

**BYLAW NO. 2016-09
UTILITY BYLAW**

BEING A BYLAW OF THE VILLAGE OF ACME IN THE PROVINCE OF ALBERTA, TO REGULATE THE SUPPLY, AND DISTRIBUTION OF WATER AND TO REGULATE THE SANITARY SEWAGE COLLECTION SYSTEM.

WHEREAS, Pursuant to the Municipal Government Act, Chapter M-26.1, R.S.A. 2000 Part 2 Bylaws and amendments thereto, the Council of the Village of Acme may pass Bylaws and

WHEREAS, Part 2 Bylaws Division 1 General Jurisdiction 7 (g) gives the Village jurisdiction to pass bylaws regarding Public utilities and

WHEREAS, the Village of Acme is desirous in implementing a Bylaw that regulates water supply, water distribution and the sanitary sewage collection system.

NOW THEREFORE, the Council of the Village of Acme duly assembled enacts as follows:

This Bylaw shall be deemed to be the "Utility Bylaw"

The provisions of this Bylaw shall form part of any contract between the consumer and the Village for the supply of water or sewer collection services.

This BYLAW repeals BYLAW NO. 2008-01

SECTION I - DEFINITIONS

- a) **APPLICATION** means the application made by a consumer to the Village of Acme in prescribed form for the supply of water and sewer utilities, which shall be a contract between the consumer and the Village.
- b) **CAO** means the Chief Administrative Officer of the Village of Acme
- c) **CONSUMER** - means any person who uses water supplied by the Village and discharges waste into the Village sewage lines.
- d) **COUNCIL** - refers to the Council of the Village of Acme.
- e) **CURB STOP** - means the valve on a Village service pipe or line.
- f) **DOMESTIC WASTEWATER** - means the wastewater that is the composite of liquid and water carried wastes associated with the use of water for drinking, cooking, cleaning, washing, hygiene, sanitation or other domestic purposes, together with any infiltration and inflow wastewater that is released into a wastewater collection system.
- g) **DISCRETE WASTEWATER STREAM** - means wastewater from an individual process or part thereof which, except by dilution upon mixing with other wastewater prior to entering the wastewater collection system, would not meet the concentration

limit of 300 BOD or otherwise implied throughout this Bylaw, would not meet the temperature requirement of 150 degrees Fahrenheit or 65 degrees Celsius, or would contain a level of Fats, Oils and Grease which would not be acceptable to the wastewater system. Wastewater from these sources may be dealt with by individual agreement with the Village rather than by Bylaw, however if an agreement is not in place these processors shall adhere to this Bylaw.

- h) FOG – refers to Fats, Oils, or Grease
- i) INDUSTRIAL PROCESS AGREEMENT / BYLAW - a separate agreement and or Bylaw which would make allowance for a Discrete Wastewater Stream.
- j) MASTER RATES BY-LAW – Bylaw of the Village of Acme to establish Rates and Fees.
- k) METERS - means meters and all other equipment and instruments supplied and used by the Village or authorized by the Village to be used to calculate the amount of water consumed on the premises upon which such meters are situated.
- l) PERSON - includes a partnership, a firm, a body corporate, a politic, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.
- m) SEWER SERVICE LINE - means that portion of a pipe used for the discharge of sewer to the sewer service main.
- n) SHUT OFF - means an interruption in or discontinuation of the supply of water.
- o) VILLAGE - refers to the Village of Acme, in the Province of Alberta.
- p) WATER SERVICE PIPE - means that portion of a pipe used for the supply of water which extends from the water main to the service valve.
- q) WATER WASTEWATER OPERATOR – Person certified by the Province of Alberta as a Water Wastewater Operator employed or contracted by the Village of Acme.

SECTION II – WATER

1. PLUMBING

No Person except those authorized by the Village shall make any connection whatsoever with any of the public pipes or mains. All tie ins must be inspected by a qualified Village authorized personnel either staff or contracted personnel prior to installation and connection.

