

**TOWN OF ROCKY MOUNTAIN HOUSE  
PROVINCE OF ALBERTA  
BYLAW NO. 2022/03**

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**BEING A BYLAW OF THE TOWN OF ROCKY MOUNTAIN HOUSE, IN THE PROVINCE OF ALBERTA, TO REGULATE AND PROVIDE FOR THE SUPPLY AND/OR USE OF WATER, COLLECTION AND DISPOSAL OF SEWER AND COLLECTION AND DISPOSAL OF STORM WATER.**

**WHEREAS** pursuant to the *Municipal Government Act*, R.S.A. 2000, C. M-26, as amended, provides that municipal Council may pass bylaws respecting the safety, health and welfare of people and the protection of people and property;

**AND WHEREAS** the Safety Codes Act, R.S.A. 2000 Chapter S-1, as amended, provides that an accredited municipality may make bylaws respecting the carrying out of its powers and duties as an accredited municipality;

AND WHEREAS the Clearwater Regional Fire Rescue Services utilizes privately owned, operated and maintained Fire Hydrants in the course of providing fire fighting services within the Town;

AND WHEREAS the Town deems it expedient to establish common standards to apply to all Fire Hydrants within the Town that provide water for firefighting services in order to ensure that the Clearwater Regional Fire Rescue Services has adequate access to Fire Hydrants and water supply systems in the course of providing fire fighting services within the Town;

**AND WHEREAS** pursuant to the *Municipal Government Act*, R.S.A. 2000, C. M-26, as amended, Council of the Town of Rocky Mountain House has the authority to enact bylaws for the purpose of controlling, operating and regulating a public utility;

**AND WHEREAS** under the authority of the *Municipal Government Act* and amendments thereto, Council has the authority to enact the enforcement of bylaws;

**AND WHEREAS** it is deemed appropriate to levy rates and charges on all Persons to whom such Utility Services are provided and to set forth the terms and conditions under which such Utility Services will be provided;

**AND WHEREAS** pursuant to the *Municipal Government Act*, R.S.A. 2000, C. M-26, as amended, a municipal government may delegate to a municipal official certain duty required in the operation of the utility;

**NOW THEREFORE** the Municipal Council of the Municipal Corporation of the Town of Rocky Mountain House, in the Province of Alberta, duly assembled in Council, hereby enacts as follows;

**1. BYLAW TITLE**

1.1 This Bylaw may be cited as the "**Water, Sewer and Storm Water Bylaw**";

1.2 Where the provisions of this Bylaw conflict with any other Bylaw of the Town of Rocky Mountain House, this bylaw shall prevail.

1.3 Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.

1.4 All schedules attached to this Bylaw shall form a part of this Bylaw.

## **2. DEFINITIONS**

2.1 **"ALTERNATE SOURCE OF WATER"** means any source of water, including private well systems, other than that which is provided through the Water Service as set out within this Bylaw.

2.2 **"APPLICATION"** – means an Application made by an Owner to the Town for:

- a. the provision of Water Utility and/or Wastewater Utility; or
- b. discontinuation of Water Utility and/or Wastewater Utility whether temporary or permanent.
- c. the provision of a duplicate invoice to a tenant; or
- d. an application for High Ground Water Mitigation.

2.3 **"BASE RATE"** means the base fee the Town charges in the Town's Fees, Rates and Charges Bylaw, per utility account for potable water and/or for Sewer. This base fee does not include rates charged to the Customer for water consumed/supplied.

2.4 **"BULK WATER FILLING STATION"** means the Town of Rocky Mountain House's Bulk Water Filling Station and all parts and use thereof.

2.5 **"CAO"** means the Chief Administrative Officer of the Town or his/her designate.

2.6 **"CHIEF"** means the Fire Department Chief for the Clearwater Regional Fire Rescue Services or designate.

2.7 **"CONDOMINIUM"** means the form of housing tenure and other real Property where a specified part of a piece of real estate is individually owned while use of and access to common facilities in the piece such as hallways, heating system, elevators, exterior areas is executed under legal rights associated with the individual Ownership and controlled by the association of Owners that jointly represent Ownership of the whole piece.

2.8 **"CONSUMPTION RATE"** means the rate charged to the Customer based on the amount of water and/or sewer used, beyond the scope of the Base Rate.

2.9 **"CURB COCK"** or **"CC"** means a valve located on the municipal-owned portion of the Water Utility, located between the main line and the Property Line and installed for the purpose of enabling the municipality to turn on or Shut Off the supply of water to the Property.

2.10 **"CUSTOMER"** means a Person or Persons that receive a Utility invoice from the Town.

2.11 **"COUNCIL"** means the Municipal Council of the Town of Rocky Mountain House.

- 2.12 **"DESIGNATED OFFICER"** means the CAO or designate, which can include a Director, or any other individual designated for the purpose of enforcing the provisions of this Bylaw.
- 2.13 **"METER"** includes Meters and all other equipment and instruments supplied and used by the Town or authorized by the Town, to be used to calculate the amount of water consumed on the premises upon which such Meters are situated.
- 2.14 **"MUNICIPAL GOVERNMENT ACT"** means the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time and any regulations thereunder.
- 2.15 **"NFPA"** means the National Fire Protection Association
- 2.16 **"OWNER"** means the Person registered as the Owner of a Property pursuant to the provision of the *Land Titles Act* (Alberta).
- 2.17 **"PEACE OFFICER"** means a member of the Royal Canadian Mounted Police, a Community Peace Officer or a Bylaw Enforcement Officer.
- 2.18 **"PERSON"** means any individual, firm, corporation, partnership, association, corporation, trustee, executor, administrator or other legal representative.
- 2.19 **"PRIVATE SEWAGE SYSTEM"** means any Sewage System other than that which is provided through the Sewer Utility, as set out within this Bylaw.
- 2.20 **"PROPERTY"** includes lands, buildings, excavations, stockpiles, structures and appurtenances, or any Personal Property located thereupon.
- 2.21 **"PRIVATE HYDRANT"** means a Fire Hydrant that is owned, operated and maintained by a person other than the Town;
- 2.22 **"PROPERTY LINE"** means the boundary separating publicly owned land from private Property or the boundaries of a public or Town utility Right of Way or easement located on private Property.
- 2.23 **"PROVINCIAL OFFENCES PROCEDURE ACT"** – means the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.24 **"QUALIFIED INSPECTOR"** means a professional engineer with a tester's licence; a professional engineer who practices with an engineering firm which holds a tester's licence; a certified engineering technologist with a tester's licence or who is practicing with an engineering firm that holds a tester's licence, if under the direction of a professional engineer; a licensed master plumber with contractor and tester's licence; a journeyman plumber with a tester's licence if employed by a licenced plumbing contractor; or an apprentice plumber with a tester's licence if employed by a licenced plumbing contractor and under the direct supervision of a journeyman plumber;

- 2.25 **"SAFETY CODES ACT"** means the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.26 **"SERVICE CONNECTION"** means the part of the system or works of a utility that runs from the main lines of the utility to a building or other place on a Property for the purpose of providing the Utility Service to the Property and includes parts or works such as the pipes, wires, couplings, Curb Cocks, Meters and other apparatus.
- 2.27 **"SEWER MAIN"** means those pipes, wires or other apparatus installed and/or owned by the Town for the conveyance of storm sewer and Wastewater throughout the Town from which a Service Connection may be connected.
- 2.28 **"SEWER UTILITY"** means the system of the Utility Service owned, operated and provided by the Town to remove Wastewater from a Property through a Service Connection to the Sewer Main and to a treatment facility and all accessories and appurtenances thereof.
- 2.29 **"SHUT OFF"** means an interruption in or discontinuation of the supply of water.
- 2.30 **"STORM DRAINAGE"** means runoff that is the result of precipitation.
- 2.31 **"STORM DRAINAGE SYSTEM"** means the system for collecting, storing and disposing of Storm Drainage, and includes:
- a. the catch basins, sewers and pumping stations that make up the Storm Drainage collection system;
  - b. the Storm Drainage facilities, structures or things used for storage, management and treatment to buffer the effects of the peak runoff or improve the quality of the storm water;
  - c. the sewers and pumping stations that transport Storm Drainage to the location where it is treated or disposed of;
  - d. the Storm Drainage outfall structures; and
  - e. the Surface Drainage Facilities; but
  - f. does not include plumbing or Service Connections in buildings.
- 2.32 **"STREET(S)"** means all highways, roads, lanes, alleys, avenues, easements, thoroughfares, utility lots, drives, sidewalks, boulevards, parks, and public places unless the contrary is expressed or unless such construction would be consistent with the context of this Bylaw.
- 2.33 **"TENANT"** means a Person who is not an Owner but who is in legal possession of a Property to which Utility Services are provided.
- 2.34 **"TOWN"** means the Town of Rocky Mountain House, its employees or its duly authorized representatives.
- 2.35 **"UTILITY SERVICE(S)"** means and includes, as the context may require:
- a. the supply of treated water;
  - b. the provision of sewer and storm sewer collection and disposal; and

- c. the provision of such other Utility Services as Council may deem appropriate.
- 2.36 **"VACANT SERVICES"** means a Property which has had the Water Utility disconnected at the request of the Owner by way of the Town shutting off the Curb Cock valve.
- 2.37 **"VIOLATION TAG"** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act*.
- 2.38 **"VIOLATION TICKET"** means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended*.
- 2.39 **"WASTEWATER"** means a combination of water and water-borne wastes from residences, business buildings, institutions, industries and other establishments and as may be directed into the Sewer Utility.
- 2.40 **"WATER MAIN"** means those pipes, wires and other apparatus installed and/or owned by the Town for the conveyance of water throughout the Town from which a Service Connection may be connected.
- 2.41 **"WATER VALVE"** includes any component of the water system at the surface including valves, blowoffs, curb cocks or other surface works.
- 2.42 **"WATER UTILITY"** means the Utility Service provided by the Town to provide water to Property located within the Town through a Water Main to a Service Connection.
- 2.43 **"WORKING DAY"** means 8:30 AM – 4:30 PM, Monday - Friday, excluding statutory and civic holidays.

