATER UTILITY**

##### **13. CONNECTION TO COUNTY WATER SUPPLY**

- 13.1 All applications for the installation of a water service pipe from the County's main to the property line shall be made on a standard County application form for that purpose. The application will be subject to the approval of the County. Such application form shall be signed by the owner of the property to be served or by his authorized agent. Any fees applicable to the application are payable at the time of application.
- 13.2 At such time as the owner connects to the water main, the owner shall also open a utility account and make payment of all fees, charges or levies that may be required under this bylaw.
- 13.3 The owner with land and or property abutting any street / road in which there is a water main, may apply for a water service connection to the Utility Officer where the County will provide for the construction of a water service connection to the customer's property line.
- 13.4 The owner of any land abutting on any road or easement wherein a water main now exists or is hereafter located shall:
- a) Install both in any building and between the building and the boundary of the road or easement in which the water main is located (up to the point of the cc. valve), private service connections with the water system and any other apparatus and appliances required to ensure the proper sanitary conditions of the building and premises, including a meter and, for meters installed after enactment of this Bylaw, a remote meter reader;
  - b) The private service shall be installed by a person authorized to do so under the Safety Codes Act;
  - c) The private service shall be installed to the County's satisfaction and according to all relevant Federal, Provincial and Municipal legislation and regulations; and

- d) The owner shall ensure that the private service shall be inspected by the County prior to backfilling of the trench and prior to connection to the water system.
- 13.5 The owner, as a term of supplying water services to the parcel of land, is responsible for the cost of construction, maintenance and repair of those portions of the service connection both above, on, or underneath the parcel to the boundary of the road or easement, but only to the point (but excluding) the cc valve.
- 13.6 When an application is received to provide water to a portion of land that is deemed to be non-adjacent to an already constructed water main. The person applying for this water service shall be responsible for costs associated with extending the water main.
- 13.7 The service connection must meet the requirements outlined in the service area's Water Service Standards.
- 13.8 If the owner fails, neglects or refuses to comply with paragraph 13.4 within sixty (60) days of the enactment of this Bylaw, or within sixty (60) days of the construction of the water system within the abutting street, public place, or road, where construction takes place after the enactment of this Bylaw, the County may enter onto the premises or building concerned and make the connection or installation, at the expense of the owner.
- 13.9 The owner shall ensure that for every private service connection at a parcel of land there shall be at least one meter. Any additional meters shall be at the discretion of the County and if the relocation is requested by the owner the relocation will be at the expense of the owner. Any relocation of meters shall be at the discretion of the County and at the expense of the owner. Notwithstanding the foregoing the owner of a parcel of land on which a trailer court or manufactured home park exists shall ensure that a meter shall be installed for each trailer or manufactured home site, unless otherwise agreed by the County.
- 13.10 Any meter or metering equipment installed pursuant to this section is the property of the County and shall be deemed to be part of the utility services.
- 13.11 The owner of a parcel on land for which a service connection for any aspect of the utility services is located shall ensure that the works are protected from damage, including freezing.
- 13.12 Where the owner is required to perform any work within lands owned or controlled by the County (including a road or easement) the owner shall contact the Utilities Officer prior to performing such work, remediate the lands to the satisfaction of the Utilities Officer, and perform the work according to the terms specified by the Utilities Officer.
- 13.13 At the discretion of the Utility Officer, the County may install a meter lift pit. The meter lift pit shall be installed on the downstream side of the cc valve as close to the property line as possible and in a space that is easily accessible to the County and its representatives. The meter lift pit is the property of the County and only County authorized personnel may install, inspect, maintain, and remove as such.
- 13.14 Notwithstanding anything herein contained, where in the opinion of the Utility Officer, the configuration of any water connection which creates a high risk of contamination to the water system, the customer, upon being given notice by the Utility Officer, shall install on their water service an approved cross connection control device, in addition to any cross connection control devices installed in the customer's water system at the source of potential contamination.

