

BY-LAW 932/02

WATER WORKS

STURGEON COUNTY, MORINVILLE, ALBERTA

BEING A BY-LAW OF STURGEON COUNTY IN THE PROVINCE OF ALBERTA RESPECTING WATERWORKS WITHIN THE MUNICIPALITY.

WHEREAS, the Municipal Government Act, S.A 1994, c. M-26-1, as amended, provides for the provision of municipal public utility services subject to any terms, costs or charges established by Council; and

WHEREAS, it is deemed necessary and expedient to establish a system of waterworks for Sturgeon County and to set out the terms, costs and charges upon which the service will be provided;

NOW THEREFORE THE COUNCIL OF STURGEON COUNTY DULY ASSEMBLED HEREBY ENACTS AS FOLLOWS:

This bylaw shall be known as the Waterworks Bylaw.

1. DEFINITIONS

Whenever in this bylaw the following words appear they shall mean the following:

- (a) “Authorized Person” shall mean an employee or employees of Sturgeon designated by Council as an authorized person for the purpose of this bylaw.
- (b) “Council” shall mean the Council of Sturgeon as constituted from time to time.
- (c) “Person” shall mean any applicant for water service and without restricting the generality of the foregoing shall mean any firm, partnership, individual, individuals, incorporated company or other body corporate or politic and the heirs, executors, administrators and assigns or other legal representatives of such person to whom the context can apply according to law.
- (d) “Water Service Line” shall mean that private water line from the water supply main to a meter or the meter vault as the case may be on the private property.
- (e) “Sturgeon” shall mean Sturgeon County

2. AGREEMENTS

- (a) Every person that wishes to obtain water service from any water distribution system within Sturgeon shall apply in writing on a form approved by Council to an authorized person for water service from the said water distribution system.
- (b) Every person that applies in writing to an authorized person pursuant to Section 2 (a) of this bylaw shall supply the said authorized person with such plans and specifications any such other information as shall be required by the said authorized person.
- (c) No person shall proceed with the construction of a Water Service Line or any installation to provide that person with water from a Water Supply Main within Sturgeon until such time as that person's application for water service shall have been approved by any authorized person and that person's plans and specifications for the water service line or other installation shall have been approved in writing by an authorized person.
- (d) Upon the approval of an application for private water service by an authorized person, the person whose application has been approved shall be responsible for and shall pay for the cost of construction of the water service line and any other installations required to provide that person with water service and the water service line and any other installations shall only be constructed by an authorized person and in accordance with the provisions of this bylaw.
- (e) Upon the approval of an application for private water service by an authorized person and before the commencement of construction of water service line or any other installation to provide water service, the applicant shall pay to Sturgeon an application fee. The application fee shall be determined by resolution of Council from time to time.

3. TAPPING WATER SUPPLY MAINS

- (a) No person without first having obtained a permit to do so from an authorized person shall make connection or communication whatsoever with any water supply main. The person obtaining the said permit shall be totally liable for any damages caused while making such connection as shall be required by an authorized person.
- (b) All water service lines
 - i. shall conform to the General Municipal Servicing Standards of Sturgeon unless written approval is received from an authorized person.
 - ii. greater than 500 feet in length shall have a meter vault of a size, and design approved by an authorized person, shall be in a location approved by an authorized person and shall be provided at the sole cost and expense of the applicant. (and in a location approved in writing by an authorized person)

- (c) No connection shall be made to a water service line between the water supply main and the meter without the consent in writing of an authorized person.
- (d) The Landowner of a particular parcel receiving water service is responsible for the maintenance, repairs and cost of the water service line from the parcel curb stop to the water meter fittings and all water service lines located on private property. This includes private connections to the curb stop, the landowner-side portion of the water service line on public property (if the parcel curb stop is located on public property), all water service lines on private property and any pressure reducing valve or meter vault.