### **3. GENERAL**

- 3.1 The Water, Sewer and Storm Water Bylaw applies to all water, sewer and storm water systems within the limits of the Town.
- 3.2 The Town shall, in accordance with the terms and conditions prescribed in the Bylaw, be responsible for the construction, control, operation and management of all Utility Service facilities and equipment utilized for:
  - a. water, sewer and storm sewer within the Town, from Property Line to Property Line within the Street or lane;
  - b. the treatment, where applicable, and the supply and distribution of water; and
  - c. the provision of such other Utility Services as Council may determine.
- 3.3 The Town may enter into a contract with any Person for the construction and/or operation of the whole or a portion, of the water, sewer and/or Storm Water system within the Town.
- 3.4 The Town may:
  - a. supervise the construction, control, and operation of water, Sewer and/or Storm Water systems and;

- b. direct the days and times that the water, Sewer and/or Storm Water system shall be utilized by designation of areas within the Town;
- c. the amount of water supplied to any Person and/or premises; and
- d. decide as to the quantities and classes of sewage to be accepted into the system from any premises.

Any decision(s) shall be final, subject only to the superior statutory authority of another entity.

3.5 The Utility Services of the Town of Rocky Mountain House comprising of Water Treatment Plant, feed mains, Sewer and Storm Mains, Water Mains, manholes, lift stations, service pipes, fire hydrants, valves, Meters, services and all other appurtenances, together with the sale of water, shall be under the management and direct control of the CAO or designate, subject to the provisions of this Bylaw and all applicable policies of the Town.

3.6 The Town shall:

- a. supply the Utility Services so far as there is sufficient capacity, upon such terms, costs or charges as established by Council through this Bylaw and as per the Town's Fees, Rates and Charges Bylaw, to any Owner where the Property is situated within the Town boundaries, with any Property adjacent to a Water Main, Sewer Main or Storm Sewer System;
- b. so far as is reasonably possible, endeavor to provide regular and uninterrupted operation of the Utility Services. However, breaks to Water Mains, Sewer and Storm Mains and other facilities are inherent to the normal operation of a Utility and may result in interruptions to the Utility Service.

3.7 The Town:

- a. does not guarantee the pressure of the Water Utility nor the continuous supply of water;
- b. reserves the right at any time, without notice, to change the operating water pressure of the Water Utility and to Shut Off the Water Utility;
- c. recommends that Persons depending on continuous and uninterrupted supply of water for requiring certain standard or water quality shall provide such storage facilities (no wells) as are necessary to ensure the service, at their own cost and expense, and only with municipal approval.

3.8 The provisions of the Bylaw shall form part of the agreement between the Owner and the Town for the supply of the Utility Services. New accounts are required to submit a completed Application, as shown in Schedule "E".

3.9 The Owner shall:

- a. pay all charges and rates for the Utility Services provided by the Town in accordance with this Bylaw and the Town's Fees, Rates and Charges Bylaw;
- b. adhere to the requirements of this Bylaw;
- c. be responsible for the condition and protection of all facilities located on the Owner's Property;

- d. be liable for any destruction or damage to the Utility Services facilities located on the Owner's Property unless the destruction or damage is caused by the Town;
  - e. not extend a service from one lot to another without the prior written consent of the Town; and
  - f. at the request of the Town, grant, or cause to be granted to the Town, such easements or rights of ways over, upon or under the Property owned or controlled by the Owner as the Town reasonably requires for the construction, installation, maintenance, repair, inspection and operation of the facilities required for the Utility Services to the Owner and for the performance of all other obligations required to be performed by the Town to maintain the Water Utility, Sewer and Storm Utility.
- 3.10 Unauthorized Persons are prohibited from entering any Town water, sewer or storm distribution or treatment facility without the written permission of the CAO or designate.
- 3.11 No Person shall be in contravention of a specific provision of this Bylaw unless permission has been granted for the contravention, by Council in writing.
- 3.12 Any Person requesting a service call to be made shall pay the required fees as set out in the Town's Fees, Rates and Charges Bylaw.

#### TAX EXEMPT PREMISES

- 3.13 Unless otherwise agreed to in writing with the Town, the Town shall collect fees for the Water Utility and Sewer Utility system(s) from any Building or premises located on land in which the Owners are exempt from the payment of Municipal taxes.

#### NO OPTION FOR USE OF SERVICE

- 3.14 The Base Rate and Consumption Rate charges levied pursuant to the Town's Fees, Rates and Charges Bylaw will be applied to each Meter, on all residential and non-residential properties within the Town.
- 3.15 No Person shall have or operate an Alternate Source of Water or Sewer if the premise is adjacent to an existing mainline within the Town except:
- a. for any Temporary Kiosk or Mobile Commercial Sales that has received approval from the Public Health Inspector; or
  - b. where allowed or required within a provision of this bylaw.
- 3.16 Any Property that has an Alternate Source of Water and/or a Private Sewage System must connect to the Town's Water Utility and/or Sewer Utility:
- a. when the system or works of a municipal public utility are installed adjacent to a Property; and
  - b. when the Alternate Source of Water and/or Private Sewage System is no longer viable, requiring a permit to repair and/or replace any and/or all component(s) of the system. Permits will not be issued to replace any private Alternate Source of Water and/or Private Sewage System in such cases.

- c. within 1 year of the Alternate Source of Water and/or Private Sewage System meeting conditions listed in 3.16(a) and 3.16(b), above.

#### **4. RIGHT OF ENTRY**

- 4.1 For the purposes of enforcing the provisions of this Bylaw, a Peace Officer shall be a Designated Officer.
- 4.2 A Designated Officer may, for the purposes of ensuring that the provisions of this Bylaw are being complied with, enter upon any Property in order to carry out an inspection, enforcement or other act as required or authorized by this Bylaw, the *Municipal Government Act*, or any other statute.
- 4.3 Before conducting an inspection pursuant to Section 4.2, a Designated Officer shall, when not an emergency, provide the Owner and/or Tenant of the Property with reasonable notice as required by the *Municipal Government Act*. For the purpose of this Bylaw, a notice period of FORTY EIGHT(48) HOURS before commencement of the inspection is deemed to be reasonable notice.
- 4.4 Notwithstanding Sections 4.2 and 4.3, the Town may enter and have access to all parts of a Property in which the Utility Services is provided by the Town, or intended to be provided by the Town, at any reasonable hour for:
  - a. the purpose of constructing, repairing or maintaining the system or works of the Water Utility, Sewer Utility or both, including but not limited to the main line, the Service Connection or the Meter;
  - b. conducting sampling tests, or installing, inspecting, reading or repairing Meters; or
  - c. investigating a complaint or query where the Person has provided written permission for the Town to investigate the complaint, query, including entering the Property at any reasonable time.
- 4.5 The Town will make reasonable efforts to notify the Person when the Town intends to enter the Property, or other Person who is at the Property and appears to have sufficient authority to permit entry except:
  - a. in case of emergency;
  - b. where entry is permitted under Order of the Court; or
  - c. where entry is authorized under a statute or other enactment.

#### **5. LIABILITY OF TOWN**

- 5.1 The Town shall not be liable for any loss, injury, damage, expense, charge, cost or liability of any kind, whether direct, indirect, special or of a consequential nature, except only as specifically provided for in this Section, arising out of, or in any way connected with any failure, defect, fluctuation, reduction or interruptions in the provision of Utility Services by the Town to the Owner, howsoever caused, including that which is caused by or related to:
  - a. the break, blockage, stoppage or failure of any portion of the Utility Services within the Town;



- b. the interference with or cessation of the Utility Services in connection with repair or proper maintenance of the Water Utility, Sewer Utility or Storm Sewer;
- c. directly or indirectly as a result of the Town approving any Service Connection;
- d. any change in the water pressure of the Water Utility, including the shutting off of water, for reasons such as water containing sediments, deposits, other foreign materials or extreme conditions, including but not limited to frazil ice, water restrictions; or
- e. any accident or incident due to the operation of the Water Utility, Sewer Utility, or Storm Sewer unless such costs of damages have been shown to be directly due to an act of bad faith, gross negligence or willful misconduct of the Town or its employees, agents or other authorized representative.

5.2 All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be applicable to the Town.

## **6. WATER UTILITY**

### USE OF WATER

6.1 The Town may, upon finding an unauthorized use of water, including the tampering with a Water Meter, Service Connection or Water Main or any part of the same, take corrective measures to repair or remedy the unauthorized use.

6.2 Any Person who contravenes any part of this Bylaw may be responsible for all charges for water consumed in accordance with the Water Utility rates set out the Town's Fees, Rates and Charges Bylaw and all charges incurred by the Town in repairing or remedying the unauthorized use pursuant to this Bylaw.

### FROZEN WATER LINES

6.3 An Owner shall be responsible for the costs associated with frozen water lines, including but not limited to, thawing the line and/or repairing the line, regardless of the location of the freeze.

6.4 Any Property that installs a drip or trickle valve or allows for any continuous flow of water to mitigate frozen water lines, must install the drip or trickle valve before the Meter. The drip or trickle valve installation must be approved by the Town.

### BOILERS & OTHER EQUIPMENT

6.5 In any case where a steam boiler or equipment of like nature is supplied directly from a water service, such boiler or other similar equipment shall be equipped with at least one safety pressure relief valve, vacuum valve or other device sufficient to prevent the collapse or explosion of the boiler or other similar equipment in the event the Water Utility supply is Shut Off.

### CONTAMINATION - FLOW PREVENTION/CROSS CONNECTION CONTROL

6.6 No Person shall cause, permit or allow to remain connected to the Water Utility any piping, fixture, fitting, container or other apparatus which may cause water from a source other than the Water Utility or any other actual or potentially harmful or deleterious liquid or substance to enter the Water Utility.

- 6.7 Flow prevention devices shall be present where a contaminant could enter the Water Utility and may be required at any Commercial and/or Industrial or Institutional Premises, at the discretion of the CAO or designate:
- a. with installation confirmation required as a condition of development permit application; and
  - b. flow prevention devices shall be tested by a certified technician and the "passed" inspection report shall be submitted to Engineering for approval. Inspection, maintenance and repair of flow prevention devices is the responsibility of the Owner.

#### CONTRAVENTIONS

- 6.8 If a condition is found to exist which is contrary to this Bylaw, the CAO or designate shall, depending on the nature of the hazard:
- a. carry out an inspection and issue such order or orders to the Person(s) as may be required to obtain compliance with this Bylaw; or
  - b. without prior notice Shut Off the Water Utility Service or services.
- 6.9 If the Person to whom the CAO or designate has issued an order fails to comply with that order, the CAO or designate in his discretion may:
- a. give notice to the Person(s) to who the order was directed to correct the fault at the expense of such Person(s) within a specified time period and if the notice is not complied with, the CAO or designate may then Shut Off the Water Utility Service or other services; or
  - b. without prior notice, Shut Off the Water Utility Service or services.
- 6.10 Any such Person who has had a Shut Off under this Section, shall not have water restored until such Person has paid to the Town all costs associated with the Shut Off, the cleanup of any contamination and/or the remedying of the consumer's default under this Section.

