

UTILITY BYLAW BYLAW NO. 1393-12

Office Consolidation August 22, 2017

Prepared by:

**Executive Assistant
Town of Bonnyville**

Bylaw No. 1393-12 was adopted by Town Council on September 11, 2012. In July, 2015, this document was consolidated by virtue of the incorporation of the following bylaw, which was an amendment to the original bylaw.

That Bylaw No. 1393-12 be hereby amended by Bylaw No. 1441-15 as follows:

1. Add the following "AND WHEREAS" Clause to the beginning of the Bylaw:

AND WHEREAS, the Town of Bonnyville is a Municipal Corporation in the Province of Alberta and the Municipal Government Act (R.S.A. 2000, cM-26) authorizes a municipality to operate a water system as a public utility for the purpose of supplying and distributing water to residents, industrial and commercial users, and to all other Customers in the Town of Bonnyville and subject to Council approval, to Customers outside the Town boundaries;

2. Add Section 6.04 – Outside Town

- a) Where water is supplied to any Customer outside the Town of Bonnyville, that Customer shall pay to the Town the rates approved by Council as set out in Schedule "B" of this Bylaw.
- b) The terms and conditions of water Services provision shall be in accordance with Water Services agreements between the Town of Bonnyville and the Customer, subject to approval by Council.

3. Add Section 7.09 – Outside Town

- a) Where Sanitary Sewer is supplied to any Customer outside the Town of Bonnyville, that Customer shall pay to the Town the rates approved by Council as set out in Schedule "B" of this Bylaw.
- b) The terms and conditions of Sanitary Sewer Services provision shall be in

accordance with Wastewater Services agreements between the Town of Bonnyville and the Customer, subject to approval by Council.

4. That Bylaw No. 1393-12 and this Bylaw and any future amending Bylaws be consolidated.
5. That this Bylaw shall come into force and effect upon third and final reading.

That Bylaw No. 1393-12 be hereby amended by Bylaw No. 1443-15 as follows:

That Bylaw No. 1393-12 be hereby amended by Bylaw No. 1443-15, which provides for the amendments and insertion of clauses into Utility Bylaw No. 1393-12, to accommodate the automatic bulk water and sewer lagoon disposal facilities.

1. Amend Section 9.01 – Use and Conditions of the Bulk Water System
 - a) Bulk water is available through an automatic facility located within the Town of Bonnyville.
 - b) Users requested the use of the bulk water facility shall enter into a Bulk Water Servicing Agreement with the Town.
 - c) Users of the bulk water facility shall provide a deposit upon completion of the Bulk Water Servicing Agreement which includes one Pin # for the facility. Additional Pin #'s for the facility may be purchased for a non-refundable fee. Upon termination of the account this deposit shall be returned to the user less any outstanding amounts on the account.
2. Add Section 10.0 – Sewer Lagoon Effluent Disposal
3. Add Section 10.01 – Use and Conditions of the Sewer Lagoon Effluent Disposal System
 - a) Disposal of effluent is available through an automated facility located at the Town of Bonnyville Sewer Lagoon site.
 - b) Users requesting disposal within the Town of Bonnyville sewer lagoons shall complete a Sewer Lagoon Disposal Registration form for each location site the effluent is originating from.
 - c) Once the contractor/agent has received the PIN # from the Town of Bonnyville to dispose of effluent, they are informed that there may be random testing of their loads by either a visual inspection or by taking a sample of the load to ensure there are no hydrocarbons or other undesirables such as toxic pesticides, nutrients and heavy metals contained in the effluent.
 - d) Rates for the disposal of effluent in effect are indicated and included

in Schedule "B" and shall be approved by Council, as amended from time to time by resolution of Council.

- e) Any person or contractor who violates any term or condition of the bylaw shall be liable for a fine and discontinuance of disposal into the sewer lagoon site and the costs associated with any reclamation of the sewer lagoon site as well as any liability arising from the violation.
4. Amend Section 10.0 – Penalties to Section 11.0 - Penalties
 5. Amend Section 10.01 – Administration to Section 11.01 – Administration
 6. Amend Section 11.01 – Administration
 - f) The Director and/or Bylaw Enforcement Officer shall have the authority to levy fines as per Section 13 of Schedule "B" and other related costs as identified in 11.01 e) in respect of any violations of the Bylaw.
 7. Amend Section 11.0 – Transitional and Coming Into Force to Section 12.0 – Transitional and Coming Into Force
 8. Amend Section 11.01 to Section 12.01
 9. Amend Section 12.0 – Schedules to Section 13.0 – Schedules (Schedule "C" was not carried over from previous bylaw due to Administrative Error; added January 17, 2017.
 10. Amend Section 12.01 to 13.01
 11. That Bylaw No. 1393-12 and this Bylaw and any future amending Bylaws be consolidated.
 12. That this Bylaw shall come into force and effect upon third and final reading.

That Bylaw No. 1393-12 be hereby amended by Bylaw No. 1465-17, which provides for the amendments and insertion of clauses into Utility Bylaw No. 1393-12, to amend out Utility Bylaw No. 1393-12 which provides for allowing Commercial properties that have multiple meters in their buildings, for tenant billing purposes, but only one service coming to the property, the ability to shut off and turn on service on an individual basis.

1. Amend Section 4.01 – Application of Utility Service to add:
 - j) Where a Commercial Business has established more than one utility account through the installation of individual meters for multiple tenant rental units, individual utility service accounts may be set up in the name

of the property owner in care of the Tenant and the owner must make an application in all situations by completing a tenant utilities application.

2. Amend Section 4.02 – Termination and Temporary Disconnections to add:

- f) In the case of multiple tenant Commercial premises, the owner of the property shall provide Lock-out shutoff valves accessible by the Town that can be sealed by the Town in a manor satisfactory to the town so that the service can be shut-off and not turned on without physically breaking the seal which shall only be done by a Town authorized person.

3. Amend Section 4.04 – Connection Fees to add:

- c) A deposit and administration fee shall be paid on each individual account in the care of multiple tenant commercial premises.

4. Amend Section 6.02 – Water Service Levy and Billing Rates Subsection b) to read as follows:

- b) The rate payable by a consumer as set out in Schedule “B” of this bylaw for all water supplied shall be determined by reference to the reading of the water meter located at each property or in the case of Multiple Tenant Commercial Premises, four-plexes and larger residential complexes, all water meters located within the premises.

Editor’s Note:

This is an office consolidation edition of Bylaw No. 1393-12, originally approved by Council on September 11, 2012. An amending bylaw, Bylaw No. 1441-15, which included sections to provide water to customers outside Town boundaries, was approved by Council on July 14, 2014. To reflect this change, Schedule B – Utility Fees and Charges was also updated.

There is a second amending Bylaw No. 1443-15, which provides for the amendments and insertion of clauses into Utility Bylaw No. 1393-12, to accommodate the automatic bulk water and sewer lagoon disposal facilities. This bylaw was approved by Council on September 29, 2015.

For the sake of clarity, only those schedules which are current are included. All reasonable attempts were made to accurately reflect the original Bylaw and its amendments.

There is a third amending Bylaw No 1465-17, which provides for the amendments and insertion of clauses into Utility Bylaw No. 1393-12, to amend out Utility Bylaw No. 1393-12 which provides for allowing Commercial properties that have multiple meters in their buildings, for tenant billing purposes, but only one service coming to the property, the ability to shut off and turn on service on an individual basis.

This office consolidation is intended for convenience only. In case of uncertainty, the reader is advised to consult the original Bylaws, available at the office of the Executive Assistant.