All water service, pipes laid in private property, between the curb stop and the water meter, shall be of the material referred to in the latest edition of the National Plumbing Code for both Water and Sanitary Services (Sewer).

All plumbing, piping and sewer work in the Village shall be done in strict accordance with the regulations under the Public Health Act and the Safety Codes Act of the Province of Alberta, and amendments thereof, which regulations shall be considered as forming part of this Bylaw

as if incorporated herein. All plumbing and sewer work shall be inspected by a qualified Safety Codes Officer appointed by the Village of Acme.

The Village does not guarantee the pressure nor the continuous supply of water and the Village reserves the right at any and all times without notice to change the operating water pressure and to shut off water. Neither the Village, nor its officers, employees or agents shall be liable for the change in water pressure or for the shutting off of water or, by reason of the water containing sediments, deposits or other foreign matter.

Consumers depending on processes requiring particularly clear or pure water shall provide such equipment as deemed necessary at their own cost.

Owners of all buildings and mobile homes shall install a back flow preventer to protect their hot water tanks in the event the water is shut off.

2. METERS

- a) The Village shall provide the water meter and meter remote to each property. If an owner disputes the meter readings, Public Works will remove the current meter and install a new meter and have the owner sign an agreement that he/she will pay the costs for the inspection if the meter is found not faulty. It will be sent to a water meter company in Calgary to be tested.
- b) Meters are to be installed and maintained only by Village authorized personnel.
- c) Meters are to be installed for the measuring of water. All owners, tenants, or occupiers shall allow access to every facility for the installation, placing, inspection, and reading of such a meter, and shall protect it from interference or injury by frost or otherwise. Owners shall be liable for any damage which may occur to the meter. All meters shall be located on the consumers' side of the approved shut off valve.
- d) If a water meter has failed to register accurately since the last reading, the water rate for the said period shall be adjusted and charged on the basis of the average charge of water supplied to the said premises during the preceding two (2) meter reading periods or such shorter period as may be available.
- e) Subsidiary meters - A consumer may, for his own benefit, install a meter between the meter supplied by the Village and the point of use of the water supply, provided that the Village shall not maintain such meter, nor shall such meter be read by the Village.
- f) Curb Stops - The contractor and/or owner shall ensure that the curb stop is at finished grade prior to service being connected and must be kept accessible at all times.
- g) Remote Reading Devices - All buildings which require water meters, and for which building permits have been issued shall have provision on the outside of the building in a convenient location for a remote reading device.

3. TURNING ON WATER

- a) Water shall be turned on and off only by an Village authorized personnel.

- b) After a construction, reconstruction, alteration or change, or the completion of any work requiring a permit, water shall not be turned on to any building or premises until after the whole of the work has been done to the satisfaction of a Safety Codes Officer or Plumbing Inspector as recognized by the Village.

4. TERMINATION

- a) The supply of water to any consumer may be shut off for any or all of the following reasons:
 - i. Repair
 - ii. Want of supply
 - iii. Non-Payment of utility accounts rendered
 - iv. Defective piping
 - v. Or for any reason which the Administration or Council considers sufficient.
- b) The CAO or authorized personnel has authority to shut off water for any consumer or consumers for any reason which, in the opinion of the CAO necessitates such shutting off. It is hereby declared that no person shall have any claim for compensation or damages as the result of the Village shutting off the water without notice or from failure of the water supply from any cause whatsoever.
- c) No Person shall interfere with, damage or make inaccessible any curb stop due to the construction of walks, driveways, or in any other way. If it is required to make any repairs or construction changes due to inaccessibility or damage to a curb stop, the owners of the property serviced by said curb stop shall be required to assume all costs involved.

5. INTERFACE WITH HYDRANTS AND VALVES

No Persons other than Village authorized personnel shall open, close, operate, interfere or draw water from any valve, hydrant or fire plug.