#### METERS

- 6.11 All water supplied by the Town through the Water Utility shall be measured by either Cubic Meter or litres, unless otherwise provided for under this Bylaw or unless a special agreement is entered into between the Town and the Owner, in writing.
- 6.12 All premises shall have a Meter connected to the Water Utility and shall pay to the Town the Base Rate plus the Consumption Rate billing charges, with the exception of an approved Alternate Source of Water.
- 6.13 The Town is the sole supplier of Meters. As a condition of service, the Town may:
- a. determine the size, type and number of Meters to be supplied and installed in a premise;
  - b. determine the location that the water Meter is to be installed.

- 6.14 One (1) Meter shall be provided and maintained by the Town to any Property in Town. Meter installation expenses shall be borne by the Owner. For any upgrades, the cost of the Meter and installation is the responsibility of the Owner.
- 6.15 A work order must be completed and signed by Engineering and Operations for any requested or additional Meter readings or Connections/disconnections and provided to Corporate Services within 5 business days, upon completion of the work, with the exception of emergency Shut Offs.
- 6.16 Notwithstanding the payment of any costs, all Meters remain the Property of the Town.
- 6.17 All Meters shall be installed in accordance with Town specifications and standards.
- 6.18 Any Owner at their sole cost and expense, shall supply, install and maintain Shut Off Valves a minimum of fifteen (15) cm and a maximum of thirty (30) cm from the Meter connection on both sides of the Meter.
- 6.19 Water Meters shall be located horizontally and upstream of any take-offs except for approved fire lines, sprinkler controls or standpipe hose systems.
- 6.20 Meters and Shut Off Valves must be installed in an area readily accessible for Meter reading, inspection, repair and removal, and their location shall be subject to approval by the Town.
- 6.21 All Owners or other Persons shall give free access to all or parts of the building or Property in which water is delivered or consumed, to the Town or its employees to install, inspect, repair and read the Meter or anything of a similar nature.
- 6.22 Water Meters, where practicable, may be read once a month or such other frequency as determined by the Town.
- 6.23 Where the Town is unable to obtain a Meter reading, or where a Meter fails to properly register the volume of water consumed within a Property, the Meter reading may be estimated by the Town based on the average daily consumption for the Property for a period of four (4) months.
- 6.24 In the event a Meter reading is disputed by either the Town or Person, a written notice shall be given to the other.
- 6.25 A Person that has reasonable ground to believe that a Meter is not operating correctly, or is damaged or broken, shall immediately notify the Town of the condition, its location and the estimated length of time that the Meter has been inoperable, damaged or broken.
- 6.26 A Person may request that the Town test a Meter located on the Property and shall deposit with the Town the Testing of Meter fee as per the Town's Fees, Rates and Charges Bylaw. The Meter will then be removed from service and given a bench test. Should the Meter be found to be accurate within three percent (3%) of the actual amount of flow as determined by the Town, the Person shall forfeit the deposit to the Town to cover the costs of the removal and testing of the Meter. Where the Meter is

registering in excess of three percent (3%) accuracy, the Person shall be refunded the deposit.

- 6.27 Should the Meter be found to over read or under read by more than three percent (3%), the rate charged for the preceding two (2) Meter reading periods, will be adjusted by the same percentage as the Meter was found to be in error. The Person shall pay or shall be refunded the amount so determined and this payment or refund shall be accepted by both the Town and the Person as settlement in full to the date thereof of all claims on account of such Meter.
- 6.28 In the event that a Person refuses to allow a Meter to be read or fails to provide a Meter reading as requested by the Town, for a period in excess of six (6) months, the CAO or designate may direct that the Water Utility to the Property be Shut Off, after providing twenty-four (24) hours written notice to the Owner.
- 6.29 Every Owner shall provide adequate protection for the Meter supplied by the Town against:
- a. freezing;
  - b. heat; or
  - c. any other internal or external damage.

The Owner shall pay to the Town all costs associated with the repair and replacement of the Meter, if it is deemed by the CAO or designate, that the Owner did not adequately protect the Meter.

- 6.30 When in the sole discretion of the CAO or designate, 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 supplied or for any other reason in the opinion of the CAO or designate, then the Owner shall, at their sole cost, construct and maintain a container for a Meter and such container shall, in all respects, including location, construction, size, access and otherwise, conform to the Town's Design Guidelines for a Meter Chambers (Pits), and be satisfactory to the CAO or designate.
- 6.31 For multi-use residential properties, including a Property that contains several buildings, a mobile home park, a Condominium or a seasonal park with no permanent buildings, Meters shall be installed to the Town's Design Standards and must also comply with the following requirements:
- a. If not installed indoors in a building or dwelling, the Meter shall be housed in a Meter Chamber that is an insulated enclosure with heat tape to and from the Meter;
  - b. The Meter shall be installed in a location that is easily accessible and protected from potential damage; and
  - c. Wire for any remote reader shall be installed, by the Owner at their sole expense, at the Street side of the unit and all wire used by the Owner must be acceptable to the Town.
- 6.32 An Owner, at his own cost, may install a secondary Meter between the Meter supplied by the Town and the point of use of the Water supplied, upon receipt of written approval from the Town and shall in no manner interfere with the Meter installed by

the Town. All Secondary Meters shall be owned and maintained by the Owner. An Owner shall immediately relocate a secondary Meter upon request of the CAO or designate, if in the opinion of the CAO or designate, the secondary Meter is interfering in the operation of the Meter supplied by the Town.

- 6.33 When the Town removes or relocates a Meter at the Owner's request, all costs associated with the removal or relocation shall be paid by the Owner. The Town will not remove a Meter for winterization or other normal operation of a Property.

## **7. AUTHORITY TO RESTRICT OR SHUT OFF WATER UTILITY**

- 7.1 Where the Town determines that there is a water shortage, the Town may declare that water restrictions are in effect, and shall provide notice to the public of such restrictions by means of advertising the restriction on the Town's website and/or social media, in a local newspaper of general circulation, or by delivery of written notice to the affected residences and businesses, at least forty eight (48) hours prior to the date on which the water restrictions, as per Schedule "D", go into effect.
- 7.2 In the case of an emergency, the forty-eight (48) hour notice requirements under Section 7.1 may be waived, at the discretion of the CAO or designate.
- 7.3 The Town shall give notice to Persons when the Water Utility is to be Shut Off where possible, except in emergencies. The Town shall not be liable for any damages which may result to any Persons or Property from shutting off the Water Utility from any Water Main or service or for any purpose whatsoever even in cases where no notice is given.
- 7.4 The Town may discontinue or Shut Off the supply of a Water Utility service to any Property for any or all of the following reasons:
- a. Repair of a Water Utility;
  - b. want of supply;
  - c. non-payment of a Utility account;
  - d. defective piping;
  - e. when a Property is abandoned or appears to be abandoned;
  - f. any activity which puts the integrity of the Town's Water Utility at risk;
  - g. violation of a water restriction that is in force;
  - h. where there is an emergency situation; or
  - i. inability of the Town to obtain access to a residential premise to read, repair or replace any Meter for a period of six months, or to a non-residential premise to read, repair or replace any Meter for a period of three months;
  - j. failure by, or refusal of, an Owner to comply with any provision of this bylaw; or
  - k. failure by, or refusal of, an Owner to comply with provision of any provincial acts, the building code or any other applicable regulations; or
  - l. for any other situation provided for in this bylaw.
  - m. for any reasonable reason which the CAO considers sufficient.

In any event, the Town shall not be liable for any damages of any kind from such discontinuance of service.

- 7.5 For temporary emergencies such as water breaks or fires, where Water Shut Offs are requested by the Owner for such emergencies, no fee will be charged to Shut Off or re-connect the Water Utility.
- 7.6 For the installation of Water Shut Off valves inside the Property, no fee will be charged to temporarily Shut Off and re-connect the Water Utility.
- 7.7 In the event that Utility Charges, as outlined in the statement of account, remain unpaid after ninety (90) days from the due date of the Utility bill, Utility Services will issue a reminder letter. If the Utility billing that is outstanding remains outstanding for ten (10) days after the reminder letter has been sent, the outstanding amount will be transferred to the tax roll and the water may be Shut Off. For any properties where the Tenant has the account under their name, a notice will be placed at the Property, providing the Tenant with two days notice of Shut Off, should payment not be received.
- 7.8 Where the water supply has been Shut Off because of default of payment, the water supply may not be turned on until all payment of all arrears, penalties, disconnection charges, connection charges and guarantee deposits have been recovered by the Town or arrangements have been made satisfactory to the CAO or designate.
- 7.9 The Town at its sole discretion may not Shut Off any water supply for non-payment from October 1 to March 31 of each year, due to weather conditions.

## **8. DISCONNECTION**

- 8.1 For any disconnection, the Town shall obtain a reading of the Meter(s) at the time of disconnect. The Owner shall be liable for regular billing, based on the Base Rate and Consumption Rate, in addition to the re-connection fee, as per the Town's Fees, Rates and Charges Bylaw.
- 8.2 The Water being Shut Off at the Water Utility Meter by the Owner does not establish a discontinuance of Utility Service or Vacant Service.

## **9. ABANDON SERVICES**

- 9.1 If, in the opinion of the CAO or designate, a temporary disconnection is inappropriate, a service kill shall be performed at the Water Main at the Owner's expense.
- 9.2 If the water is to be Shut Off and the Meter removed for the purpose of demolition, the Owner shall be responsible of all costs associated with such. If the water cannot be Shut Off due to damage to the Curb Cock, the Town shall excavate to the water service pipe and disconnect the services at the expense of the Owner.
- 9.3 No shall Person shall 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 outlined under the Town's Fees, Rates and Charges Bylaw, including costs of the Meter and appurtenances. The Town may in circumstances permit the services to remain connected to the Utility Service line or main.

- 9.4 The Town shall, at the CAO or designates discretion, determine whether a Meter or appurtenances shall be salvaged.
- 9.5 Any request for a permit to demolish or remove a building shall require a minimum of two (2) business days notice to the Town prior to commencing any work.
- 9.6 A Person shall not assume the Water Utility has been discontinued. The Water Utility shall only be considered discontinued upon the Curb Cock valve being turned off by the Town.
- 9.7 An Owner may request to the Town, to have their Water Utility reconnected, and the Town shall apply all applicable fees and charges to the Utility Account, as set out in the Town's Fees, Rates and Charges Bylaw. An Owner or representative must be onsite at the time of the reconnection.