Executive Assistant's Office
Town of Bonnyville

**CONSOLIDATED
BYLAW NO. 1393-12, AMENDING BYLAW NO. 1441-15,
AMENDING BYLAW NO. 1443-15, AND BYLAW NO. 1465-17**

**OF THE
TOWN OF BONNYVILLE**

A BYLAW OF THE TOWN OF BONNYVILLE IN THE PROVINCE OF ALBERTA RESPECTING WATER SYSTEMS, SANITARY SEWER SYSTEMS AND STORM SEWER SYSTEMS IN THE TOWN OF BONNYVILLE AND TO REPEAL BYLAW NO. 1265-05.

WHEREAS under Sections 7, 8 and 33 through 44 of the Municipal Government Act being Chapter M-26.1 of the Revised Statutes of Alberta, 2000, and amendments thereto, the Council may pass a bylaw for the purpose of operating a public utility, subject to any terms, costs or charges which may be established by Council;

WHEREAS the Town of Bonnyville owns and operates a water distribution system and a sewage collection system which are operated as public utilities (the "Utilities") for the benefit of its residents;

AND WHEREAS, the Town of Bonnyville is a Municipal Corporation in the Province of Alberta and the Municipal Government Act (R.S.A. 2000, cM-26) authorizes a municipality to operate a water system as a public utility for the purpose of supplying and distributing water to residents, industrial and commercial users, and to all other Customers in the Town of Bonnyville and subject to Council approval, to Customers outside the Town boundaries;

NOW THEREFORE the Council for the Town of Bonnyville, in the Province of Alberta, duly assembled, enacts as follows:

SECTION 1.0 USE AND CONTROL

The use and control of all public water distribution systems, water treatment systems, sanitary sewer collection systems, sewage treatment systems, storm sewer collection systems and/or any storm sewer treatment systems connected therewith, shall be in accordance with this Bylaw.

SECTION 2.0 AREA OF RESPONSIBILITY

All water distribution systems, water treatment systems, sanitary sewer collection systems, sewage treatment systems, storm sewer collection systems and/or any storm treatment systems belonging to the Town now laid down, or hereinafter laid down shall be under the direct control of the Town.

SECTION 3.0 DEFINITIONS

- 3.01 “*Application*” means the application made by a person to the Town for the supply of Water and Sewer Services. The said Application, when accepted by the Town, shall form a binding contract between the User and the Town, by which the parties agree to be bound by the provisions of this bylaw.
- 3.02 “*Authorized Person*” shall mean any representative of the Town appointed by the Director.
- 3.03 “*Bylaw Enforcement Officer*” shall mean the person authorized/appointed to enforce Bylaws on behalf of the Town of Bonnyville or his/her authorized, delegated, representative duly appointed by the CAO or Council of the Town of Bonnyville.
- 3.04 “*Building Code*” shall mean the Alberta Building Code and amendments thereto or replacements thereof.
- 3.05 “*Catch Basin*” shall mean a receptacle for receiving stormwater and retaining sediment from an exterior area or surface.
- 3.06 “*Clear Zone*” shall mean the area around and adjacent to surface appurtenances of the water, sanitary sewer and storm sewer systems that must be kept free of obstacles or obstructions placed or created by human actions.
- 3.07 “*Council*” shall mean the Municipal Council of the Town of Bonnyville in the Province of Alberta.
- 3.08 “*Deposit*” shall mean a security deposit charged to customers who apply for utility accounts as per Schedule B and is refundable after all final billings have been completed and all arrears have been paid, and shall not accrue interest.
- 3.09 “*Director*” shall mean the Director of Public Works or his authorized, delegated, representative appointed by the Director or CAO of the Town of Bonnyville.
- 3.10 “*Emergency*” shall mean an Act of God, a condition over which the User or the Town has no control, a condition which creates imminent danger or a real possibility of property damage, or personal injury, or a condition or situation is declared to be an Emergency by Council, or

the Federal or Provincial Crown, or other civil authority having jurisdiction.

- 3.11 “*Engineering Standards*” shall mean the Town’s General Design Standards, or in the absence of such standards, generally accepted municipal engineering standards.
- 3.12 “*Fees and Charges*” shall mean the Fees and Charges referred to in Schedule “B” Utility Fees and Charges approved by Council, from time to time.
- 3.13 “*Financial Institution*” shall mean a bank, a trust company, or a credit union.
- 3.14 “*In Good Standing*” shall mean that the payment of a utility account invoice has been made on or before the due date each month for the preceding twelve (12) month period.
- 3.15 “*CAO*” shall mean the Chief Administrative Officer of the Town of Bonnyville as appointed by Town Council and includes any person authorized by him/her or the Town to act for or carry out the duties of the Town CAO to the extent that authorization is given.
- 3.16 “*MGA*” shall mean the Municipal Government Act, Chapter M-26 R.S.A. 2000 and amendments thereto.
- 3.17 “*Meter*” shall mean the device and all other equipment and instruments, including but not limited to, Water Meters, Radio Frequency Meter Interface Units, Remote Readers used by the Town or authorized by the Town to be used to calculate the amount of water consumed on the property upon which such devices are situated in wither Imperial or Metric measurements.
- 3.18 “*Person*” shall mean the company, partnership, corporation, or property owner.
- 3.19 “*Potable Water*” shall mean water that is suitable for human consumption.
- 3.20 “*Property*” shall mean a parcel of land and/or an Improvement where the Improvement is occupied or unoccupied.
- 3.21 “*Property Owner*” shall mean the Person who is the registered owner of a parcel of land under the Land Titles Act, or in the case of Property other than land and improvements thereon, any Person who is in legal

possession thereof who has agreed to take responsibility for the payment of the Utility Account Invoices.

- 3.22 “*Public Works Department*” shall mean the Public Works Department of the Town of Bonnyville.
- 3.23 “*Remote Reading Device*” shall mean a device which is connected to the water meter by the Town and provides a duplicate reading of the water consumed, which may be monitored from the exterior of the building.
- 3.24 “*Roadway*” shall mean the system of public thoroughfares, easements and right of ways owned or operated by the Town of Bonnyville.
- 3.25 “*Sanitary Sewer*” shall mean wastewater produced by humans and industrial operations that has been contaminated by foreign matter.
- 3.26 “*Sanitary Sewer Main*” shall mean that portion of the sanitary sewer system that is laid in the roadway, easement or a Public Utility Lot for the collection of sanitary sewer effluent.
- 3.27 “*Sanitary Sewer Service Line*” shall mean that line extending from the sanitary sewer main to the building.
- 3.28 “*Sanitary Sewer System*” shall mean the system of underground piping (service lines and mains), manholes, sewage lift stations, treatment facilities and related appurtenances utilized for the collection and disposal of sanitary sewer effluent.
- 3.29 “*Service Valve*” shall mean a valve on a Town service pipe.
- 3.30 “*Shut Off*” shall mean an interruption in, or discontinuance of, the supply of water.
- 3.31 “*Storm Sewer*” shall mean wastewater produced by natural events and includes rain fall, snow melt and potable water spills.
- 3.32 “*Storm Sewer Main*” shall mean that portion of the storm sewer system that is laid in the roadway, easement or a Public Utility Lot for the collection of storm water effluent from one or more properties.
- 3.33 “*Storm Sewer System*” shall mean the system of underground piping, catch basins, manholes, street gutters, drainage ditches, culverts, disposal facilities and related appurtenances utilized for the collection and disposal of storm sewer.

- 3.34 “*Tenant*” shall mean a person who is not a Property Owner but who is in legal possession of a Property to which a Utility Service is provided.
- 3.35 “*Town*” shall mean the corporation of the Town of Bonnyville and its duly authorized representatives.
- 3.36 “*Utility Account Invoice*” shall mean the monthly charges as set from time to time for the provision of potable water and sanitary sewer services.
- 3.37 “*Utility and Utility Service*” shall mean and include, as the context may require; the supply of water and the provision of wastewater collection and disposal.
- 3.38 “*Water Main*” shall mean that portion of the water system that is laid in the roadway, easement or a Public Utility Lot for the conveyance of potable water.
- 3.39 “*Water Service Line*” shall mean the line extending from the water main to the building.
- 3.40 “*Water System*” shall mean the 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.