- 13.15 All cross connection control devices shall be inspected and tested at the expense of the customer, upon installation.
- 13.16 No customer or other person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or polluted water, wastewater, or any other liquid, chemical or substance to enter the domestic water system.
- 13.17 No person shall turn on a water service valve to provide water to the occupants of any newly renovated, constructed, or reconstructed premises until the plumbing system in such premises has been inspected for cross connections and approved by the Utility Officer.
- 13.18 If the customer has failed to comply with the Water Service Standards, the Utility Officer may:
- a) Give notice to the customer to correct the fault at the customer's expense within a specified time period and, if the notice is not complied with, the Utility Officer may then shut off the water service or services; or
  - b) Shut off the water service or services without prior notice.
- 13.19 Upon notice to any owner that an existing private service fails to meet the requirements of this Bylaw, or for any reason is unsatisfactory to the County, the owner shall effect the changes required in the notice by the date specified in the notice.
- 13.20 When a service pipe passes through an excavation or backfill, or through a basement wall, finished or unfinished, or through a retaining wall, the County shall not be responsible for any damage due to displacement, settlement, or any cause due to the owner's or occupant's operations, whether damage occurs during building operations or afterwards.
- 13.21 Additional construction costs are the responsibility of the owner. 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.
- 13.22 Any customer complaining of a failure or interruption of water supply, the investigation of which complaint necessitates the opening up and excavating of a street shall, prior to such opening up and excavating, sign a work order with the Utility Officer, agreeing to pay all costs associated with the investigation.
- a) In the event that such failure or interruption was caused by the County service, providing that the service is new service or has been used in the preceding twelve (12) months, the customer shall not be liable for such costs; or
  - b) In the event that such failure or interruption was caused by the private service, the actual cost of such work shall be paid by the customer and shall be collected in the same manner as water rates.

- 13.23 Any persons requiring a temporary water supply in the course of construction shall make application to the Utility Officer and shall pay the sums required by Master Rates Bylaw.

## **PART FIVE HAMLET UTILITIES**

### **14. CONDITIONS OF HAMLET UTILITY SERVICE**

- 14.1 The County provides water & wastewater services to the hamlets of Huxley, Swalwell, Torrington and Wimborne.
- 14.2 The owner shall, at his expense, operate and maintain the building sewer service line from the sewer system main line to the building. All costs for maintenance, pipe replacement or clean out on the sewer service line will be the responsibility of the owner of the said property. All costs relative to the maintenance or cleanout of sanitary sewer system will be borne by the municipality if such blockage occurs within the sewer main. The property line of said property is not the defining factor.
- 14.3 If the cause of blockage in the sewer service line is due to a installation/technical deficiency resulting from a failure of the County to adequately design or maintain the sanitary sewer line, the County shall bear the costs for damages and repairs necessary to correct the deficiency.
- 14.4 The owner shall, at his expense, operate and maintain the building water service line from the curbstop to the building.
- 14.5 If an outlying acreage wishes to connect to the water or wastewater services within a Hamlet, the owner must make application to the County for approval, utilizing the standard County application form for that purpose.
- 14.6 At such time as a Hamlet water system becomes available to the property served by a private water system, the owner of the property shall, at his expense, abandon any onsite private water systems, including wells.
- 14.7 At such time as a Hamlet wastewater system becomes available to the property served by a private wastewater system, the owner of the property shall at his expense, abandon any onsite private wastewater systems, including storage tanks, cess pools, etc.
- 14.8 Utility services, whether private or public, shall not be extended from one lot to another without the approval of the County.
- 14.9 When a service pipe becomes inadequate to supply the volume of water required at any building or premise, and the owner desires a larger service pipe, the said owner shall apply in writing to that effect. Subject to the availability of water, a larger service pipe shall be installed, provided that the owner pays, in advance, the cost of the new service pipe plus the cost of abandoning the older service pipe.
- 14.10 Grease, oil and sand interceptors shall be provided on private property for all garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be

required for other types of business when in the opinion of the Utilities Officer they are necessary for the proper handling of liquid waste containing grease in excessive amounts, or any flammable wastes, sand, other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be a type and capacity approved by the Utilities Officer and shall be maintained by the occupant at his expense in continuously efficient operation at all times.

- 14.11 In case any blockage, either wholly or in part, of said sewage system is caused by reason of failure, omission or neglect to comply strictly with the foregoing provisions, the owner, proprietor or occupier concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the County for all costs of clearing such blockage and for any other amount for which the County may be held legally liable because of such blockage.
- 14.12 The County is not liable for damages:
- a) Caused by the breaking, plugging or stoppage of any sanitary sewer system;
  - b) Caused by the interference with the supply of any water service or sewer necessary in connection with the repair or proper maintenance of sewers;
  - c) Generally for any accident due to the operation of the sewer disposal system of the County; unless such accident is shown to be directly due to the negligence of the County or its employees.
- 14.13 Except as permitted in this Bylaw, no person shall construct or maintain any privy, privy vault, septic tank, cess pool, field or other facility intended to be used for the on-site collection or disposal of wastewater.
- 14.14 If a property is not connected to and is not required to be connected to a sanitary sewer system in accordance with this Bylaw, the buildings used for human occupancy, employment, recreation or other purposes on such property shall be connected to a private wastewater disposal system complying with the provisions of this Bylaw and the Alberta Private Sewage Disposal Regulation
- 14.15 The owner of a property shall at all times operate and maintain in a sanitary manner, any private waste water system located on such property.
- 14.16 The owner of a private wastewater disposal system shall be solely financially responsible for the operation and maintenance of said system.
- 14.17 No person shall discharge into a natural outlet within the County, any wastewater or other polluted water.
- 14.18 No trees, shrubs or plant material shall be planted within 3 feet (1 meter) of a fire hydrant. In addition, no tree branches or plant material shall be allowed to encroach within 2 feet (0.7 meters) of a hydrant.