## **10. WATER VALVES, HYDRANTS**

- 10.1 This Bylaw applies to the installation of all Private Hydrants and the maintenance and operation of all existing and new Private Hydrants located within the Town.
- 10.2 At the time of development of lands, the Owner is responsible to ensure that the appropriate number of Private Fire Hydrants with the necessary level of fire flow are installed on the lands in accordance with the requirements of the current Alberta Fire Code, Alberta Building Code, the Town's Design Guidelines, the Town's Land Use Bylaw and this Bylaw, all as such exist at the time that development commences on the lands.
- 10.3 Owners shall ensure that the installation, location, orientation and fire flow rates of all Private Hydrants are approved by the appropriate authority under the Safety Codes Act with due regard to access and proximity to buildings and other site structures.
- 10.4 All Private Hydrants shall be self-draining whenever possible. Non-drainers are to have their caps painted black.
- 10.5 No new Private Hydrant shall be put into use prior to having final approval issued by the appropriate authority under the Safety Codes Act.
- 10.6 OWNER RESPONSIBILITIES FOR PRIVATE HYDRANTS
- 10.7 All Private Hydrants are the responsibility of the Owner of the lands upon which the Private Hydrants are situated.
- 10.8 The Owner is responsible to ensure that the Private Hydrants are installed, inspected, maintained and records kept in conformance with the current requirements of the:
- a) Alberta Fire Code;
  - b) Alberta Building Code;
  - c) NFPA 24-Installation of Private Fire Service Mains and their Appurtenances;

- d) NFPA 25-Inspection, Testing and Maintenance of Water-Based Fire Protection Systems; and
  - e) Any other applicable Federal, Provincial and municipal legislation in force from time to time.
- 10.9 Every Owner shall ensure that written records of tests and corrective measures are kept for two (2) years after the work is completed. The annual inspection records shall be submitted to the Town no later than September 30 of each year. The Town shall notify the Clearwater Regional Fire and Rescue Services of any property in which no records have been submitted and request a fire inspection.
- 10.10 Before undertaking any inspections, testing repairs or alterations to any Private Hydrant which requires the temporary shut-down of the Private Hydrant, the Owner must give not less than ten (10) days prior written notice to the Clearwater Regional Fire and Rescue Service and the Water Treatment Plant of the temporary shut-down and work to be undertaken in relation to the Private Hydrant including the following information:
- a) The duration of the temporary shut-down of the Private Hydrant including the start and finish date and time;
  - b) The location and reference number of the Private Hydrant subject to the temporary shut-down and work;
  - c) Details of the repair, alteration, testing or inspection work to be undertaken; and
  - d) Any alternative fire protection measures to be made available to Clearwater Regional Fire and Rescue Services during the temporary shut-down of the Private Hydrant.
- 10.11 The Owner is responsible to notify Clearwater Regional Fire and Rescue Services and the Water Treatment Plant in writing immediately whenever the Owner becomes aware that any Private Hydrant is defective, inoperative, or otherwise not in compliance with this Bylaw and the Owner is unwilling or unable to correct the defect or bring the Private Hydrant back into operation in accordance with this Bylaw.
- 10.12 All Owners with non-compliant Private Hydrants must either bring the non-compliant Private Hydrant into compliance with this Bylaw within 30 days of written notification that the Private Hydrant is non-compliant.
- 10.13 Owners must ensure that all non-compliant Private Hydrant are tagged with an out of service side port ring or in a manner required by the Clearwater Regional Fire and Rescue Services.
- 10.14 In the event of a conflict between the provisions of this Bylaw and the provisions of any applicable Provincial or Federal legislation including but not limited to the Alberta Fire Code, Alberta Building Code, the provisions of the Provincial or Federal legislation shall take precedence.
- 10.15 Clearwater Regional Fire and Rescue Services is authorized to use the hydrants or fire plugs for the purpose of fire protection and suppression, and for fire training practices. All such uses shall be under the direction and supervision of the Fire Chief or the Fire



Chief's authorized officers. Clearwater Regional Fire and Rescue Services utilizing Town or Private Hydrants for fire training practices shall notify the Water Treatment Plant prior to the training exercise.

- 10.16 All Persons who owns Property on which a hydrant or valve is located or Property which is adjacent to Property on which a hydrant or valve is located shall maintain a two (2) metre clearance on the front and sides of the fire hydrant and a one (1) metre clearance on the backside of the hydrant and one (1) metre clearance to all sides of a water valve.

## **11. WELLS AND OTHER SOURCES OF SUPPLY OF WATER**

- 11.1 Alternate Sources of Water within any of the Town's service areas are prohibited, except in accordance with provisions of the Bylaw, or as authorized and approved in writing by the CAO or designate.
- 11.2 Notwithstanding Section 3.16, a Person may use an Alternative Source of Water, if there is not a Water Main adjacent to the Property. In such cases, the Alternative Source of Water must be approved by the Town and the Owner must obtain the required provincial approval, license, registration or written confirmation from the appropriate provincial department or agency.
- 11.3 Any Owner desiring to use an Alternative Source of Water is required to apply for a permit for the Alternate Source of Water to the Planning and Community Development Department. Permitting for any Alternative Source of Water is at the sole discretion of the Town. Any approval will be subject to fees, as set out in the Town's Fees, Rates and Charges Bylaw.
- 11.4 An Owner shall submit to the Town, together with the Application for a permit for an Alternate Source of Water:
- a. written approval by appropriate provincial department or agency and the Plumbing Inspector; and
  - b. analysis of the water quality and evidence that such analysis is satisfactory to the Public Health Inspector, including confirmation from the Public Health Inspector that the water is potable and suitable for domestic consumption.
- 11.5 No Person who has an existing Alternate Source of Water Supply shall permit any form of cross-connection between the Alternate Source of Water Supply and the Water Utility.
- 11.6 Any Alternative Water Source continued contrary to the provisions of this Bylaw, will be provided forty-eight (48) hours notice to discontinue the use of the Alternative Water Source, by the Town to the Owner of the premises. Such an Alternate Source of Water may be declared a nuisance and dangerous to the public health or safety and shall be removed, filled up or otherwise abated, at the Owner's expense.

- 11.7 Any permit issued for an Alternative Source of Water shall only authorize the use of the water for the purpose indicated in the approval and no pipes or accessories from an Alternative Source of Water shall be connected to or laid within a structure connected to the Water Utility.
- 11.8 No existing Alternative Water Source under this Section shall give or be construed to give the holder of the said permit the right to sell or distribute water within the Town.
- 11.9 In the event of further development on the Property, the Owner may be required to enter into a development agreement with the Town and pay all costs associated with providing the land with connection to the Town's Water Utility.
- 11.10 The Town may deny a permit where it deems it unsafe to drill a well, or any matter of safety is in question.
- 11.11 The Town may place such terms and conditions, deemed necessary on any permit for an Alternative Source of Water, including but not limited to, a specific period of time for which the permit is valid.
- 11.12 The Town may pursue all legal remedies pursuant to any federal, provincial or municipal legislation or the common law, available to it in the event that the Town has reasonable grounds to believe that any Person has failed to take adequate measures to ensure that an Alternate Source of Water does not enter the Water Utility.
- 11.13 The Town shall not be responsible, in any manner, for the quality or quantity of water obtained from an Alternate Source of Water.

#### ONCE THROUGH COOLING

- 11.14 No Person shall install or allow the installation of any Once-Through Cooling Equipment connected to the Water Utility, in any residential, industrial, commercial or institution construction, development, retrofitting or restoration project.
- 11.15 Notwithstanding the obligation and prohibitions in this Section, the CAO or designate may, in writing, allow the use of Once-Through Cooling Equipment having regard to any factor the CAO or designate considers appropriate.

#### BULK WATER FILLING STATION

- 11.16 Anyone who wishes to obtain water from the Bulk Water Filling Station shall apply for an account, allowing them to obtain water from that source and they shall pay for water and any other charges as set out in the Town's Fees, Rates and Charges Bylaw.

### **12. WASTEWATER UTILITY**

#### PRIVATE WASTEWATER DISPOSAL SYSTEMS

- 12.1 If a Property does not lie along the line of a Sewer Main, the buildings on such Property shall be connected to a private Wastewater disposal system complying with the provision of this Bylaw, the Town of Rocky Mountain House Procedures and Design Standards for Development, the Alberta Safety Codes, and any other applicable legislation or regulations.

- 12.2 The type, capacity, location, and layout of a private Wastewater disposal system shall comply with all requirements of the Alberta Private Sewage Disposal Regulations.
- 12.3 No private Wastewater disposal system shall discharge to any storm sewer or natural outlet.
- 12.4 If a Property is situated along a Sewer Main, and no lawful private Wastewater disposal system is installed on the Property, the Property shall be connected to the Sewer Utility, at the Owner's sole cost and expense, in accordance with the terms of this Bylaw, unless prior written approval is obtained from the Town.

#### USE AND PROTECTION OF WASTEWATER SYSTEMS

- 12.5 The Sewer Utility may be disconnected by the Town, when in the opinion of the CAO or designate:
- a. the Property is or appears to be abandoned;
  - b. there is a noncompliance of this Bylaw on the Property;
  - c. there is an emergency situation; or
  - d. it is necessary to protect the integrity of the Town's Sewer Utility.
- 12.6 If any sewer connection is abandoned, the Town shall, at the Owner's expense, effectively block up such connection at a suitable location within the Owner's Property so as to prevent Wastewater backing up into the soil, or dirt being washed into the sewer.
- 12.7 Any Person who releases or permits to be released into the Sewer Main, Storm Drainage System or a Service Connection, any Wastewater or matter prohibited as per Schedule "A" and/or restricted as per Schedule "B", shall immediately upon becoming aware of the release notify:
- a. the CAO or designate;
  - b. the Owner of the Property; and
  - c. any other Person who the reporting Person knows or ought to know may be directly affected by the release.
- 12.8 When notifying the CAO or designate pursuant to Section 12.7, the notifying Person shall provide the following information:
- a. the name of the company or Person who caused the release;
  - b. the location of the release;
  - c. the name and contact information of the notifying Person;
  - d. the approximate time of the release;
  - e. the type of material released;
  - f. the volume of material released; and
  - g. any corrective action being taken or anticipated to be taken to control the release.
- 12.9 Any authorized Town employee or Safety Codes Officer, shall have the right at all reasonable times to enter residences or other places which have been connected with Town sewer, and facilities must be given him to ascertain whether or not any improper material or liquid is being discharged into the sewers, and shall have the power to

stop or prevent from discharging into the sewer system any private sewer or drain through which substances are discharged which are liable to damage the sewers or obstruct the flow of water.