SECTION 4.0 ADMINISTRATION OF UTILITY AND COLLECTIONS

4.01 Application for Utility Service

- a) The utility services shall be under the general supervision and control of the Director of Public Works.
- b) The Director of Public Works shall exercise the powers and perform the duties with respect to the utility services conferred and placed upon him/her by this and any other bylaw of the Town applicable thereto and any order or direction the Town CAO or Council with respect thereto.
- c) Any person who requires connection to Town utility services shall apply to the Town Office to complete a utility servicing agreement. Accounts may not be changed or transferred under circumstances other than those described below and payment of a non-refundable application fee and deposit is paid as per Schedule “B”. The said

deposit shall be utilized for restoration of damage to any components of the water system, sanitary sewer system, storm sewer system, roadway system, sidewalk system or any other system in the event that the property owner fails to rectify any damage created. Following the restoration of any damage, any remaining funds from the deposit shall be returned to the property owner. The said non-refundable application fees will be levied for any connection to any component of the water system, any connection to any component of the sanitary sewer system, and any connection to any component to the storm sewer system.

- d) The utility account shall be set up:
- in the name of the property owner, or
 - where there is evidence of a landlord/tenant situation, in the name of the property owner in care of the tenant and the owner must make application in all situations by completing a tenant utilities application, or
 - in the name of the general contractor in the case of a new building.
- e) Upon making an application, providing all information required by the Town, and paying the application fee, deposit and any other sums herein required, there shall thereupon be a binding agreement between the Consumer and the Town, for the utility service applied for, and the provision of the application and this bylaw shall constitute the term and conditions of such agreement.
- f) The Town shall not be obligated to provide utility services until access has been provided to the premises to enable the Town to obtain an initial meter reading for each utility service which is metered if such access is required.
- g) Where the Applicant is indebted to the Town for any utility services previously provided, the Town may refuse to provide any utility services until such amount is paid in full or until arrangements for payment are made satisfactory to the Finance and Administration Department.
- h) The Contract for utility service is not transferable and shall remain in full force and effect until the consumer notifies the Town Utility Office in writing prior to the termination or transfer date, or his/her desire to terminate the Contract or until the said Contract shall have been terminated by the Town.

- i) All Schedules attached and form part of this bylaw may be amended from time to time by simple resolution of Council.
- j) Where a Commercial Business has established more than one utility account through the installation of individual meters for multiple tenant rental units, individual utility service accounts may be set up in the name of the property owner in care of the Tenant and the owner must make an application in all situations by completing a tenant utilities application.

4.02 Termination and/or Temporary Disconnection

- a) Upon notification by the consumer at least 48 hours prior to the disconnect date, for the Town to terminate his/her Contract, the Town shall obtain a final reading of any meter as soon as reasonably practical and the consumer shall be liable for and pay all of the fees and charges payable hereunder until the time of such final meter reading.
- b) When the premises to which utility service is provided becomes vacant and no new application for service has been made, the Town may terminate the contract and, in lieu of disconnecting the service, open a new utility account in the name of the owner who shall be responsible for consumption charges thereafter incurred as indicated in Schedule "B".
- c) A tenant or owner may request a temporary discontinuance of a service in which case the tenant or owner shall be responsible for the Disconnection and Reconnection Fee as indicated in Schedule "B".
- d) Nothing herein shall prevent the owner from requesting that the Town disconnect such utility service provided the owner pays the applicable fee prescribed in Schedule "B".
- e) The Town may discontinue the supply of all utility service for any of the following reasons:
 - non-payment of any utility accounts, or
 - inability of the Town to obtain access to a residential premises to read, repair, or replace any meter for a period of six months, or to a non-residential premises to read, repair or replace any meter for period of three months, or
 - failure by, or refusal of, a consumer to comply with any provision of this bylaw, or

- failure by, or refusal of, a consumer to comply with any provisions of any Provincial Acts, the Building Code, or any regulations thereunder, or
- in any other case provided for in this Bylaw.

and in such event the Town, its officers, employees or agents shall not be liable for any damages of any kind from such discontinuance of service.

- f) In the case of multiple tenant Commercial premises, the owner of the property shall provide Lock-out shutoff valves accessible by the Town that can be sealed by the Town in a manor satisfactory to the town so that the service can be shut-off and not turned on without physically breaking the seal which shall only be done by a Town authorized person.

4.03 Service Disconnection

- a) No permit for demolition or removal of a building shall be issued by the Town 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 Town the cost of disconnecting the utility service in the amount required under this bylaw, including costs of meter and appurtenances and such utility services have been disconnected. Notwithstanding the forgoing, the Director of Public Works may, in circumstances which he/she considers appropriate, permit the service to remain connected to the utility service line or main.
- b) Request for permit for demolition or removal of a building shall be given a minimum of 48 hours prior to commencement of said work.

4.04 Connection Fees

Every consumer shall at the time of application pay a deposit as per Schedule "B" as well as an Administration Fee on the initial utility account invoice as per Schedule "B".

- a) Consumers opening a new account who are indebted to the Town for utility services previously supplied will not be allowed to complete their application, or be entitled to receive utility services, until satisfactory arrangements have been made for payment of such outstanding accounts and any deposit as required.

- b) Consumers opening a new account due to a change of residence may transfer their deposit provided their previous account has been maintained and in good standing.
- c) A deposit and administration fee shall be paid on each individual account in the care of multiple tenant commercial premises.

4.05 Refund of Deposit

- a) Upon termination of an existing utility account the deposit shall be returned to the consumer after deducting therefrom all fees and charges outstanding thereunder, including the cost of shutting off or discontinuing any utility service for non-payment of accounts rendered.

4.06 Service Charges

Disconnection/Reconnection

- a) A consumer shall pay a disconnection service charge as per Schedule "B", which may be added to his/her account for any service call which is made for the purpose of discontinuing a utility service or at the owner's request, for whatever reason, to have services discontinued.
- b) Where a service call is made for the purpose of restoring services a reconnection service charge as per Schedule "B" may be assessed to the consumer's account where utility services were previously discontinued.
- c) Service Call

When a consumer requests that a Town employee attend at his premises with respect to any matter relating to the supply of utility services or the servicing of the same, and if the call is for failure of service not attributable to the Town Utility service, the consumer shall pay a fee as per Schedule "B".

4.07 Water Meter Change Out Project

- a) In the event the Town initiates a water meter change-out project, the property owner must ensure that an appointment is made to change out the old metering equipment with the new metering equipment. Failure to comply with booking such an appointment could result in utility service cancellation, re-connection charges and the full cost of the meter replacement labor charges.

SECTION 5.0 PAYMENT OF UTILITY ACCOUNTS

5.01 Fees and Charges Payable

All fees and charges payable hereunder shall be paid to the Town within the time prescribed by this bylaw. Penalty Rates for unpaid accounts are listed in Schedule "B".

- a) A utility account invoice shall be mailed to each property owner on a monthly basis.
- b) The utility rates levied by the Town shall be a combined rate for water and sanitary sewer. All property owners shall be charged a combined utility rate for the provision of water and/or sanitary sewer services. To accommodate practices, the utility account invoice may show separate rates for water and sanitary sewer.
- c) Except where stated within the Bylaw, the utility rates in effect are indicated and included in Schedule B and shall be approved by Council, as amended from time to time by resolution of Council.
- d) The entire utility account is due and payable when rendered and if not paid by the due date stated on the utility account invoice is deemed to be in arrears. Failure to receive a utility account invoice does not relieve the customer of liability.
- e) The consumer shall at all times maintain his/her utility account in good standing with the Town. Utility accounts which remain unpaid 45 days from the date of billing shall result in the application of the outstanding amount to the property taxes.
- f) Payment of the utility account invoice can be made at the Town Office or any chartered bank, Credit Union or Alberta Treasury Branch or through preauthorized direct debit, telephone banking or online banking.