No Person shall in any manner obstruct the free access to a hydrant or valve or stop cock. No vehicle, building, rubbish, or other matter which would cause such obstruction shall be placed nearer to a hydrant than the property line of the street in which the hydrant is located, or within twenty (20) feet, or 6.1 meters, of the hydrant in a direction parallel with the said property line.

6. WASTAGE

- a) No consumer shall cause, permit or allow the discharge of water so that it runs to waste, whether by reason of leakage from underground piping, a faulty plumbing system or otherwise.
- b) The CAO may cause the water supply to any consumer who violates subsection 6(a) of this section to be shut off until such time as such consumer establishes to the satisfaction of the CAO that steps have been taken to ensure that any water supplied to him by the Village will not run to waste.
- c) The CAO shall give notice to such consumer prior to causing the water supply to such consumer to be shut off.

Notwithstanding the foregoing, the CAO may, under such condition as he/she may consider reasonable, allow a consumer to discharge water so that it runs to waste or useless if such consumer's water service would otherwise be susceptible to freezing.

7. USE OF WATER

- a) No consumer shall:
 - i. give away or permit water to be taken
 - ii. use or apply any water to the use or benefit of others or to any other than his own use and benefit

No contractor/owner shall turn the water service on unless for testing purposes and, in such a case the CAO shall be advised in advance of the intention, so as to ensure the water service is turned off after testing.

Approval for all connections to the Village water system not specified in the Bylaw shall require the prior approval of the Village.

8. WATER CONSERVATION

- a) The Village of Acme shall promote the conservation of water. Watering restrictions may apply during months of heavy usage.

SECTION III - SEWER

1. USE AND PROTECTION OF SEWER SYSTEM

- a) No Person shall throw, deposit or leave in or upon any Village sewer, or any trap, basin, grating, manhole or other appurtenance of any Village sewer any refuse matter of any kind except domestic wastewater or from an authorized discrete wastewater stream.
- b) No Person shall release or discharge anything or matter which, if discharged, would contravene or result in the contravention of any federal, provincial or municipal legislation, or the discharge of which may interfere with the proper operation of the sewage system or would or may become a hazard to Persons, Property, animals or the environment.
- c) No Person shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of the Village sewer, except Village authorized personnel.
- d) No Person shall cut, break, pierce, or tap any Village sewer or appurtenance thereof, or introduce any pipe, tube, trough or conduit into any Village sewer without authorization of the Village.

- e) No Person shall release or permit the release of hauled wastewater that contains any of the following:
 - i. Grit or skimming from interceptors, catch basins or pre-treatment facilities
 - ii. Sludge from interceptors, catch basins or pre-treatment facilities
 - iii. Matter containing a hazardous waste
- f) Hauled wastewater from a domestic source may be allowed to enter the system providing the following:
 - i. Authorization is given by the CAO and/or Water Wastewater Operator
 - ii. Contains no commercial or industrial wastewater
 - iii. Contains no wastes as per Section III, 1.e
- g) The Public Works Maintenance employee or authorized person of the Village shall have the right at all reasonable times to enter houses or other places which have been connected with Village sewers. Access to facilities must be given to him/her so as to ascertain whether or not, any improper material or liquid is being discharged into the sewers. He/she shall have the power to stop or prevent the discharge into the Village's sewer system any substances which are liable to adversely affect the Village's sewers or obstruct the flow of sewage.

2. INDUSTRIAL AND TRADE WASTES

- a) No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged into any Village sewer without such previous treatment as shall be prescribed by the Council in consultation with the Certified Water Wastewater Operator. The necessary treatment works so prescribed shall be completely installed by the applicant, at his expense, prior to the construction of the sewer connection, and thereafter shall be continuously maintained and operated by the occupant.
- b) The Village of Acme shall maintain sewer BOD levels as prescribed by Alberta Environment and maintains the right to sample all industrial and trade wastes to determine these levels. The concentration limit is 300 BOD .
- c) "Discrete Wastewater Streams" may be allowed but under separate agreement with Council known as an "INDUSTRIAL PROCESS AGREEMENT BYLAW".