#### INDUSTRIAL OR TRADE WASTES

12.10 Notwithstanding any other Section of this Bylaw, no waste or discharges resulting from any trade, industrial or manufacturing process shall be directly discharged to any Town Sewer Main or Service Connection without such previous treatment as shall be prescribed by the Town for each such case. The necessary treatment works so prescribed shall be completely installed by the Owner at his cost and expense, prior to the construction of the Service Connection and thereafter shall be continuously maintained and operated by the Owner.

#### INTERCEPTORS

12.11 Grease, oil, mud and dental amalgam interceptors shall be installed at the Owner's cost for all garages, restaurants, dental office, automotive service stations and vehicle and equipment washing establishments and for other types of business when required by the Town of Rocky Mountain House Procedures and Design Standards for Development or, in the opinion of the CAO or designate, such interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, dental amalgam, or any flammable wastes, sand, mud or other harmful ingredients.

12.12 All interceptors shall be of a type and capacity which conform to the Town of Rocky Mountain House Procedures and Design Standards for Development and shall be located so as to be readily and easily accessible for cleaning and inspection.

12.13 All interceptors shall be maintained at all times in satisfactory and effective operation by the Owners of the properties on which they are installed at the Owner's expense.

12.14 All interceptors shall be connected to the Sewer Main unless the Town stipulates otherwise.

12.15 If the drainage system in any new commercial or industrial building includes an interceptor, then a control manhole is required. A control manhole for the purposes of this Bylaw shall mean a manhole situated over a building sewer for the purpose of observation, sampling and measurement of Wastewater.

12.16 Residential parking garages with floor drains connected to the sewer system must have a mud interceptor of sufficient size and design to effectively trap solids.

12.17 The Owner of the Property shall keep for a two-year period the documents of proof of interceptor clean out.

#### WASTEWATER TREATMENT FACILITY DIRECT DISCHARGE

12.18 Any Person utilizing the Wastewater treatment facility shall obtain from the Town a valid Lagoon Account as established by the Town.

12.19 Any Person utilizing the service provided, must do so under the terms and conditions imposed by the Lagoon Permit.

- 12.20 Any Person discharging waste into the Wastewater treatment facility will be responsible for the contents of the discharge and also for any costs involved to correct detrimental effects related to the contents of the discharge.
- 12.21 The Town is responsible for the maintenance of the facility and may therefore from time to time have the right to close the facility for maintenance procedures.

#### CONVEYANCE OF SEWAGE THROUGH TOWN

- 12.22 No Person shall convey through the Streets any sewage whatsoever, except in properly covered metal receptacles and are responsible to control as much as practicable the escape of any offensive odours therefrom.
- 12.23 No Person, using a vehicle of any description, shall transport sewage on a Street or laneway within Town if the waste is likely to fall or blow off the vehicle while being transported.
- 12.24 A Person who transports sewage through Town by a vehicle of any description in a matter so that any portion of the waste detaches itself from the vehicle and falls on Property other than the Property from which it is taken is guilty of an offence against this bylaw.
- 12.25 For the purpose of this Section "vehicle" means a device in, upon, or by which sewage material may be transported on upon a Street, lane, or highway.

#### AREAS OF HIGH GROUND WATER

- 12.26 For residential areas of high ground water, an Owner may apply to discharge sump pump water through the Sewer Utility system and will require written approval from the Engineering & Operations department before making the connection.
- 12.27 Any Owner wishing to receive written approval for pumping high ground water through the Sewer Utility System must submit an Application, as per Schedule G of this Bylaw, to the Engineering and Operations Department, for their review and approval.
- 12.28 Notwithstanding Section 12.26, Owners may not drain eaves troughs into the Sewer System.

### **13. UTILITY SERVICE**

#### ACCOUNTS AND BILLING

- 13.1 The Owner of a Property must submit an Application, as per Schedule E, for Utility Services with the Town prior to the Utility Services being connected. Such an Application must be made not less than two (2) Working Days prior to the date the Utility Services are required.
- 13.2 Every Utility Account Customer being a registered Owner, user, or purchaser entitled to possession under an agreement for sale of Property, which is served by Water Utility and/or Sewer Utility Services of the Town shall pay monthly Base Rate charges and the Consumption Rate charges for the service of supply of water and or utilization of the Sewer collection system in accordance with the rates established in the Town's Fees, Rates and Charges Bylaw.

- 13.3 Utility Bill payments made by mail, online payments or directly at a financial institution, must be received by the Town on or before the due date in order for the utility Customer to avoid the imposition of a late payment charge.
- 13.4 For greater certainty, a Customer is obliged to pay for utilities on or before the due date, and it is a breach of the agreement for the Customer to pay late. The late payment charge is not to be construed as permission for the Customer to pay late but is rather a penalty for breaching the terms of the Utility Service agreement.
- 13.5 In the event that the Utility Bill remains unpaid 25 days following the billing date, there shall be added thereto, a late payment charge, as per the Town's Fees, Rates and Charges Bylaw. The said late payment charge shall form part of the unpaid Utility Bill. Additional penalties will be calculated on a monthly basis on unpaid utility account balances for a period of three months. Balances outstanding after three months, that are under the Owner's name, will be transferred to the corresponding tax roll and shall form part of the outstanding taxes for the premise.
- 13.6 In default of the Property Owner of payment of the said fees, the amount of such sums in default shall be a fee against the Property in respect of which the service was provided and such fee shall be subject to the same penalties and collectible by the same manner as other taxes levied by the Town.
- 13.7 No reduction in rates or charges shall be made for any interruption of services during a Billing Period.
- 13.8 Under the provisions of the *Municipal Government Act*, the Town is not obligated to provide Utility Service to a Tenant of a Property but must provide service to the Owner of a Property on request. All utility accounts shall be with the Owner of the Property.
- 13.9 Upon acceptance of any new Application, an account shall be set up only in the name of the Owner.
- 13.10 Utility Services will not be established by the Town for an Owner who has an overdue or outstanding account of any nature with the Town, until the account is paid in full.
- 13.11 In all cases the Owner shall be liable for the cost of Utility Services supplied to a Property, regardless whether the Property is occupied by the Owner or a Tenant and all invoices issued by the Town shall be sent to the Owner.
- 13.12 Any Utility deposits received from a Tenant and held by the Town, shall be refunded to the Tenant, provided any outstanding accounts are paid in full.
- 13.13 Payment of Utility billing is due on or before the due date.
- 13.14 A Utility account not paid by the due date will be considered to be in arrears and subject to late penalty charges as per the Town's Fees, Rates and Charges Bylaw.
- 13.15 An Owner will be notified that their account is in arrears and if these arrears are not paid by the specified time, the Utility Services may be disconnected.

- 13.16 An Administration fee will be levied for any account that is transferred to the Property tax roll, as a result of non-payment, as per the Town's Fees, Rates and Charges Bylaw.
- 13.17 All Owners receiving the Utility Services pursuant to the provisions of this Bylaw, shall pay the required charges, levies and fees as set out in the Town's Fees, Rates and Charges Bylaw. Such charges, levies and fees are subject to change.
- 13.18 The Utility Services charges issued pursuant to this Bylaw to an Owner shall be issued to the address for service provided by the Owner at the time of the Application for the utility, and shall be deemed to have been received within seven (7) days of the date of mailing.
- 13.19 An Owner is not relieved from paying the applicable Utility Services charges by reason of non-receipt of an invoice for that charge.
- 13.20 An Owner who does not receive an invoice for an applicable billing period shall contact the Town as soon as the Owner is aware, or ought to have been aware, that the Utility Services charges have become due and payable.
- 13.21 All Applications for connection or notification to terminate the Utility Services, see Schedule E, shall allow a minimum of two (2) Working Days before such Application or notification order is to become operative provided that such time period falls within the normal business hours of the Town.
- 13.22 An Owner who fails to provide written notice shall be liable for those charges in relation to the provision of the Utility Services to the Property, notwithstanding that the Owner no longer occupies the Property, that accrue up to the date that notice is provided by the Owner.

#### **14. UTILITY BILLING TRANSITION PERIOD**

- 14.1 Any existing Water Utility and Sewer Utility accounts in the name of the Tenant and in good standing will be transitioned to the Owner of the Property, upon discontinuation of service, or on December 31, 2021, whichever comes first. The re-establishment of any Water Utility and/or Sewer Utility to the Property shall be with an account under the Owner.
- 14.2 Regardless of the date of the above-noted transition, any property owner that requests that a copy of the Utility Billing be provided to the Tenant, must complete a Town of Rocky Mountain House Utility Landlord-Tenant Duplicate Invoice Agreement with the Town, as per Schedule "F".

#### **15. STORMWATER**

- 15.1 No Person shall Release, or allow to be Released any Prohibited Material into the Storm Drainage System, except as permitted in Section 15.2
- 15.2 The following may be Released into the Storm Drainage System unless the release could cause a negative impact:

- a. foundation Drainage;
- b. water from a portable swimming pool, Decorative Pond or fountain, having a capacity of 3,000 litres or less;
- c. water resulting solely from
  - i. watering a lawn, garden and/or trees or other landscaping; or
  - ii. washing of single-family or semi-detached homes with potable water;
  - iii. washing vehicles;
  - iv. water resulting from extinguishing fires;
- d. materials used for snow and ice control;
- e. a discharge to the Storm Drainage System which has been approved in writing by the CAO or designate.

15.3 Any Person who, in contravention of this Bylaw, releases, or causes or allows any Prohibited Material to be released into the Storm Drainage System, shall immediately take all reasonable measures to:

- a. notify the 911 emergency telephone number if there is any immediate danger to human health or safety;
- b. notify the CAO or designate;
- c. notify any other Person that may be directly affected by the discharge;
- d. mitigate the discharge, including, but not limited to, taking measures to prevent the obstruction of the Storm Drainage System or measures to prevent a negative impact; and
- e. cover and clearly mark all hoses used to direct Water to the Storm Drainage System to protect the public from injury.

15.4 No Person shall directly connect or allow direct connection of downspouts, eaves troughing, piping or other means of directing roof drainage to a foundation drain or weeping tile.

15.5 Except in an emergency, no Person shall direct or pump impounded reservoir water from a Property to the Storm Drainage System without written consent of the CAO or designate.