SECTION 6.0 WATER SYSTEM & UTILITY

6.01 Water Mains

- a) No person except authorized employees of the Town shall make any connection or contact whatsoever with any of the public pipes or mains in the public thoroughfares of the Town unless authorized by the Director for Public Works.

- b) All water service lines laid in private property between the property line and the water main shall be performed in the accordance with the standards by the Public Works Department.
- c) All water service lines shall be a minimum of 20 mm diameter in size.
- d) No connection shall be made on the water service line between the water meter and the water main.
- e) Only an authorized person shall open, close, operate or interfere with any valves, hydrants, fire plugs or other appurtenances of the water system.
- f) Members of the Bonnyville Regional Fire Authority are hereby given special permission to operate fire hydrants when responding to an emergency or when performing practices.
- g) A clear zone adjacent to and surrounding of 3.0 meters shall be maintained for all valves, hydrants, curb cocks and related water system appurtenances. No obstacles or obstructions may be placed or created within this clear zone. Any obstacles or obstructions found to be placed or created within this clear zone shall be removed by the Town without the need for warning the offending person.
- h) The Property Owner shall be responsible for the operation, maintenance and repairs of the water service line from the termination of the water service line within the curb cock to the water meter.
- i) The Town shall be responsible for the operation, maintenance and repairs of the water service line from the water main to the termination of the water service with the curb cock and the curb cock itself.
- j) All new water service lines shall be installed in accordance with the Public Works Department's procedures as amended from time to time. The current procedures for new servicing are attached as Schedule "A".
- k) All single family residences, duplexes and triplexes shall have separate water line services for each individual residence except where duplexes and triplexes are owned by a single owner in which case they may have a single water line service for the property.

- l) Existing water service lines that are to be abandoned are to be abandoned at the water main unless otherwise approved by the Director.
- m) Water service lines shall not be connected until a utility account has been established and the water meter and Remote Meter Reading equipment are installed.

6.02 Water Service Levy and Billing Rates

- a) The Town hereby levies, and the consumer shall pay, for all water supplied or services rendered hereunder the amounts and charges provided for in this bylaw and in Schedule "B" attached to and forming part of this bylaw as amended from time to time by resolution of Council.
- b) The rate payable by a consumer as set out in Schedule "B" of this bylaw for all water supplied shall be determined by reference to the reading of the water meter located at each property or in the case of Multiple Tenant Commercial Premises, four-plexes and larger residential complexes, all water meters located within the premises.
- c) Where a remote reading device is installed in addition to the water meter, the meter shall be the official reading.

6.03 Administration of Water Supply

- a) The Director of Public Works or his/her designated representative may shut off water for consumers for any reason which, in the option of the Director of Public Works, necessitates such shutting off, provided that the Director of Public Works shall, if in his opinion it is reasonably practicable to do so, give notice of such shutting off.
- b) The Town does not guarantee the pressure nor the continuous supply of water and the Town reserves the right to any and all times without notice to change operating water pressures and to shut off water and the Town, 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.
- c) Consumers 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.

- d) The Town may as a condition to the supply of water inspect the premises of a consumer who applies to the Town for such supply in order to determine if it is advisable to supply water to such consumer.
- e) The Town may, with the permission of the consumer, inspect the premises of the consumer in order to do any tests on water piping, or fixtures belonging to such consumer so as to determine if this bylaw is being complied with and in the event that such consumer fails or refuses to give such permission, the supply of water to that consumer may be shut off.
- f) The Director of Public Works may at such times and for such lengths of time as he/she considers necessary or advisable regulate, restrict or prohibit the use of water for use other than human consumption. The Director may cause the water supply to any consumer who causes, permits or allows consumption in contravention of any such regulation, restriction or prohibition to be shut off until such consumer undertakes to abide by and comply with such regulation, restriction or prohibition.
- g) Any person who willfully or maliciously hinders or interrupts or causes or procures to be hindered or interrupted, the municipality or its contractors, servants, agents, workman, or any of them, in the exercise of any of the powers and authorities relating to the public utilities authorized by or contained in this Bylaw or the M.G.A. and amendments thereto, is guilty of an offense and subject to being fined in accordance with sections 10.1 e) and f).
- h) All property owners shall give access to an authorized person for the purposes of disconnection and sealing of a water service line for contravention of this Bylaw.

6.04 Outside Town

- a) Where water is supplied to any Customer outside the Town of Bonnyville, that Customer shall pay to the Town the rates approved by Council as set out in Schedule "B" of this Bylaw.
- b) The terms and conditions of water Services provision shall be in accordance with Water Services agreements between the Town of Bonnyville and the Customer, subject to approval by Council.

6.05 Restriction of Water Supply

a) Restricted Use of Town Facilities:

No consumer shall operate, use, interfere with, obstruct or impede access to the water utility or any portion thereof in any manner not expressly permitted by this Bylaw, in default of which, the Director of Public Works may cause the water being supplied to such consumer to be shut off until such consumer complies with all the provisions of this Bylaw.

b) Wastage:

- i. No consumer shall cause, permit or allow the discharge of water to that it runs waste or unless, whether by reason of leakage from private service pipe, a faulty plumbing system or otherwise.
- ii. Notwithstanding 6.04.b.i., the Director of Public Works may under such condition as he/she may consider reasonable, allow a consumer to discharge water so that it runs waste or useless if such consumer's water service would be susceptible to freezing.

c) To maintain adequate water supply within the Town, the Town Council, the C.A.O. or the Director may impose restrictions on the use of water.

d) Wells and other sources of potable water supply are prohibited within the Town of Bonnyville unless approved the Town for instances where water servicing is unavailable. Once service lines are within proximity of the said property, the property owner shall be responsible for connection to the Town's water system.

6.06 Use of Water

a) No consumer shall:

- lend or sell water, unless authorized by an agreement/contract with the Town authorized such sale,
- give away or permit water to be taken,
- use or apply any water to the use or benefit of others or to any other than his/her own benefit,

- extract or remove any water from any hydrant within the Town of Bonnyville without first obtaining a letter in writing signed by the Director or the C.A.O. authorizing such removal.
- b) Any person who throws or deposits any injurious, noisome or offensive matter into the water system, or water works, or on the ice in the case that the water is frozen or in any way fouls the water or commits any willful damage or injury to the works, pipes or water or encourages it to be done is guilty of an offence and subject to being fined in accordance with sections 10.1 e) and f).
- c) If the property does not utilize the water service line for an extended period and the water service line freezes, the property owner shall be responsible for the costs of thawing the water service line.
- d) Unmetered construction water shall not be provided.

6.07 Investigating Water Supply Service Failure

- a) Any consumer 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 the opening up and excavating, sign a work order, agreeing to pay such costs.
- b) In the event that such failure or interruption was caused by the Town service the consumer shall not be liable for such costs.
- c) 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 consumer and shall be collected in the same manner as water rates.

6.08 Noises and Pressure Surges

- a) No consumer shall cause, permit or allow any apparatus fitting or fixture to be or remain connected to his water supply or to be operated which causes noise, pressure surges or other disturbances which may in the opinion of the Director, result in annoyance or damage to other consumers or to the water utility.

6.09 Contamination

- a) No consumer shall cause, permit or allow to be or remain connected to this water supply system any piping, fixture, fitting, container or other appliance which may cause water from a source other than the

water utility or any other harmful deleterious liquid or substance to enter the water utility.

- b) The Director of Public Works may cause the water supply to any consumer contravening the provisions of this section to be shut off provided that the Director shall, if he considers it practical to do so, give notice to such consumer prior to such water supply being shut off.
- c) The water supply to such consumer shall not be restored until such consumer has paid to the Town all costs associated with the shutting off of the water supply, the cleanup of contamination and the remedying of the consumer's default under this section.