3. INTERCEPTORS – Vehicle and Equipment washing, repair and maintenance

- a) An Owner of a vehicle or equipment service station, repair shop or garage, or premises where motor vehicles are repaired, lubricated, maintained or washed shall do the following:
 - i. Install an interceptor at a directly accessible location on the upstream side of a monitoring access point in or on the premises that is designed and sized in accordance with the requirements of the National Plumbing Code of Canada to prevent hydrocarbons, flammable liquids, TSS and other hazardous wastes from entering the wastewater system.

- ii. Monitor, operate, properly maintain at all times, and clean each interceptor installed in or on the premises as required by the manufacturer's instructions and specifications.
- iii. Ensure that all wastewater does not exceed the maximum allowable concentration limits for hydrocarbons, flammable liquids, TSS and other hazardous waste as per Alberta Environment standards.

4. GREASE TRAPS - Fats, Oils, Grease (FOG) Interceptors – Food Service Establishments

- a) An Owner of a hotel, restaurant, Laundromat and other such places as determined by Council, shall do the following:
 - i. Install a FOG interceptor at a directly accessible location on the upstream side of a monitoring access point in or on the premises that is designed and sized in accordance with CAN/CSA B481, and meets the requirements of the National Plumbing Code of Canada to prevent FOG from entering into the wastewater system.
 - ii. Monitor, operate, properly maintain at all times, and clean each FOG interceptor installed in or on the premises in accordance set by CAN/CSA B481 and in compliance with the manufacturer's instructions and specifications.
 - iii. Ensure that all wastewater does not exceed the maximum allowable concentration limits for FOG as per Alberta Environment standards (100 mg/l).

5. SEWER CONNECTIONS

No Person, other than Village authorized personnel, shall make any connections to, or shall cut or otherwise tamper in any way with a public or Village sewer.

6. SEWER SERVICE LINES

- a) If a Person requests the Village to clear any plugged or sluggish sewer service line, and should the blockage be, between the dwelling/facility and the sewer main, the Person making such requests shall be liable for any charges incurred by the Village.
- b) The Village will be responsible for repairs from the property line (water curb stop) to the sewer main. Should any Person claim that the sewer service line between the sewer main and the property line is plugging because it is not laid according to good practice may request an inspection. Should the sewer line be found to have been laid according to good practices, the said Person shall be liable to pay all costs incurred by the Village for the inspection including, if required, the opening and closing of the said sewer line.

SECTION IV – SERVICE INFORMATION

1. GENERAL

- a. The property owner may request the Village to review and discuss the shared costing of any water/sewer service line work to be performed. The decision of the Village will be final and binding on the property owner.

- b. Persons excavating for service lines and connections shall not backfill until the Village has done an inspection and approved the installation.

2. BILLING REGULATIONS

Invoices outlining basic utility charges, consumption of water, meter readings, estimates, flat rates, utility rates, deposits, re-connection fees where applicable, deposits, due date, interest penalty for late payment, and arrears shall be issued to the consumer and payment made in accordance with the current Master Rate By-law of the Village of Acme.

An invoice showing the current service charges to the user every two (2) months (February, April, June, August, October and December) and payment for the amount due for water, sewer charges shall be issued at the first of the month following the end of the two (2) month consumption period or as otherwise required. Said charges shall be due and payable when the account is rendered. Failure to receive an account invoice shall in no way affect the liability of the consumer to pay the amount.

3. RECONNECTION OF SERVICE

In the event that a water service has been shut off, as provided for under Section IV (1), by reason of non-payment, a reconnection fee in the amount specified in the current Master Rates Bylaw, and shall be payable in advance of turning on of the service.

When the water service has been shut off because of non-payment of account and the same consumer or, his/her spouse requires reconnection, all arrears shall be paid together with reconnection fee before the water is turned on.