15.6 The CAO or designate may permanently or temporarily require the Owner or Tenant of a Property to treat, restrict, impound, manage or otherwise retain Storm Drainage on such Property, including but not limited to requiring the Owner to install an interceptor at the Owner's expense; and, without limiting the generality of the foregoing, specifically if:

- a. prohibited materials are likely to directly or indirectly enter the Storm Drainage System from the Property; or
- b. the Storm Drainage from the Property is likely to directly or indirectly cause erosion, damage or other Negative Impact; or
- c. in order to:
  - i. control the volume; or
  - ii. ensure the water quality;

of Storm Drainage directly or indirectly entering the Storm Drainage System.



- 15.7 Without the written consent of the CAO or designate, no Person shall use any Storm Drainage System owned or under the control of the Town for private or commercial activities including, but not limited to, construction or irrigation purposes.
- 15.8 The Owner of a Property shall comply with the terms and conditions of any easement, utility right-of-way, caveat, restrictive covenant, or any other document that has been registered on the title of the Property to protect a drainage structure, swale, ditch or other Surface Drainage Facility, or the stability of a slope.
- 15.9 No Person shall make, alter or remove, or permit the making, alteration or removal of any connection to the Storm Drainage System without the written approval of the CAO or designate.

## **16. PROHIBITIONS**

16.1 No Person shall:

- a. operate, use, interfere with, obstruct or impede access to the Water Utility, Sewer Utility or Storm Utility or any portion thereof in any manner not expressly permitted by this Bylaw;
- b. remove, operate, connect to or alter any portion of the Utility Services owned by the Town, except as authorized by the Town, and in accordance with the standards and policies established by the Town. An Owner shall be responsible for all damage to the Water Utility or Sewer Utility resulting directly or indirectly from a breach of this bylaw;
- c. use the Utility Services in any manner that causes any interference or disturbance to any other Person's use of the Utility Services;
- d. install or allow to be installed any temporary or permanent structures that could interfere with the Property and safe maintenance and operation of the Utility Services result in any damage to the Utility Services.

16.2 No Person shall:

- a. lend, sell or otherwise dispose of water unless specifically licensed to do so;
- b. wrongfully or improperly waste water, except as otherwise provided for in this Bylaw;
- c. use water in an illegal manner.

16.3 Except as otherwise provided for in this Bylaw, no Person shall use water:

- a. in a manner that will impede its use by others;
- b. unless an account for the Water Utility has been established, if the Property is connected to the Water Main; and
- c. unless the water first passes through a Water Meter, if the Property is connected to the Water Main.

16.4 No Person shall:

- a. cause, permit or allow to remain connected to their Service Connection any piping, fixture, fitting, container or other apparatus which may cause water from

a source other than the Water Utility or any other harmful or deleterious liquid or substance to enter the Water Utility;

- b. do, or shall cause to be done, or shall permit to be done, any act or thing which may obstruct, interfere with or impede a direct and convenient access to a Meter for the purpose of installation, inspection, removal, repair, replacement, reading;
- c. other than the Town, install, test, remove, repair, replace or disconnect a Meter unless that Person has been granted the authority to do so in writing by the Town.
- d. construct or alter a Service Connection so as to bypass a Meter;
- e. interrupt, interfere or tamper with the operation of a Meter, remote reading device, or seals placed by the Town on Water Main components.

16.5 No Person shall:

- a. cause, permit or allow to be demolished or removed, a building connected to a Water Main until an Application, see Schedule E, has been made to the Town for the discontinuation for water service;
- b. in any manner obstruct the free access to any hydrant, valve or Curb Cock; or allow anything to be constructed, placed, or erected, or grow within 1 metre of any hydrant, valve or Curb Cock which may in any way interfere with access to, use, maintenance or visibility of any hydrant, valve or Curb Cock;
- c. with any new development, construct a driveway over a Curb Cock, unless otherwise approved.

16.6 Where water restrictions have been declared in effect pursuant to this Bylaw, no Person shall:

- a. wash any vehicle;
- b. wash the exterior of any house or other building;
- c. water any lawn or garden, except in accordance with Schedule "D"; or
- d. use water in excess of such limits as may be imposed by the Town, by Resolution of Council for the duration of the time period in which the water restrictions are in effect.

16.7 No Person other than authorized Town employees or Persons so authorized by the Town shall open, close, operate, or interfere with any valve, hydrant, Curb Cock, or draw water from anything associated with the Water Utility.

16.8 No Person shall discharge, cause or permit to be discharged into the Sewer Utility Main or Service Connection, any matter or Wastewater:

- a. in contravention of any federal, provincial or municipal legislation;
- b. which would interfere with the proper operation of the Sewer Utility;
- c. which may impair or interfere with the treatment process;
- d. may result in a hazard to Persons, Property or animals.

Unless otherwise authorized in this Bylaw or in writing by the Town.

16.9 Without limiting the generality of this Section, no Person shall discharge, cause or permit to be discharged into the Sewer Utility any matter or Wastewater as set out in Schedule "A" and/or Schedule "B" of this Bylaw.

16.10 No Person shall throw, deposit or leave any garbage, litter, refuse, manure, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, paper or ashes on or in any part, component or appurtenances of the Sewer Utility or Sewer Main.

16.11 No Person shall discharge into the Sewer Main or a Service Connection:

- a. hazardous Waste or other liquids which may detrimentally affect the Sewer Utility;
- b. any substance which may impact the flow through the Sewer Main or Service Connection;
- c. chemical refuse, trade waste, waste stream, condensing water, or any liquids whose temperature is seventy-five (75) degrees Celsius or over;
- d. inflammable or explosive material;
- e. storm water;
- f. roof drainage;
- g. cistern or tank overflow; or
- h. condensing or cooling water.

16.12 No Person shall discharge into the Sewer Main or a Service Connection the contents of a:

- a. privy vault;
- b. manure pit; or
- c. cesspool;

excluding a recreational vehicle at an approved dumping station.

16.13 Unless authorized by the Town, no Person shall:

- a. turn, lift, remove, raise or tamper with any component of the Sewer Utility, including but not limited to, manholes, ventilators or other appurtenances;
- b. cut, break, pierce or cap the Sewer Main or an approved Service Connection; or
- c. interfere with the free discharge of any Sewer Main or part thereof or do any act or thing which may impede or obstruct the flow from the Sewer Main or Service Connection.

16.14 No Person shall release or permit the release of hauled Wastewater that contains any of the following:

- a. grit or skimming's from interceptors, catch basins, pre-treatment facilities or private Wastewater disposal systems; or
- b. sludge from interceptors, catch basins, pre-treatment facilities or private Wastewater disposal systems.

16.15 No unauthorized Person shall cut, break, pierce tap any part of the Town's Sewer Utility or accessories, or introduce any pipe, tubes conduit into any component of the Town's Sewer Utility.

16.16 No Person shall:

- a. interfere with the free discharge of the Town's Sewer Utility, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any part of the Town's Sewer Utility or accessories thereof;
- b. dilute Wastewater so as to avoid the requirements of this Bylaw;
- c. use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor; or
- d. deposit, cause, or allow any interceptor residue to be deposited into the sewer system.

## **17. CONNECTION TO UTILITY SERVICE**

- 17.1 An Application for Utility Service, see Schedule "E", must be completed and along with the service installation down payment, if required, be submitted to the Director of Corporate Services for review.
- 17.2 Service installations will not be allowed without approvals for the premise use under the Land Use Bylaw and approval of the Development Officer that any conditions placed under the Land Use Bylaw have been met.
- 17.3 Upon approval for a Utility Service, the Owner is responsible for all costs, as well as adherence to the Town's Design Guidelines. The Owner must contact the Engineering & Operations department for scheduling of installation.
- 17.4 The applicant is responsible for all costs incurred during the installation of the service which exceed the service installation down payment.
- 17.5 All service installations will include any construction and restoration from the mainline to the premise Property Line. The Owner of the premise is responsible for the connection, construction, and materials from the Property Line.
- 17.6 All connection materials must be approved by the Town.
- 17.7 Service Connections located within the Property boundaries of a Property are owned by the Owner, and the Owner shall be responsible for the construction, maintenance and repair of that portion of the Service Connection.
- 17.8 The Town shall, at all times, remain the Owner of that portion of the Service Connection between the Town's Water Main or Sewer Main and the Property Line of the road or boundary of an easement granted to the Town for its Utility Service, notwithstanding that the Town's portion of the Service Connection may have been constructed by, or its construction funded by, some Person other than the Town.
- 17.9 Nothing in this Bylaw shall be interpreted as preventing the Subdivision or Development Authority from imposing as a condition of subdivision or development approval, an obligation upon the applicant for subdivision or development approval to pay for the cost of installation of a portion of the Water Utility necessary to service the lands subject to the application, including the Water Main and those portions of the Service Connection owned by the Town, and located between the Town's Water Main and the Property Line.

- 17.10 As a condition of receiving Utility Service from the Town, the Owner shall maintain, in a state of good repair, free from leakage, infiltration and/or other forms of loss, with sufficient protection from freezing, all parts of the Service Connection to the satisfaction of the CAO or designate, through which Wastewater is conveyed from outlets or Fixtures located on or within the Property to the Sewer Main or which the supply of water is conveyed from the Town's Water System to water supply outlets or fixtures located on or within the Property, as the case may be.
- 17.11 An Owner shall;
- a. prior to constructing a Service Connection obtain all necessary municipal and provincial approvals, including a development permit and Safety Codes Permits;
  - b. ensure all components of the Service Connection located within the boundaries of a Property be constructed to the same standard and with same or equivalent materials as the Service Connection located between the Water Main or Sewer Main and the Property boundary;
  - c. not backfill the excavation until the work has been inspected by the appropriate Designated Officer; and
  - d. ensure all work or service upon a Private Service, Service Connection or the plumbing system attached thereto complies with the provisions of the *Safety Codes Act*, the Public Health Act and any applicable Town Bylaws, policies and Design Standards including but not limited to Town of Rocky Mountain House Procedures and Design Standards for Development.
- 17.12 The provision of Utility Service shall not commence until the Town has received copies of all required approvals under the *Safety Codes Act* and all required inspection reports.
- 17.13 Where the Owner of a Property fails or refuses to maintain, repair or replace all, or any component of the Service Connection as required pursuant to this Bylaw, the Town may:
- a. disconnect the Sewer Utility to the Property, on twenty-four (24) hours' notice to the Owner and Tenant, until necessary repairs have been made, at the Owner's expense, or the Service Connection has otherwise been restored to a condition satisfactory to the Town;
  - b. Shut Off the supply of water to the Property, on twenty four (24) hours' notice to the Owner and Tenant, until necessary repairs, at the Owner's expense, have been made to stop the loss of water, or otherwise restore the Service Connection to a condition satisfactory to the Town;
  - c. prepare an estimate of the volume of water lost and demand payment from the Owner for the estimated amount of water lost as a result of the lack of maintenance and repair of the Service Connection.
- 17.14 Payment for water estimated lost pursuant to Section 17.13(c), shall become due and payable upon receipt of a demand, in writing, from the Town, and may be recovered from the Owner in accordance with the terms of this Bylaw and the *Municipal Government Act*.