6.10 Water Meters

a) Installation

- all consumers shall make provisions for the installation of a water meter and remote reading device to the satisfaction of the Director of Public Works and when required shall install a properly valved bypass. All costs incurred to move a meter and/or remote reading device by request of the consumer shall be borne by the consumer.
- only an authorized person shall interfere with, cut or remove the wire seal on a meter, valve or remote reader.
- only an authorized person shall disconnect a meter or do anything which may prevent or impede the flow of water through a meter or which may affect the proper operation of the water meter.
- all four-plexes and larger residential complexes shall have a separate meter room complete with a water shut off valve prior to and after the water meter for each residential unit. If the complex is serviced with one large meter, the property owner shall have the water meter located in an accessible area and have a remote reader installed.

b) Installation Responsibility

- water meters less than 25mm in size, including wiring and fittings, shall be supplied and maintained by the Town of Bonnyville to properties zoned Residential up to and including four plex developments.
- water meters, including wiring and fittings, not included above shall be provided by the property owner in accordance with the specification for water meters established by the Public Works

Department. Only meters meeting the specifications and approved by the Public Works Department shall be installed.

- all property owners shall give access to an authorized person for the purposes of installing, servicing, sealing or reading of a water meter.

c) Meter Chamber

When, in the opinion of the Director of Public Works, the building or other premises intended to be supplied with water are too far from the Town service to conveniently install a meter in such building or premises, or if a number of buildings are to be so supplied or for any other reason in the opinion of the Director, then the consumer shall, at his sole cost, construct and maintain a container for a meter and such container shall in all respects including location, construction size, access and otherwise howsoever be satisfactory to the Director of Public Works.

d) Meter Size

The size of the meters shall be determined as recommended by the Director or Public Works.

e) By-Passes

- the Public Works Department may install a by-pass on all water service lines where there is a known history of freezing of the water service line.
- the property owner shall be responsible for the cost of the metered water utilized if the bypass referred to above is required due to problems with the property owner's portion of the water service line.
- The Town shall be responsible for the cost of the metered water utilized if the bypass referred to above is required due to problems with the Town's portion of the water service line.

f) Meter Reading

- i. All water supplied by the Town to a consumer shall be measured by a meter unless otherwise provided in this Bylaw.
- ii. All meters shall be supplied, owned and maintained by the Town unless otherwise provided in this Bylaw.

- iii. The Town shall endeavor to read the meters once every two (2) months. If Town employees cannot gain access safely to read the meter as aforesaid, the consumption of the utility shall be estimated. Each meter shall be read by a Town employee as least once each six (6) month period and if such reading cannot be obtained, the Town may, at its discretion, discontinue any or all utility services supplied to the premises until such time as the Town is able to obtain an actual meter reading.
- iv. The consumer shall ensure that access to the meter is safe, well lit, accessible and free of hazards to the person reading the meter.
- v. Remote Reading equipment shall be installed at each new development and all renovation activities within existing developments. The cost of supplying Remote Reading Devices shall be the responsibility of the Town. The cost of installation on the Remote Reading Device shall be the responsibility of the developer/owner.
- vi. Remote Reading equipment shall be installed at each existing development. The cost of supplying and installing the Remote Reading Device will be the responsibility of the Town.
- vii. Effective 2013 all new developments are to be equipped with Remote Reading Devices at the cost of the developer.

g) Protection of Meter and Remote Meter Reading Receptacle

- i. Each consumer shall provide adequate protection of the meter supplied by the Town against freezing, heat or any other internal or external damage, failing which the consumer shall pay to the Town all costs associated with the repair of such meter which amounts shall be recoverable in the same manner as all other costs and charges provided for in this Bylaw.
- ii. No person other than authorized Town employees shall remove, disconnect, reconnect or tamper with a meter or remote meter reading receptacle attached to the premise.
- iii. The remote reader shall be located in an area providing 24 hour unencumbered access.

h) Non Registering Meter

- i. If, upon the reading of a meter, it is determined that the meter has failed to record the consumption of the utility supplies then the consumption will be estimated and the account rendered based upon such method as the Administration Department considers being fair and equitable.
- ii. Where it has been determined by the Town that the meter is not recording the consumption of a utility, an authorized Town employee, with reasonable notice to the consumer, must be allowed to enter the premises to replace or repair the meter or meter reading receptacle.

i) Test or Calibration on Disputed Meter Reading

A consumer who disputes a meter reading shall give written notice to the Town. Following receipt of written notice:

- i. The consumer shall deposit with the Town the sum of One Hundred (\$100.00). After receipt of the deposit, the meter shall be removed from service and tested or calibrated by an independent laboratory as designated by the Director of Public Works.
- ii. In the event that the meter is found to be accurate within three percent (3%) of actual water volume passing through the same, the consumer shall forfeit the deposit to the Town and shall pay all costs associated with the meter removal, testing and replacement in excess of One Hundred Dollars (\$100.00).
- iii. If the event that the meter is found to be over reading in excess of three percent (3%) of actual water volume passing through the same, the Town shall replace the meter with a new meter and return the deposit to the said consumer. No adjustments shall be made to any utility account invoice in the event that the meter is over reading.

6.11 Services and Servicing

All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the provision of the Building Code and any bylaws of the Town applicable thereto.

SECTION 7.0 SANITARY SEWER SYSTEM

7.01 Sanitary Sewer Mains

No person except authorized employees of the Town shall make any connection or contact whatsoever with any of the public pipes or mains in the public thoroughfares of the Town unless authorized by the Director of Public Works.

7.02 Use and Protection of Sanitary Sewer System

- a) No person shall throw, deposit or leave in/or upon any town sanitary sewer, or any trap basin, grating, manhole or other appurtenance of any town sanitary sewer, any butcher's offal, dairy waste, slaughterhouse waste, food processing waste, animal waste, organic garbage, litter, manure, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, cinders, ashes, rags or refuse matter of any kind, except human excrement, the necessary closet paper, and waste water properly discharged through a house sewer into a town sanitary sewer.
- b) No person shall permit to be discharged into any sanitary sewer system and/or around the sanitary sewer system and related appurtenances snow and snow accumulation removed from open spaces, any liquid which would adversely affect any component of the sanitary sewer system or the treatment of the sanitary sewer unless such liquid has been pre-treated to the satisfaction of the Director, any matter or substance by which the free flow of the sewage may be interfered with, any chemical refuse, or other trade waste, or any waste stream, condensing water, heated water, or other liquids of a higher temperature than seventy five degrees Celsius or any other refuse matter of any kind not specifically listed and not in conformance with 7.02 a).
- c) No person shall make, or cause to be made, any connection with any town sanitary sewer, house drain or appurtenance thereof, for the purpose of conveying, or which may convey, into the same any inflammable or explosive material, storm water, roof drainage, cistern or tank overflow, condensing or cooling water, or water from sump pit.
- d) No person shall discharge the contents of any privy vault, manure pit or cesspools, directly or indirectly, into any town sanitary sewer or house drain connected therewith.

- e) No person shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any town sanitary sewer, except duly authorized employees of the Town.
- f) No person shall cut, break, pierce, or tap any town sanitary sewer or appurtenance thereof, or introduce any pipe, tube, trough, or conduit into any town sanitary sewer, except duly authorized employees of the Town.
- g) No person shall interfere with the free discharge of any town sanitary sewer, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any town sanitary sewer or appurtenance thereof.
- h) The Director of Public Works shall have the right at a reasonable time to enter houses or other places which have been connected with town sanitary sewer facilities and access must be given to him/her to ascertain whether or not any improper material or liquid is being discharged into the sanitary sewers, and he/she shall have power to stop or prevent from discharging into the sanitary sewer system any private sewer or drain through which substances are discharged which are liable to injure the sanitary sewers or obstruct the flow of sewage.
- i) Sanitary Sewer Service connections not connected to a building must be capped to prevent contamination to the main sanitary sewer service to the satisfaction of the Director.
- j) A clean out shall be placed on all sanitary sewer service lines upon installation or replacement of the line. All costs shall be at the expense of the owner. The clean out shall be placed at the property line in an accessible location.
- k) Foundation weeping tiles shall be plumbed into the storm sewer system where such a system exists. If no storm sewer system exists, the foundation weeping tiles shall be directed into a sump within the building. Foundation weeping tiles shall not be directly connected into the sanitary sewer service line. Roof leaders (including eaves troughs, gutters and downspouts) shall not be tied into the foundation weeping tiles or sanitary sewer service line.
- l) No person except those authorized by the Director shall interfere with the free discharge or interfere with the free flow of any component of the sanitary sewer line.

