



**TOWN OF BASHAW
BYLAW # 759-2014**

BEING A BYLAW OF THE TOWN OF BASHAW, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING AND CONTROLLING WATER AND WASTEWATER SERVICE AND USAGE WITHIN THE TOWN OF BASHAW

WHEREAS, pursuant to the Municipal Government Act, Chapter M-26 R.S.A. 2000, and amendments thereto, the Town of Bashaw Council has the power to pass a Bylaw respecting Public Utilities within the Town

AND WHEREAS, all utility services belonging to the Town shall be under the direct control and management of the Town

NOW THEREFORE, the Council of the Town of Bashaw, duly assembled, enacts as follows:

SHORT TITLE: This Bylaw may be referred to as the WATER AND WASTEWATER or TOWN UTILITIES Bylaw.

SECTION I: USE AND CONTROL

The use and control of all Public Waterworks, Water Treatment Systems, Sanitary Wastewater System, Storm Wastewater Systems, Drains, and Wastewater Disposal Works connected therewith shall be in accordance with this Bylaw.

SECTION 2: DEFINITIONS

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| Authorized Personnel | An employee of the Town or outside contractor authorized by the CAO for the purpose of providing water, sewer or water management service |
| Backflow Valve | A mechanism that prevents backflow to avoid untreated or potentially contaminated water migration into the waterworks system |
| Bylaw Enforcement Officer | CAO, RCMP Member, Peace Officer or as delegated by the CAO with the authority to enforce Bylaws of this Town; |
| CAO | Chief Administrative Officer or Town Administrator appointed by Council |
| Commercial | For the purpose of billing in this Bylaw, is a building used as a place of business (excluding home businesses) including industrial, institutional, recreational, apartment buildings, mobile home parks, churches, and multi-use premises, which are structures, and may be a combination of any of the above noted |
| Commercial Premises | Site, including any building erected thereon of any cafe, restaurant, hotel, store, warehouse, wholesale or retail business place, office building, factory, industry, or any other site or building except one that is used or intended to be used for residential purposes |
| Consumer or Customer | any person who has entered into an agreement with the Town for utility services or who is the owner of any premises connected to or provided with utility services under this Bylaw |
| Council | TOWN OF BASHAW Elected Officials |
| Curb box and valve | The unit that extends upwards from the water main to the surface for the purpose of isolating the water service on a parcel of land |
| Minimum Rate | The rate established and set out in the Master Rates and Schedules Bylaw for this Water and Wastewater Bylaw |
| Multi-occupied Building Units | A building, which is either occupied or intended to be occupied by more than two (2) families living independently of one another in the building in separate units |
| Multiple Dwelling | A dwelling place comprised of more than one self-contained dwelling unit, and without restricting the generality of the foregoing, includes apartment buildings, duplex houses, and single family homes with ancillary suites containing the following: cooking, living, dining, sleeping, and toilet facilities, whether or not such ancillary suites have a private outside entrance |
| Owner | The person, corporation or business that holds title to a registered parcel of land |
| Person | The firm, corporation, owner, occupier, lessee, or tenant |
| Property | A parcel of land |
| Raw Water | The water stored in the water cells or wells intended for treatment and |

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| | distribution |
| Renter | A person who is temporarily residing on another person's property in exchange for rent or other arrangement |
| Residential | For the purpose of billing in this Bylaw means all buildings which are designed and used exclusively for living accommodations including but not exclusive to single and multi-family dwellings and condominiums |
| Residential Premises | Any site, including any building, that exists thereupon that is used or intended for use for residential purposes including but not limited to both single family and multiple family dwellings |
| Wastewater Service Line | The sewer pipe or line extending between the connection to the street main and the property line of the service site |
| Water Service Line | The water pipe or line extending between the connection to the main in the street and the property line of the service site |
| Street Main | The water and/or wastewater pipe or line that feeds water or collects wastewater through services lines to the service sites |
| Utility | A system or works used to provide one or more of the following for public consumption, benefit, convenience, or use: I) Water II) Sewer |
| Town | Town of Bashaw |

SECTION 3: REGULATIONS

- 3.1 No person or enterprise other than the Town shall provide the same or similar type of utility service outlined in this Bylaw in the Town except where special permission is approved by Council.
- 3.2 No commercial water retreating or resale shall be allowed in the Town without an approved permit.
 - 3.2.1 With the exception of the Town owned bulk water sales.
- 3.3 Except where authorized by the Town no person or enterprise shall open, close, or interfere with any hydrant valve or curb box and valve connected to the Town water/wastewater system.
 - 3.3.1 The Fire Chief and other Members of the Fire Department are authorized to use the hydrants or plugs for the purpose of extinguishing fires or for trial testing of hoses and other equipment necessary for fire protection and service. Official Training Certification required for authorization.
- 3.4 Delegated Agents or Staff of the Town shall have the right to enter private property to conduct services to or an inspection of the utility system(s) after providing reasonable notice to the property owner who shall provide access to ensure the matter at hand is dealt with expediently.
- 3.5 One service and one meter per parcel are allowed unless an agreement to the contrary is drawn.