- 17.15 Any Person complaining of a failure or interruption of the Utility Service, the investigation of which necessitates the opening up or excavation of a Street, prior to such opening up or excavation, shall deposit with the Town the costs, as estimated by the CAO or designate, for such work.
- 17.16 The Town shall be responsible for all costs incurred for any misaligned or collapsed service lines, from the Sewer Main to the Property Line. For any misalignment or collapse, determined to be located within the Property, the Owner of the Property shall be solely responsible for the costs.
- 17.17 On any new Service Connection connected to the Water Main, the Owner shall install a Curb Cock of an approved pattern by the Town on every Service Connection on the out flowing side of the Water Meter and shall set the stop valve flush with the finished landscaped surface and keep the area clear of all obstructions.
- 17.18 The Town shall not be liable for damages caused by any blockage or damage caused by tree roots infiltrating a Service Connection whether the roots originate from trees on Town owned Property or private Property.
- 17.19 Any blockage in the Sewer Service line from the building to the Sewer Main shall be the Owner's responsibility.
- 17.20 Upon request, the Town shall provide to the Owner, information on the method and manner of installing the Service Connection and associated apparatus.
- 17.21 When a Service Connection for the Utility Service is no longer required, the Owner shall obtain written permission from the Town to disconnect from the Water Main or Sewer Main. The Owner shall disconnect in compliance with the directions of the Town relative to the method and location and shall bear all responsibility and costs associated with the disconnection.
- 17.22 For all new or replacement water services, the Curb Cock valve shall only be opened by Town Personnel.

**18. OFFENCES**

- 18.1 Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a penalty as set out in Schedule "C" herein.
- 18.2 Notwithstanding Section 18.1 of this Bylaw, any Person who commits a second, third or subsequent offence under this Bylaw within one (1) year of committing the first offence is liable for the increased penalty as set out in Schedule "C" herein.

**19. VIOLATION TAGS**

- 19.1 A Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person, whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

- 19.2 A Violation Tag may be issued to such Person and is deemed to have been served on the Person, when the Tag has been;
- a. Personally, delivered to the Person; or
  - b. by mailing a copy, via registered mail, to such Person at his or her last known postal address.
- 19.3 The Violation Tag shall be in a form approved by the CAO or designate and shall state;
- a. the name of the Person;
  - b. a description of the Property or Municipal Lands where the Violation occurred;
  - c. a description of the offence and the applicable Bylaw Section;
  - d. the appropriate penalty for the offence as specified in Schedule "C" of this Bylaw;
  - e. that the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag in order to avoid prosecution; and
  - f. any other information as may be required by the CAO or designate.
- 19.4 Where a Violation Tag has been issued pursuant to Section 19.1, the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town Office, the penalty specified on the Violation Tag.
- 19.5 In the event that a Violation Tag has been issued and the penalty specified on the Violation Tag has not been paid within the prescribed time, a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act* to the Person to whom the Violation Tag was issued.

## **20. VIOLATION TICKETS**

- 20.1 Notwithstanding Section 19.1, a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person to whom the Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 20.2 A Violation Ticket issued with respect to a violation of this Bylaw may be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 20.3 The Person to whom the Violation Ticket has been issued may plead guilty by making voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided by this Bylaw.
- 20.4 Where a Clerk of the Court records in the court records the receipt of a voluntary payment pursuant to this Bylaw and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and constitutes a conviction and imposition of a fine in the amount of the specified penalty.

## **21. VALIDITY**

- 21.1 **Bylaw 2019/05V and amendments thereto are hereby repealed.**

21.2 The invalidity of any Section, clause, sentence or provision of this Bylaw shall not affect the validity of any other part of this Bylaw, which can be given effect with such invalid part or parts.

21.3 Nothing in this Bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.

**22. AMENDMENTS**

22.1 Council may, by Bylaw alter, amend or repeal any or all of the Schedules, which form part of the Bylaw.

**21. REPEAL**

**Bylaw 2020/11 is repealed on the date that this Bylaw comes into force and effect.**

**22. EFFECTIVE DATE**

23.1 This Bylaw shall come into force and effect upon third and final reading.

READ a first time this 5<sup>th</sup> day of April, 2022.

READ a second time this 5<sup>th</sup> day of April, 2022.

RECEIVED unanimous consent to move to third and final reading this 5<sup>th</sup> day of April, 2022.

READ a third time and finally passed this 5<sup>th</sup> day of April, 2022.

Redacted under Section 17 of the FOIP Act.

Debbie Baich, Mayor

Redacted under Section 17 of the FOIP Act.

Dean Krause, CAO



## **SCHEDULE "A"**

### **Prohibited Wastes**

Regardless of the values provided in Schedule "A", the Town may prohibit certain substances and/or determine the acceptable quantities, as per Section 3.4 of this Bylaw.

The following are designated as Prohibited Wastes:

1. Any matter in a concentration that may cause a hazard to human health.
2. Any flammable liquid or explosive matter, which, by itself or in combination with any other substance, is capable of causing or contributing to an explosion or supporting combustion.
3. Any matter which by itself or in combination with another substance is capable of obstructing the flow of or interfering with the operation or performance of the sewage system, Wastewater facility, or storm water system including, but not limited to:
  - a. agricultural wastes;
  - b. animals, including fish and fowl or portions thereof that will not pass a two-centimetre screen;
  - c. ashes;
  - d. asphalt;
  - e. gardening wastes;
  - f. glass;
  - g. gravel, into the sewage system;
  - h. metal;
  - i. plastics;
  - j. rags and cloth;
  - k. flushable wipes and diapers;
  - l. wool, leather skin or animals
  - m. wood, sawdust, and /or shavings from wood.
4. Any matter with corrosive properties, which, by itself or in combination with another substance, may cause damage to any sewage system, Wastewater treatment facility, or storm water system.
5. Any matter, other than domestic Wastewater, which by itself or in combination with another substance, is capable of creating an air pollution problem outside a sewage system, or storm water system, or in and around a Wastewater treatment facility.
6. Any matter, which, by itself or in combination with another substance, is capable of preventing safe entry into a sewage system, Wastewater treatment facility or storm water system.
7. Any matter which, by itself or in combination with another substance, is detrimental to the operation or performance of the sewage system, Wastewater treatment facility, storm water system, or the environment including, but not limited to:
  - a. biological waste;
  - b. elemental mercury;
  - c. paint, stains, coatings including oil and water based;
  - d. prescription drugs;
  - e. used automotive and machine oils and lubricants;

- f. Radioactive material in solid form.
- g. Effluent from an industrial garbage grinder.
- h. Any matter which may:
  - i. cause a hazard to human health and that cannot be effectively mitigated by Wastewater treatment;
  - ii. cause a hazard to the environment;
  - iii. cause a hazard to the Town workers responsible for operating and maintaining the sewage system or the Wastewater treatment facilities;
  - iv. cause an adverse effect to the sewage system;
  - v. cause an adverse effect to the Wastewater treatment facilities;
  - vi. result in the Wastewater being released by the Town's Wastewater treatment facilities being in contravention of provincial regulatory requirements.

## SCHEDULE "B"

### Restricted Wastes

Regardless of the values provided in Schedule "B", the Town may prohibit certain substances and/or determine the acceptable quantities, as per Section 3.4 of this Bylaw.

1. The following are designated as restricted wastes when present in Wastewater, storm water or subsurface water being released to the sewage system at a concentration in excess of the levels set out below, with concentrations being expressed as total concentrations unless specified otherwise:

- a. Contamination

i. Biochemical oxygen demand ((B.O.D.)	10, 000 mg/L
ii. Chemical oxygen demand (C.O.D.)	20, 000 mg/L
iii. Oil and grease	800 mg/L
iv. Phosphorus	200mg/L
v. Suspended solids	5, 000 mg/L

- b. Inorganic Constituents

i. Hydrogen ion less than 6.0 or greater than 11.5	1.0 mg/L
ii. Arsenic	1.0 mg/L
iii. Cadmium	0.10 mg/L
iv. Chlorine (free)	5.0 mg/L
v. Cobalt	5.0 mg/L
vi. Copper	1.0 mg/L
vii. Cyanide	2.0 mg/L
viii. Lead	1.0 mg/L
ix. Mercury	0.10 mg/L
x. Zinc	2.0 mg/L

- c. Organic Compounds

i. Hydrocarbons	50 mg/L
ii. Phenols	1.0 mg/L

- d. Physical Property

- i. temperature greater than 75 degrees Celsius

2. Radioactive materials in concentrations greater than allowed under the Atomic Energy Control Act and the Atomic Control Regulations, as amended from time to time.

## SCHEDULE "C"

OFFENCES under this Bylaw will be subject to the issuance of a Violation Tag, or Violation Ticket, containing a specified voluntary penalty. Penalties for second, third and subsequent offences will be applied, where those offences occur within two years of a previous offence.

All fines are EXCLUSIVE of costs incurred by the Town, in the resolution of any contravention of this Bylaw. No costs will be applied to voluntary penalty payments made within the specified time allocated to make said voluntary payments.

The penalties noted above shall come into effect upon THIRD and FINAL reading of this Bylaw.