- m) The property owner shall at all times protect against damage all components of the sanitary sewer service line including any inspection chambers and clean outs that have been installed external to the building.
- n) All sanitary sewer service lines laid in private property between the property line and the sanitary sewer main shall be performed in accordance with standards developed by the Public Works Department as amended from time to time and all sanitary sewer service lines shall be a minimum of 100 mm diameter in size.
- o) All single family residences, duplexes and triplexes shall have separate sanitary sewer service lines for each individual residence.
- p) All four-plexes and larger residential complexes may have a common sanitary sewer service line but said common sanitary sewer service line shall be a minimum size of 150 mm in diameter.
- q) Septic tanks, septic fields, pump outs and other methods of disposal of sanitary sewer are prohibited with the Town of Bonnyville except with the approval of Town Council.

7.03 Industrial or Trade Wastes

No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged to any town sanitary sewer without such previous treatment as shall be prescribed by the Director of Public Works for each such case. The necessary treatment works so prescribed shall be completely installed by the applicant, at his/her expense, prior to the construction of the sanitary sewer connection, and thereafter shall be continuously maintained and operated by the applicant.

7.04 Grease Traps

- a) Grease traps of sufficient size and approved design shall be placed on the waste pipes from all hotels/motels, restaurants, laundries, and such other places as the Director of Public Works may direct.
- b) Said grease traps shall be regularly maintained, cleaned and operated properly to the satisfaction of the Director.
- c) Accumulations removed from grease traps shall be placed in containers specifically designed for such waste and shall not be disposed of in any component of the sanitary sewer system or delivery to any landfill.

7.05 Sanitary Sewer Connections

- a) No person other than duly authorized employees of the Town, acting under the direction of the Director of Public Works shall make any connection to, or shall cut or otherwise tamper in any way with a public or town sanitary sewer unless authorized by the Director.
- b) Only an authorized person shall open, close, operate or interfere with any manhole, ventilator or other appurtenance of the sanitary sewer system.
- c) The property owner can request disconnection of the sanitary sewer service line for any reason provided that a minimum of 48 hours' notice is given for non-emergency disconnects. In the event that a sanitary sewer service line freezes following a request from the property owner, the property owner shall be responsible for all costs associated with thawing the sanitary sewer service line and any damages that may result from the freezing of the sanitary sewer service line.
- d) If the property owner does not utilize the sanitary sewer service line for an extended period and the sanitary sewer service line freezes, the property owner shall be responsible for the costs of thawing the sanitary sewer service line.
- e) All property owners shall give access to an authorized person for the purposes of determining the materials being discharged into the sanitary sewer system and disconnection of the sanitary sewer service line due to any contravention of this Bylaw.

7.06 Application for Sanitary Sewer Connections

- a) No house drain or private sewer shall be connected to Town sanitary sewer until the owner thereof shall have obtained a Development Permit and Building Permit for sanitary sewer connections. All applications for connections to the Town sanitary sewers must be made on the printed forms furnished by the Planning and Development Department or Administration Department of the Town.
- b) It shall be a consideration of the granting of any application for a sanitary sewer connection that the Town or any of its employees shall not be liable for any damage of whatsoever nature caused either directly or indirectly by such sanitary sewer connection.

- c) The Director of Public Works may revoke or annul any permit that may have been granted to connect with the Town sanitary sewers if it is found that any of the work is not being done in accordance with the provision of this Bylaw, and the persons making such connections or their successors in interest, shall have no right to demand or claim any damages in consequence of such permits being revoked or annulled.

7.07 Sanitary Sewer Service Line

- a) The property owner shall be responsible for clearing any blockages including tree roots in the sanitary service line from the building to the property line.
- b) Where a blockage is located on the owner's property and cannot be cleared the owner shall be responsible for arranging and paying for any work required to restore the operation of the sanitary service line.
- c) Where the blockage is located within the street the Town shall undertake the repair of the sanitary service line and shall bear the cost of the repairs.
- d) If an owner believes that the sanitary service is performing poorly or that it repeatedly causes problems, the owner may request the Town do an inspection of the sanitary sewer service line. If the problem is located on the property owner's portion then the Director will provide the owner with the option of have Town forces correct the problem for a fee as established by the Director, or hiring other forces to do the job. If the problem is located on the Town's portion the Town shall undertake the repairs.
- e) The property owner shall be responsible for the proper operation, maintenance and repairs of the sanitary sewer service line from the sanitary sewer main to the building.
- f) The Town shall be responsible for the operation, maintenance and repairs of the sanitary sewer service line from the sanitary sewer main to the property line if the operation, maintenance and repairs are required due to freezing or structural defects of the sanitary sewer service line.
- g) If the problems with the line cannot be attributed to the specific causes identified above then the owner shall be responsible for the costs.

- h) Existing sanitary sewer service lines that are to be abandoned are to be abandoned to the sanitary sewer main in a manner approved by the Director.

7.08 Sanitary Sewer Service Line Conditions

- a) The person occupying any premises connected to a sanitary sewer main by a sanitary sewer service line shall maintain the line in operating condition at all times, and shall be fully responsible for the repair and maintenance of the said household sanitary sewer service line.
- b) In default of his/her so doing, whether notified or not, the Town may enter upon the lands where the sewer service line is situated and by its authorized persons repair it and charge all costs for repairs to the said person.
- c) A clear zone adjacent to and surrounding of 3.0 meters shall be maintained for all inspection chambers, manholes and related sanitary sewer system appurtenances. No obstacles or obstructions may be placed or created within this clear zone. Any obstacles or obstructions placed or created within the clear zone shall be removed by the Town without the need for warning the offending person.

7.09 Outside Town

- a) Where Sanitary Sewer is supplied to any Customer outside the Town of Bonnyville, that Customer shall pay to the Town the rates approved by Council as set out in Schedule "B" of this Bylaw.
- b) The terms and conditions of Sanitary Sewer Services provision shall be in accordance with Wastewater Services agreements between the Town of Bonnyville and the Customer, subject to approval by Council.

SECTION 8.0 STORM SEWER SYSTEM

8.01 Use and Protection of Storm Sewer System

- a) The Town storm sewer system are for the disposal of rainfall runoff, snow melt runoff and weeping tile discharges providing that the foundation weeping tile is directly connected to the storm sewer system.