SECTION 4: INSTALLATION OF WATER/WASTEWATER SERVICES

- 4.1 No person or enterprise shall interfere with or make connection to or adversely affect any municipal water works or wastewater works systems or infrastructure or appliances of any kind without obtaining the required approval of the Delegated Authority for the Town of Bashaw beforehand.
- 4.2 A private water connection to the Town cannot proceed until a development permit application and the required supporting documents are submitted to the Town, the fee is paid to the Town by the developer, the application is processed, and the development permit is approved.
- 4.3 Any person requesting utility service from the Town of Bashaw must purchase a water meter from the Town, as set out in the Master Rates and Schedules Bylaw, contract a plumber to install the water meter at their own expense, and have the installation inspected by the Delegated Authority of the Town before the provision of water service shall commence.
- 4.4 The property owner is responsible for any damage caused by or to the water meter; to ensure long life locate the meter inside the principal building whenever possible and ensure it is easily accessible (do not wall in or block meter with debris) for service or reading.

SECTION 5: AREA OF RESPONSIBILITY

- 5.1 All Municipal Water and Wastewater Works (*See Section One*) belonging to the Town now and hereafter laid down or constructed shall be under the direct control and management of the Town.
- 5.2 The Town shall be responsible for the municipal water and wastewater lines located on or under municipal property, from the main and up to the private owner's property line. This responsibility includes service, maintenance, replacement and repair of the lines and restoration of any surrounding area or infrastructure, whether municipally owned or otherwise, disturbed, damaged or destroyed by the actions of fulfilling this responsibility.
 - 5.2.1 Section 5.2 shall not apply if the property owner is found to be responsible for causing harm to the water and/or wastewater system by pouring chemicals, grease, or other materials down the drain and/or flushing non-dissolving products.
 - 5.2.2 Section 5.2 shall not apply if the property owner damages the water and/or waste water system by neglect or wilful action through construction, excavation, etc.
- 5.3 The property owner shall be responsible for the water and/or wastewater lines located on or under the boundaries of their property, including the lines servicing any dwelling or building located on the site, and all the costs associated with the repair or replacement of these lines regardless of the need or cause for doing so. This responsibility also includes restoration of any surrounding area or infrastructure disturbed, damaged or destroyed by the installation or repair of new water/wastewater line(s) on the property and/or caused to neighbouring or municipal properties.

SECTION 6: WATER RESTRICTIONS

- 6.1 The Council and/or Administrator may ration or shut off the provision of water to meet emergent need without prior notice and for as long as may be necessary to remedy the situation at hand.
- 6.2 The Council may by resolution restrict the use of water for the preservation of supply and such action may include the limitation of water available for lawn and garden care.
- 6.3 Everyone should make a concerted effort to control water usage through the installation of low flow plumbing devices or not allowing water run off on to the street or watering every other day, etc.
- 6.4 The Town shall not be held liable for any damages resulting from suddenly shutting off the supply of water or infrastructure failure.

SECTION 7: UTILITY SERVICE ACCOUNTS

- 7.1 All customer utility service accounts (Residential and Commercial) shall be applied according to the Utility Service Account Policy.
- 7.2 Rates for all utility services provided under this Bylaw will be established by Council and set out in the Town of Bashaw Master Rates and Schedule Bylaw 760-2014 and include:
 - i. Metered and non-metered rates for water
 - ii. Sewer service charges
 - iii. Bulk water
 - iv. Connection and disconnection fee
 - v. Penalties on overdue accounts and overdue account transfer fee
 - vi. Administration and other charges
- 7.3 Utility billings will be in the form prescribed in the Utility Service Account Policy.
- 7.4 Regulations regarding the collections for utility accounts will be set out in the Utility Service Account Policy.

SECTION 8: PENALTIES AND ENFORCEMENT

- 8.1 The Council and/or Administrator reserve the right to exempt certain users from provisions of all or specific section(s) of this Bylaw due to unpaid accounts, contravention of this Bylaw, etc.
- 8.2 Enforcement of penalties shall be carried out by the Administration of the Town and shall be set out in the Master Rates and Schedules Bylaw.
- 8.3 Enforcement of the Bylaw shall be contingent upon considerations such as budget and staffing.

SECTION 9: GENERAL

- 9.1 Should any provision of this Bylaw be found invalid, the invalid portion shall be severed and the remaining Bylaw shall be maintained.
- 9.2 Bylaws 714-2009, 746-2012 and 748-2013 are hereby repealed.
- 9.3 This Bylaw shall come into force and effect on the day of the Third and Final reading.

READ A FIRST TIME IN COUNCIL THIS 26 DAY OF AUGUST, 2014

READ A SECOND TIME IN COUNCIL THIS 16 DAY OF SEPTEMBER, 2014

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 16 DAY OF SEPTEMBER, 2014

MAYOR

CHIEF ADMINISTRATIVE OFFICER