ALL OTHER SECTIONS of this By-law carry the following minimum penalties:

#	OFFENCE	PENALT Y	SECOND SUBSEQUENT OFFENCE
<b><u>Administration</u></b>			
Sections 12.6, 12.7, 15.3, 16	Provide false information.	\$250	\$500
Section 4	Hindrance, or refusing right of entry to a Property or premises by a Town representative or agent contracted by the Town.	\$250	\$500
Section 6.2, 6.8, 6.9	Failure to comply with a remedial order.	\$250	\$500
All Sections	Failure to comply with a requirement or condition of this Bylaw.	\$250	\$500
<b><u>Water Utility System</u></b>			
Sections 5.1, 6.1, 6.2, 6.3, 7.3	Damage, destroy, remove, or interfere with the Water Utility system.	\$200	\$400
Sections 6.6, 6.7, 17.14	Failure to repair a cross connection control device.	\$200	\$400
Sections 6.1, 16.5, 16.7, 17.22	Unauthorized operation or blocking of a water service Curb Cock valve (CC) or Water Main valve.	\$250	\$500
Sections 3.15, 3.16 11.2, 11.3, 11.7	Unauthorized use of an Alternate Source of Water, or connection of water source to the Water Utility system.	\$250	\$500

Section 16.6	Water Emergency and Restrictions: a. In contravention of watering restrictions and water bans implemented under the authority of this bylaw; b. Outside water used when a complete watering ban has been implemented under the authority of this bylaw; and/or c. Emergency measures that are in place have been violated.	\$350	\$700
<b><u>Water Meters</u></b>			
Sections 11.5, 11.14, 16.3, 16.4, 17.17	Prohibited installation upstream of water Meter or prohibited connection to the Water Utility system.	\$200	\$400
Section 6.1	Tamper, break, or remove the seal on a water Meter.	\$200	\$400
Section 6.25	Failure to notify the Town of a damaged water Meter.	\$200	\$400
Section 16.4	Prohibited opening of a water Meter bypass valve, or operation of a bypass system to bypass the water Meter.	\$200	\$400
Section 6.28	Failure to provide a water Meter reading when requested to do so by the CAO or designate.	\$50	\$100
Sections 6.20, 6.21	Obstructed access to a water Meter for inspection, maintenance, or replacement.	\$75	\$150
<b><u>Fire Hydrants</u></b>			
Section 16.7	Unauthorized use of or connection to a hydrant.	\$250	\$500
Sections 16.5, 16.7	Unauthorized painting or allow the painting of a hydrant.	\$250	\$500
Section 16.7	Unauthorized opening or closing of a hydrant or hydrant valve.	\$500	\$1000
Sections 10.2, 16.5	Allow obstruction of a hydrant.	\$250	\$500
Section 16.7	Allow anything to interfere with the operation of a hydrant.	\$250	\$500
Section 16.7	Failure to comply with authorized hydrant connection requirements.	\$250	\$500
<b><u>Wastewater</u></b>			
Section 12.2	Failure to remedy a leaking septic system.	\$200	\$400
Sections 12.10, 12.11, 12.13, 12.14, 12.15, 15.6	Failure to install a Wastewater interceptor as required.	\$200	\$400

Sections 12.12, 12.16, 16.9, 16.14, 16.16	Failure to monitor, properly maintain and clean a Wastewater interceptor.	\$250	\$500
Sections 12.6, 12.8, 12.9, 12.10, 16.4, 16.9, 16.11, 16.12 16.14, 16.16	Release of Matter, as outlined under Schedule "A".	not more than \$10,000	
Sections 16.4, 16.9, 16.11, 16.12 16.14, 16.16	Release of Matter, as outlined under Schedule "B".	not more than \$10,000	
<b>Stormwater</b>			
Section 15.1	Unauthorized connection of downspouts, leavestroughs, piping or other means into a Storm Drainage System.	\$500	\$1000
Section 15.1, 15.2 16.11, 16.12	Release of Matter, as outlined under Schedule "A".	not more than \$10,000	
Section 15.2, 16.11, 16.12	Release of Matter, as outlined under Schedule "B".	not more than \$10,000	
Section 15.6	Failure to install interceptor.	\$500	\$1000
Section 15.7	Unauthorized use of Storm Drainage System.	\$250	\$500
Section 15.9	Unauthorized alteration, addition, removal or tampering with any part of the Storm Drainage System.	\$500	\$1000
<b>General</b>			
Section 16.1	Unauthorized operation, use, interference, obstruction or impediment of any Water Utility, Sewer Utility or Storm Utility.	\$200	\$400
<i>Please note that Sections referenced for Offences listed under Schedule "C" may not be all inclusive.</i>			

Any work carried out by the Town and the costs charged to the Owner will be invoiced to the Owner, and in default of payment the Town may recover the same as debt due to the Town, through property taxes.

- I. \$250.00 for any offence for which a fine is not otherwise established in this Section;
- II. A penalty of two (2) times applicable fine as provided in this Bylaw shall be levied against an Owner who commits, for a second time, any infraction of this Bylaw, providing that such infraction is committed within one (1) year of the committing of the first infraction;
- III. A penalty of three (3) times applicable fine as provided in this Bylaw shall be levied against a Person who commits, for a third or subsequent time, any infraction of this Bylaw, providing that such infraction is committed within one (1) year of the committing of the first infraction;
- IV. Administrative surcharge if payment of penalty charged is not received by the municipality within thirty (30) days of date of issuance of specified penalty, \$20.00 or 20% of the Violation Tag whichever amount is greater.

## **SCHEDULE "D"**

### **Water Emergency Restriction Schedule**

All outdoor water use is prohibited (washing cars, sidewalk, pads, exteriors of buildings and lawns).

Excepting:

Flowerbeds and vegetable gardens may be watered by hand, at any time, using a watering can or a hose with a nozzle with a trigger Shut Off to restrict water flow.

Bulk Water Sales are suspended.



**SCHEDULE "E"**



**TOWN OF ROCKY MOUNTAIN HOUSE UTILITY TERMINATION/NEW ACCOUNT**

Mailing Address: Box 1509 Rocky Mountain House, AB T4T 1B2 Street Address: 5116 – 50 Avenue  
 Telephone: 403-845-2866 Fax: 403-845-3230  
 Email: utilities@trmh.ca

**TERMINATION OF ACCOUNT**

Notification Date: \_\_\_\_\_

Account Number: \_\_\_\_\_

Name on Account: \_\_\_\_\_

Service Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Forwarding Address: \_\_\_\_\_

Possession/Sale Date: \_\_\_\_\_

Animals Licensed: \_\_\_\_\_

Circle One:                      Rented       Owned                       On pre-authorization:      Yes       No

**NEW ACCOUNT APPLICATION**

Name on Account: \_\_\_\_\_

Service Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Mailing Address if different from Service Address: \_\_\_\_\_

Billing Preference:                      Mailed Invoices                       E-Billing   
 (Circle one)

Possession/Purchase Date: \_\_\_\_\_

*The undersigned has read and agrees to abide by the terms and conditions outlined under the Town's Water, Sewer and Storm Water Bylaw.*

**Signature:** \_\_\_\_\_                      **Date:** \_\_\_\_\_

**Note: As per Section 14.1 of this Bylaw,** Any existing Water Utility and Sewer Utility accounts in the name of the Tenant and in good standing will be transitioned to the Owner of the Property, upon discontinuation of service, or on December 31, 2021, whichever comes first. The re-establishment of any Water Utility and/or Sewer Utility to the Property shall be with an account under the Owner.

The personal information provided on this form is being collected under the authority of Section 33 (c) the *Freedom of Information and Protection of Privacy Act* and will be used for the provision and management of Town Utilities. Any questions about the collection, disclosure or use of this information can be directed to the Town of Rocky Mountain House FOIP Coordinator at 403-845-2866.

**SCHEDULE "F"**



**TOWN OF ROCKY MOUNTAIN HOUSE UTILITY LANDLORD-TENANT  
DUPLICATE INVOICE AGREEMENT**

Mailing Address: Box 1509 Rocky Mountain House, AB T4T 1B2 Street Address: 5116 – 50 Avenue  
Telephone: 403-845-2866 Fax: 403-845-3230  
Email: utilities@trmh.ca

<b>UTILITY ACCOUNT NUMBER:</b>		<b>SERVICE ADDRESS:</b>	
<b>PROPERTY OWNER/ACCOUNT HOLDER INFORMATION</b>			
Name:			
Mailing Address:			
Email Address:			
Phone Number(s):			
Billing Preference: (Circle one)	Mailed Invoices <input type="checkbox"/>	E-Billing <input type="checkbox"/>	
<b>TENANT INFORMATION</b>			
Name:			
Mailing Address:			
Email Address:			
Phone Number(s):			
Start Date:			
Billing Preference: Circle one	Mailed Invoices <input type="checkbox"/>	E-Billing <input type="checkbox"/>	

**ACKNOWLEDGEMENTS:**

1. By signing this agreement, I agree the Town of Rocky Mountain House may send duplicate utility invoices to the person(s) stated.
2. Regardless of the agreement to mail or email a duplicate bill, the undersigned shall continue to be directly responsible to the Town of Rocky Mountain House for all rates, charges and other costs connected with providing water and sewer services to the street address named above.
3. The undersigned understands that if the utility account remains unpaid, the outstanding charges may be transferred to the property tax account respective of the service address above and/or services will be discontinued.
4. The undersigned agrees to notify our office when there are changes to the information provided herein.

PROPERTY OWNER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

The personal information provided on this form is being collected under the authority of Section 33 (c) the *Freedom of Information and Protection of Privacy Act* and will be used for the provision and management of Town Utilities. Any questions about the collection, disclosure or use of this information can be directed to the Town of Rocky Mountain House FOIP Coordinator at 403-845-2866.

**SCHEDULE "G"**



**TOWN OF ROCKY MOUNTAIN HOUSE HIGH GROUND WATER MITIGATION APPLICATION**  
 Mailing Address: Box 1509 Rocky Mountain House, AB T4T 1B2 Street Address: 5116 – 50 Avenue  
 Telephone: 403-845-2866 Fax: 403-845-3230  
 Email: utilities@trmh.ca

**UTILITY ACCOUNT NUMBER:**

**SERVICE ADDRESS:**

**PROPERTY OWNER INFORMATION**

<b>Owner Name:</b>	
<b>Is there a tenant at the property?</b> (Please circle one)	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Contact information for tenant:</b> (Please provide an email address or phone number)	<b>The Owner must be on-site and is responsible to make arrangement with the tenant for the Engineering staff to be onsite for the inspection.</b>
<b>Physical Address of Property requesting High Water Mitigation:</b>	
<b>Owner Address:</b> (if different than address of property in question)	
<b>Owner Email Address:</b>	
<b>Owner Phone Number(s):</b>	

**ACKNOWLEDGEMENTS:**

1. By signing this agreement, I agree the Town of Rocky Mountain House may carry out an inspection for the purpose of determining qualification for High-Ground Water Mitigation.
2. The undersigned agrees to notify our office when there are changes to the information provided herein.

PROPERTY OWNER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

The personal information provided on this form is being collected under the authority of Section 33 (c) the *Freedom of Information and Protection of Privacy Act* and will be used for the provision and management of Town Utilities. Any questions about the collection, disclosure or use of this information can be directed to the Town of Rocky Mountain House FOIP Coordinator at 403-845-2866.

**TO BE COMPLETED BY STAFF:**

<b>Date:</b>
<b>Comments:</b>
<b>Recommendations:</b>
<b>Staff Signature:</b>