4. WATER METERS

Every meter and every piece of meter reading equipment installed shall remain the property of Sturgeon, and shall be installed on the understanding that all persons shall provide such facilities as shall be necessary for the installation, inspection and reading of the meter, and shall protect the meter from interference, injury, or damage, shall be liable for any damage which may occur to the meter or the water reading equipment.

Any authorized person may between the hours of 9:00 A.M. and 9:00 P.M. may enter any dwelling or structure to read, service or inspect any water meter or meter reading equipment.

5. METER READINGS

- (a) All meters shall be accurately read by the person to whom water service is being provided by Sturgeon and such reading shall be returned to Sturgeon on or before the 28th day of the following month. All persons shall be invoiced for each meter reading according to the rates established by Council by resolution from time to time.
- (b) In the event that a meter reading card shall not be returned to Sturgeon on or before the 28th day of the month following the month in which the billing was calculated, Sturgeon shall read the meter and charge an additional Twenty Dollars (\$20.00) meter reading charge which shall be added to the billing.
- (c) In the event a person will be absent from his home for a period of more than one month, he/she may notify the Municipal office in writing of the time absent and the meter will be read by the County forces at no charge. If he/she does not notify in writing the meter reading charge shall be added to the billing as per section 5(b).
- (d) In the event that a meter shall fail to register accurately since its last reading, the water rates for the said period shall be adjusted and shall be charged on the basis of the average charge during the preceding two (20) meter readings or such shorter periods as may be available.

- (e) Should any person claim that a meter supplied by Sturgeon is over-reading, the said person shall deposit with Sturgeon the sum of Thirty-five Dollars (\$35.00). Sturgeon shall then remove the meter and shall test the meter for accuracy. In the event that the said meter shall be found to over-read by more than three percent (3%), the said person shall be refunded the said Thirty-Five (\$35.00) dollar deposit. In the event the said meter shall over-read by less than three percent (3%) the said meter shall be considered to be accurate, and the said deposit shall be forfeited. Should the meter be found to over-read or under read by more than three percent (3%) the rates for the previous two (2) meter reading periods shall be adjusted by the same percentage as the meter found to be in minimum rate normally charged.
- (f) Any person that interferes with or tampers with any meter seal, meter reading equipment or water shut-off equipment shall be guilty of an offence and liable upon conviction to the penalties as set out in this bylaw.

6. WASTE OF WATER

No person shall waste any water supplied by Sturgeon whether by improper or leaky surface lines, fixtures or taps, or by permitting water to run to prevent taps or pipes from freezing, or otherwise, or by improper or excessive use.

7. TURNING ON WATER

Water service to a person shall only be turned on by an employee of Sturgeon and by no one else. Any applicant who turns on water service or causes water service to be turned on shall be liable to penalties as set out in section 15 of this bylaw.

8. DISPOSAL OF WATER

Any person obtaining water service from Sturgeon shall only use the water supplied for that person's own use and that person shall not sell or distribute the water supplied to third parties.

9. RIGHT TO SHUT OFF WATER

- (a) Any authorized person may shut off the water supply to any person who may be guilty of a breach of or non-compliance with any of the provisions of this bylaw or the Board of Health regulations and may refuse to turn on the water until such time as the authorized person is satisfied and assured that the person intends to comply with this bylaw or the Board of Health regulations.

- (b) Sturgeon hereby reserves the right to shut off water without notice to any person for any reason that may seem appropriate to any authorized person.
- (c) No person shall have any claim for compensation or damages as a result of Sturgeon shutting off water without notice or from failure of the water supply from any cause whatsoever.
- (d) A twenty-five dollar (\$25.00) reconnection fee shall be charged to any person whose water service has been terminated due to any breach of or non-compliance of any provision of this bylaw or a Board of Health regulation or for failure to pay the rate, tolls, charges and fees for the water supplied.
- (e) No person shall damage, interfere with or make inaccessible any curb stops due to construction of walkways, driveways or any other installations.
- (f) In the event that Sturgeon shall be required to make any repairs or construction changes due to the inaccessibility of or damage to a curb stop, the person serviced by the said curb stop shall be required to pay all costs incurred in repairing or making construction changes for the said curb stop.