- b) No person shall throw, deposit or leave in/or upon any Town storm sewer system and related appurtenances food processing waste, animal waste, butcher's offal, dairy waste, slaughterhouse waste, manure, feces, any household and yard waste (organic or not), sticks, soil, hay, straw, twigs, leaves, cinders, ashes, garbage, litter, rubbish, sweepings, stones, bricks, gravel, papers, rags, petroleum products such as fuels, greases, solvents, oils, etc. restaurant waste such as grease, kitchen waste, etc. or refuse matter of any kind.
- c) No person shall permit to be discharged into any storm sewer system and/or around the storm sewer system and related appurtenances snow and snow accumulation removed from open spaces, any liquid which would adversely affect any component of the storm sewer system or the treatment of the storm sewer unless such liquid has been pre-treated to the satisfaction of the Director, any sewage by which the free flow of the storm sewage may be interfered with, any chemical refuse or other trade waste, or any waste stream, condensing water, heated water or other liquids of a higher temperature than seventy five degrees Celsius or any other refuse matter of any kind not specifically listed and not in conformance with 8.01 a).
- d) Foundation weeping tiles shall be plumbed into the storm sewer system where such a system exists. If no storm sewer system exists, the foundation weeping tile shall be directed into a sump within the building. Foundation weeping tile shall not be directly connected into the sanitary sewer service line. Roof leaders (including eaves troughs, gutters and downspouts) shall not be tied into the foundation weeping tile.
- e) No person except those authorized by the Director shall make any connection with any components of the storm sewer system.
- f) All storm sewer service lines laid in private property between the property line and the storm sewer main shall be performed in accordance with standards developed by the Public Works Department as amended from time to time and all storm sewer service lines shall be a minimum of 200 mm in diameter. A catch basin shall be installed on all storm sewer service lines. To ensure proper drainage off of private property, all open land must be sloped at an incline of three to five percent (3-5%) from the lowest opening of the building to the highest point of the existing or proposed curb adjacent to the property.

- g) No person except those authorized by the Director shall, open, close, operate or interfere with any catch basin, manhole, ventilator or other appurtenance of the storm sewer system.
- h) No person except those authorized by the Director shall interfere with the free discharge or the free flow of any component of the storm sewer system.
- i) The property owner shall ensure that berms or other spill containment measures of a sufficient size and design be installed at all petroleum dispensing locations and any other facility as determined by the Director. The property owner shall ensure that the berms or other spill containment measures are maintained, cleaned and operated properly. Accumulations removed from the berms or other spill containment measures shall be disposed of in accordance with Provincial, Federal and Municipal regulations and shall not be disposed of in any component of the storm sewer system, sanitary sewer system or by have such waste delivered to any landfill.

8.02 Storm Sewer Service Line

- a) The property owner shall be responsible for the operation, maintenance and repairs of the storm sewer service line from the storm sewer main to the building.
- b) The Town shall be responsible for the operation, maintenance and repairs of the storm sewer service line from the storm sewer main to the property line **if** the operation, maintenance and repairs required due to freezing or structural defects of the storm sewer service line in said area.
- c) All new storm sewer service lines shall be installed in accordance with the Public Works Departments procedures as amended from time to time.
- d) Existing storm sewer lines that are to be abandoned are to be abandoned to the storm sewer main in a manor approved by the Director.

8.03 Storm Sewer Service Line Conditions

- a) A clear zone adjacent to and surrounding of 3.0 meters shall be maintained for all inspection chambers, manholes and related storm sewer system appurtenances. No obstacles or obstructions may be placed or created within this clear zone. Any obstacles or

obstructions placed or created with the clear zone shall be removed by the Town without the need for warning the offending person.

- b) The property owner shall at all times protect against damage all components of the storm sewer service line including any catch basins, manholes, culverts and inspection chambers and clean outs that have been install external to the building.
- c) The property owner shall ensure that culverts, catch basins, manholes and related storm sewer system appurtenances are kept free of debris, snow and other accumulations.
- d) The maximum length of culverts in open drainage areas shall be 100 meters. Culverts in excess of 100 meters shall be considered storm sewer mains and shall be constructed in accordance with the standards and guidelines of the Public Works Department. All culverts shall have a 400 mm diameter as a minimum.

SECTION 9.0 BULK WATER

9.01 Use and Conditions of the Bulk Water System

- a) Bulk water is available through a coin an automatic facility located within the Town of Bonnyville.
- b) Users requesting the use of the bulk water facility shall enter into a Bulk Water Servicing Agreement with the Town.
- c) Users of the bulk water key facility shall provide a deposit upon completion of the Bulk Water Servicing Agreement, which includes one Pin # for the facility. Additional Pin #'s for the facility may be purchased for a non-refundable fee. Upon termination of the account, this deposit shall be returned to the user less any outstanding amounts.
- d) Bulk Water rates in effect are indicated and included in Schedule "B" and shall be approved by Council, as amended from time to time by resolution of Council.

SECTION 10.0 SEWER LAGOON EFFLUENT DISPOSAL

10.01 Use and Conditions of the Sewer Lagoon Effluent Disposal System

- a) Disposal of effluent is available through an automated facility located at the Town of Bonnyville Sewer Lagoon site.
- b) Users requesting disposal within the Town of Bonnyville sewer lagoons shall complete a Sewer Lagoon Disposal Registration form for each location site the effluent is originating from.
- c) Once the contractor/agent has received the PIN# from the Town of Bonnyville to dispose of effluent, they are informed that there may be random testing of their loads by either a visual inspection or by taking a sample of the load to ensure there are no hydrocarbons or other undesirables such as toxic pesticides, nutrients and heavy metals contained in the effluent.
- d) Rates for the disposal of effluent in effect are indicted and included in Schedule "B" and shall be approved by Council, as amended from time to time by resolution of Council.
- e) Any person or contractor who violates any term or condition of the bylaw shall be liable for a fine and discontinuance of disposal into the sewer lagoon site and the costs associated with any reclamation of the sewer lagoon site, as well as any liability arising from the violation.

SECTION 11.0 PENALTIES

11.01 Administration

- a) The property owner shall be assessed a penalty on the outstanding balance on all utility account invoices not paid by the due date. Such penalty shall be added to the outstanding utility account invoice amount until the account is paid in full.
- b) The property owner shall have any outstanding balances on his utility account invoice as well as an administration fee of \$25.00 transferred to his property tax account if the outstanding balance remains unpaid for more that forty five (45) days following the date of billing. The Town of Bonnyville will provide the property owner with a courtesy ten (10) days notification after the initial forty five (45) days have passed prior to transferring the outstanding balance and before the account being subject to the \$25.00 administration fee.
- c) The property owner shall be responsible for all utility account invoices and other fees levied in respect of the water and/or sanitary sewer system. In the event that the property owner defaults on any and/or all payments, the Town shall enforce payment by any means it so

desires, including but not limited to action in court, seizure of goods or chattels, deduction from any sums payable for any reason to the property owner or his/her companies, transfer of the sums to the tax account for the property serviced by the utility account.

- d) The property shall be levied a fee for each cheque or automatic withdrawal for which the property owner has insufficient funds to cover the amount of the payment.
- e) Any person or property owner who violates any term or condition of the bylaw shall be liable for a fine **and** disconnection of the water and/or sanitary sewer service line until the contravention is rectified and the property owner pays all outstanding fines and utility account invoices **and** costs to make good any repairs or maintenance to properly restore the operating condition of the water and/or sanitary sewer system and/or storm sewer system **and** direct and indirect costs to other persons and properties resulting from the violation.
- f) The Director and/or Bylaw Enforcement Officer shall have the authority to levy fines as per Section 13 of Schedule “B” and other related costs as identified in 11.01 e) in respect of any violations of the Bylaw.

SECTION 12.0 TRANSITIONAL AND COMING INTO FORCE

- 12.01 (a) This Bylaw shall come into force and effect upon the date of the passing of the third and final reading and signed thereof.
- (b) Upon the coming into force of this Bylaw, Bylaw No. 1265-05 – Utility Bylaw of the Town of Bonnyville is hereby repealed.

SECTION 13.0 SCHEDULES

- 13.01 These schedules are attached and form part of this Bylaw and may be amended from time to time by resolution of Council:

Schedule A – Utility Servicing Procedure

Schedule B - Utility Fees and Charges

Schedule C – Tennant Utility Application Form

INTRODUCED AND GIVEN FIRST READING this _____ day of _____,
A.D., 2017.

Mayor

Chief Administrative Officer

GIVEN SECOND READING this _____ day of _____, A.D., 2017.

Mayor

Chief Administrative Officer

GIVEN THIRD AND FINAL READING this _____ day of _____,
A.D., 2017.