**15. CONNECTING TO HAMLET UTILITY SERVICES**

- 15.1 In Hamlets or subdivisions that provide a potable water system and or a sanitary sewage system, all residents must connect to the water system and sewer system prior to occupancy.
- 15.2 New developments must connect to the water and sanitary sewer system, if one exists.
- 15.3 The Hamlet of Huxley does not operate a wastewater system that connects directly to the sewer main. Homeowners are required to have a private septic tank which only allows the supernatant to enter the public sewer system. These private systems are owned, operated and maintained by each individual owner.
- 15.4 No person shall uncover, make any connections with or opening into, use, alter or disturb the County water and sanitary sewer system or appurtenances thereof without prior written authorization.
- 15.5 No person shall connect private water and or sewer lines to the County's public utility system without prior written approval from the County.
- 15.6 If water and or sanitary sewer systems are available, the County will connect and install the utility service connections from the main line to the property line for a fee as stated in the Master Rates Bylaw. The stated fee shall be received prior to construction beginning.
- 15.7 Costs for connection to the water and sanitary sewer system from the property line to the intended structure shall be borne solely by the property owner.
- 15.8 Existing service connections may be reused for redevelopment purposes without charge. The County shall install any required new service connection in the event that reuse is not possible as per section 15.6.
- 15.9 No person shall discharge or cause to be discharged any storm water, surface water, or roof runoff into the sanitary sewer system.
- 15.10 All construction in existing approved subdivisions for which development permits are applied for will be required to discharge foundation drain water into a sump. Sump pumps are not permitted to discharge into sanitary sewer system.

**PART SIX ENFORCEMENT****16. ENFORCEMENT**

- 16.1 Compliance with this Bylaw is a condition of providing services to the premises; if the use of utility services at a premise does not comply with this Bylaw, the County may pursue its enforcement options.
- 16.2 Enforcement of rectification of breaches of this Bylaw, including enforcement of payment of outstanding accounts may be undertaken by the County by any or all of the following methods:
- a) Shutting off any or all of the utility services being supplied to the customer at the premises or otherwise discontinuing the service thereof, provided that the County has attempted to provide the customer with reasonable notice of its intention to do so;
  - b) Action in the court of competent jurisdiction.
- 16.3 Every person who contravenes any provision of this Bylaw is guilty of an offence and on conviction, is liable for a fine of not less than two hundred (\$200.00) dollars and not more than ten thousand (\$10,000.00) dollars.
- 16.4 If a person is guilty of a conviction for an offence which offence occurs after the date of a conviction of an earlier offence under this Bylaw, that person is guilty of an offence and on conviction is liable for every day or part thereof upon which a subsequent offence occurs or continues to a fine of not less than five hundred (\$500.00) dollars and not more than ten thousand (\$10,000.00) dollars.
- 16.5 No person who is convicted for an offence pursuant to this Bylaw is liable to imprisonment.
- 16.6 No person shall supply false information or make inaccurate or untrue statements in a document or information required to be supplied to the County pursuant to this Bylaw.

**17. TRANSITION**

- 17.1 If a portion of this bylaw is found by a court of competent jurisdiction to be invalid, the invalid portion will be voided, and the rest of the bylaw remains valid and effective.
- 17.2 This bylaw comes into effect upon third reading of this bylaw.
- 17.3 Bylaw No. 1511 is hereby repealed.

**READ** a first time on this 12<sup>th</sup> day of April, 2016.

**READ** a second time on this 12<sup>th</sup> day of April, 2016.

**UNANIMOUS** permission for third reading given in Council on 12<sup>th</sup> day of April, 2016.

**READ** a third time and final time of this 12<sup>th</sup> day of April, 2016.



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Reeve

R. L. (Bob) Long



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Chief Administrative Officer

Al Hoggan