10. HYDRANTS AND VALVES

- (a) No person other than an authorized person shall open, close, operate or interfere with any valve, hydrant or fire plug, or draw water therefrom.
- (b) No person shall in any manner whatsoever obstruct or interfere with the free access to any hydrant, valve curb stop or meter.

11. WATER RESTRICTIONS

- (a) In the event of any emergency, Sturgeon shall be at liberty to restrict the use of water by persons provided with water service. When the said restrictions are in effect, no person shall water any lawns, gardens, streets, yards or grounds or use a hose or similar device to wash vehicles, or the exteriors of houses or other building during such times that may be fixed by an authorized person. Notice of the times during which the use of water for the purposes specified herein shall be deemed sufficient notice if given to the persons by ordinary mail, hand delivered announcements by local newspaper or by public address systems.
- (b) An authorized person in fixing restrictions on the use of water for the purposes set out in this section of the bylaw, may vary the hours and days of use of water or apply such other conditions as he or she may deem necessary.

12. LIEN ON PROPERTY – OWNER RESIDENT OF BUSINESS

- (a) Any water rates in arrears for water supplied by Sturgeon or any other charges for services supplied Sturgeon to any land or premises may be added to the taxes assessed against the land or premises to which the water or other services have been supplied by, and Sturgeon may collect in any of the ways provided for, for the collections of taxes, including the sale of the said property.
- (b) In addition to the methods outlined herein for the recovery of outstanding rates or charges, Sturgeon reserves the right to discontinue water service to any property where any charges for services or work remain outstanding for a period of more than thirty (30) days.

13. RENTER DEPOSIT – RENTER RESIDENT OR BUSINESS

- (a) In the event a person is renting either a residence or place of business he/she shall deposit with the County of Sturgeon an amount as established by a resolution of Council from time to time. This deposit is a guarantee against the final billing at such time as the service is terminated and the account paid in full. The deposit will be refunded to the customer.

14. CONTRACTS SUBJECT TO THIS BYLAW

All contracts formed by the filing of an application for water and the acceptance thereof by Sturgeon are hereby declared to be subject to all the terms and conditions of this bylaw as amended from time to time.

15. PENALTIES

- (a) Any person who contravenes any provision of this bylaw or fails to comply with any lawful order given by Sturgeon or an authorized person pursuant to this bylaw, including but not limited to a water restriction issued pursuant to section 11 of this bylaw, is guilty of an offence and shall be penalized in accordance with the provisions of Bylaw 433/83 (the General Penalty Bylaw).
- (b) When an offence ticket is issued with respect to an offence under this bylaw in accordance with the General Penalty Bylaw the person to whom the offence ticket is issued may, in lieu of being prosecuted for the offence, pay to the County the specified penalty of \$250.00.

16. WATER RATES

- (a) The charges and rates for the supply of water and other services to be provided by Sturgeon shall be those rates and charges which Council shall from time to time determine by resolution.
- (b) Water accounts are due ten calendar days after the date appearing on the utility bill. Any water account remaining unpaid twenty (20) calendar days after the due date shall have a penalty of two and a half (2.5) percent added thereto.
- (c) All accounts which remain unpaid after the 15th day of the month following the month in which the account is rendered, shall be subject to being discontinued. A reconnection fee as stated in Section 9, Subsection (d) of this bylaw, plus all outstanding rates or charges must be paid in full before service is restored.

17. DISCLAIMER

Sturgeon County is not able to guarantee an uninterrupted supply of domestic water and is unable to provide a sufficient source of water at a pressure and flow which would enable fire hydrants within the municipal distribution systems to operate at normally accepted fire flows.

- 18. Bylaw 519/84, the Waterworks Bylaw, and all amendments thereto, are hereby rescinded.