Mayor

Chief Administrative Officer

TOWN OF BONNYVILLE
BYLAW NO. 1393-12 – UTILITY BYLAW
SCHEDULE “A”
UTILITY SERVICING PROCEDURE

There shall be no exceptions to this procedure:

1. Developer applies for a water and sewer service connection at the time of the development and building permit stage. At time of permit application, the developer shall notify the Town of the proposed sanitary sewer and Water service sizes. The developer can apply for a water account and water connection for construction water.
2. At time the Developer is issued a development/building permit, the developer shall notify the Town of the anticipated servicing tie-in date so that arrangements can be made for inspection by the Public Works Department. A minimum of forty eight (48) hours advance notice of tie-ins is mandatory.
3. Public Works to supply curb stop operating rod and box and sanitary sewer inspection tee/cleanout (if necessary). Developer to install these components and Public Works to inspect tie-in.
4. Developer to arrange for installation of water meter.
5. Developer to provide adequate meter room and protection for the water meter.
6. If not already done so, the Developer shall establish a utility account with the Town of Bonnyville for construction water. The property owner shall establish a utility account with the Town of Bonnyville once final inspection and an occupancy permit are complete.
7. The Public Works Department shall supply water meters (including wiring and fittings) less than 25 mm in size to properties zoned Residential up to and including four plexes. A minimum of forty eight (48) hours advance notification is required prior to supply of water meter, fittings and wire.
8. Water meters (including wiring and fittings) not included in section 7 shall be provided by the developer in accordance with specification for water meters as established by the Public Works Department. Only meters meeting the specifications and approved by the Public Works Department shall be installed.
9. Developer to install the water meter in a horizontal position in accordance with the manufacturer’s recommendations.
10. Public Works to inspect meter installation and wiring. Forty eight (48) hours advance notification is required prior to inspection.
11. Public Works to turn on water upon the completion of the above items.
12. Developer may be required to provide pressure and flow tests on the water service and to provide video tape of sanitary service.
13. Once all of the above items have been completed, Public Works will notify Planning and Development of conformance in regard to utility servicing.

TOWN OF BONNYVILLE
BYLAW NO. 1393-12
SCHEDULE "B"
UTILITY FEES AND CHARGES
(EFFECTIVE JANUARY 1, 2017)

1. Utility Servicing Agreement

- a) The application for the utility servicing agreement shall be accompanied by a deposit in the amount of one thousand dollars (\$1,000.00) prior to any connections being made. The said deposit shall be utilized for restoration of any damage to any components of the water system, sanitary sewer system, storm sewer system, roadway system, sidewalk system or any other system in the event that the developer fails to rectify the damage or has unpaid utility account invoices. Following restoration of any damage or payment of accounts, any remaining funds from the deposit shall be returned to the developer.
- b) A fee of three hundred dollars (\$300.00) shall be levied for any connection to any component of the water system.
- c) A fee of two hundred dollars (\$200.00) shall be levied for any connection to any component of the sanitary sewer system.
- d) A fee of two hundred dollars (\$200.00) shall be levied for any connection to any component of the storm sewer system.
- e) For outside of Town Customers:
The terms and conditions of Water and Sanitary Sewer Services provision shall be in accordance with Water and Wastewater Services agreements between the Town of Bonnyville and the Customer, subject to approval and/or amendment by Council

These agreements shall include a connection fee to be paid by the Customer to the Town, calculated as the aggregate of the following:

2. Water Service Agreements:

- i. being the legal and engineering costs incurred by the Town in the preparation, negotiation and execution of water services.
- ii. a proportionate share of the capital costs of constructing or acquiring the Town system calculated as follows:

Area of Customer Service Area in Acres x an amount equivalent to Offsite levy charges that would be charged to Town residents for water provision (currently \$4,768.00/acre)

3. **Wastewater Service Agreements:**

- i. being the legal and engineering costs incurred by the Town in the preparation, negotiation and execution of Wastewater services Agreement;
- ii. a proportionate share of the capital costs of constructing or acquiring the Town System calculated as follows:

Area of Customer Service Area in Acres x an amount equivalent to Offsite levy charges that would be charged to Town residents for wastewater provision (currently **\$3,726.00/acre**).

4. **Utility Consumption/Usage Fees**

- a) The utility rates shall be as follows, and as amended from time to time:

Utility Service Fee	\$11.75 per month
Utility Consumption/Usage Fee	\$ 2.34 per cubic meter as measured by the water meter.

(For internal accounting purposes, the Consumption/Usage Fee will be split 75/25 Water/Sewer)

- b) For outside of Town Customers:

Water Services: A Variable Rate of \$4.29/m³ of Water measured at the Meter located within the Town Metering Station.

Wastewater Services: Currently \$3.41/m³, based upon a rate of 80% of potable water delivered to the Customer under the Water Supply Agreement.

subject to approval and/or amendment by Council.

5. **Bulk Water Servicing Agreement**

- a) The application for the Bulk Water Servicing Agreement shall be accompanied by a deposit in the amount of one hundred dollars (\$100.00) prior to the PIN # being distributed. The said deposit shall be returned to the bulk water account holder less any outstanding amounts on the account.
- b) A non-refundable fee of twenty five dollars (\$25.00) shall be levied for each additional PIN # required for said account.

6. **Bulk Water Consumption/Usage Fees**

The bulk water rates shall be as follows, and as amended from time to time:

Bulk Water Minimum Service	\$35.00
Prepaid Consumption	\$ 1.00 per 0.20 cubic meters
PIN # Consumption/Usage	\$ 6.00 per cubic meter

7. **Sewer Lagoon Effluent Disposal Registration**

- a) Users requesting disposal within the Town of Bonnyville sewer lagoons shall complete a Sewer Lagoon Disposal Registration form for each location site the effluent is originating from. Upon receiving the completed registration form the Town will issue an access code for each location.
- b) A non-refundable fee of twenty five dollars (\$25.00) shall be levied for each additional PIN # required for said account.

8. **Sewer Lagoon Effluent Disposal Usage Fees**

The sewer lagoon effluent disposal usage fees will be as follows, and as amended from time to time:

PIN # Disposal Usage	\$18.00 per cubic meter
Fixed Rate	\$90.00 per disposal

9. **Service Administration Fee**

The property owner shall be levied a fee of twenty five dollars (\$25.00) for each requested move or transfer to a new location within the Town of Bonnyville.

10. **Utility Disconnection/Reconnection Fee**

The property owner shall be levied a fee of fifty dollars (\$50.00) for each requested disconnection and subsequent reconnection.

11. **Penalty**

The penalty shall be (4.95%). The penalty is applied to the overdue portion of the utility account invoice.

12. **Non-Sufficient Funds Charges**

A fee of twenty five dollars (\$25.00) shall be levied for each cheque or automatic withdrawal for which the property owner has insufficient funds to cover the amount of the payment.

13. **Fines in Respect to Bylaw Contraventions**

For each contravention of the Bylaw, a fine of two hundred and fifty dollars (\$250.00) in addition to the Costs specified within Section 11.01 e) of the Bylaw may be levied against the offending person.

Approved this _____ day of _____, A.D., 2016.

Mayor

Chief Administrative Officer

**TOWN OF BONNYVILLE
BYLAW NO. 1393-12
SCHEDULE "C"
TENANT UTILITY APPLICATION FORM**

Tenant's Name: _____

Address of Property: _____

Mailing Address: _____

Tenant's Phone (Residential): _____ (Work): _____

Tenant's (Cellular): _____

Place of Employment: _____

Effective Date: _____ Prior Account: Yes No

Landlord's Name: _____

Landlord's Phone: _____

Deposit Paid: _____

This personal information is being collected under the authority of the Municipal Government Act, and will be used to administer and maintain your utility account. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act.

Tenant Signature: _____ Date: _____

Property Owner Signature _____ Date: _____

Approved this _____ day of _____, A.D., 2015.

Mayor

Chief Administrative Officer