4. DISCONTINUANCE OF SERVICE

Any person intending to vacate the premises that have been supplied with water from the waterworks or, who is desirous of discontinuing the use thereof shall provide notice of the same at the Village office, otherwise the rates thereof shall be charged until such notice is given or the water turned off. No rebate shall be made for a fractional part of a month in which such notice was given.

5. ACCOUNT SETUP

- a) Current accounts which have been setup in the name of renters shall be honored until the renter has moved out and the amount has been paid in full and the account closed. The account for this property will then be named in the property owners' name.
- b) New accounts will only be setup in the name(s) of the property owner. The property owner is responsible for the utility account in full.

6. BOILER SERVICE

In all cases where boilers are supplied with water, the Village shall not be liable for any damage which may result to any person or premises from shutting off the water main or service, or from failure of the water supply, for any purpose or cause whatsoever, even where no notice is given, and no deductions from water bills will be made in consequence thereof. All users of steam or hot water boilers must protect themselves by installing a

storage tank, sufficient to provide at least twelve (12) hour supply for each steam or hot water boiler.

In any case where a boiler or equipment of a nature similar to that of a boiler is supplied directly from a service, such boiler or other equipment, shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent the collapse or explosion thereof in the event the water supply thereto is shut off.

7. WATER RESTRICTIONS

Due to emergencies or interruptions in the Village Water Supply, the Village may restrict the use of water from the Village distribution system. When said restrictions are in effect, no persons shall water any lawns, gardens, streets, grounds or use a hose or similar device to wash vehicles or the exterior of houses or other buildings.

The foregoing restrictions do not apply to a person using an ordinary sprinkling can or pail, where said water is used only for the watering of plants or shrubs.

An authorized Person of the Village or Village Council in fixing restrictions on the use of water for the purpose set out in this section may vary the hours and days of use for differing portions of the Village or, may attach such other conditions as they deem necessary.

Any person failing to obey the preceding regulations will be given one written notice of warning to discontinue violation of the regulations. If the person fails to obey the written notice the Village shall have the right to discontinue water service to the said person.

SECTION V – LIEN ON PROPERTY

1. Any Utility Accounts which are in arrears can be charged to the taxes assessed against the real property to which the water or sewer services have been supplied, and may be collected in any way provided for the collection of taxes, according to the Municipal Government Act, M26.1, and amendments thereto.

The charges for a municipal utility service provided to a parcel of land are an amount owing to the municipality by the owner of the parcel. (Section 42 (1) of the Municipal Government Act.

Any water rates in arrears for water supplied by the Water or any sewer rates in arrears for sewer service supplied by the Water to any land or premises may be added to the taxes assessed against the real property to which the water or sewer services have been supplied, and may be collected in any way provided for the collection of taxes, according to the Municipal Government Act, M26.1, and amendments thereto.

2. In addition to the methods outlined herein for the recovery of outstanding rates or charges, the Village reserves the right to discontinue service to any property where any charges for services or work remain outstanding for a period of more than thirty (30) days.

SECTION VI – PENALTIES

1. Any Person who commits a breach of this Bylaw shall be liable upon summary conviction thereof to a fine and/or penalties not exceeding \$250.00 or unless otherwise stipulated in the section of the Bylaw.
2. Any Person found to be violating any provision of this ordinance shall be served by the Village with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall within the period of time stated in such notice, permanently cease all violations.

Any Person who shall continue any violation beyond the time limit provided for in Section VI (2) shall be guilty of a misdemeanor, and a conviction shall be fixed in the amount not exceeding \$250.00 for each violation. Each day in which a violation shall continue shall be deemed a separate offense.

Any Person violating any of the provisions of this Bylaw shall become liable to the Village for any expense, loss, or damage occasioned to the Village by reason of such violations.

This Bylaw shall take effect July 11, 2016.

Read a first time this 27 day of June 2016.

Read a second time, as amended, this 11 day of July 2016.

Read a third time and passed this 11 day of July 2016.



Mayor Bruce McLeod



CAO Rhoda Hannah