

**BYLAW 1926-19
OF THE
CITY OF WETASKIWIN
IN THE PROVINCE OF ALBERTA**

**A BYLAW OF THE CITY OF WETASKIWIN IN THE PROVINCE OF ALBERTA
FOR THE REGULATION OF THE OPERATION OF THE CITY OF
WETASKIWIN WATERWORKS SYSTEM**

- WHEREAS** the City of Wetaskiwin has constructed and now maintains a water system consisting of a water treatment plant & reservoirs, transmission & distribution lines, service lines, hydrants & valves and all required appurtenances,
- AND WHEREAS** it is deemed just and proper to levy a water service charge on all persons occupying property connected with the water system of the City to assist with the costs of constructing and maintaining the system including the cost of treatment and distribution of water,
- AND WHEREAS** it is necessary to protect both the system and the environment,
- AND WHEREAS** there is nothing in this Bylaw that relieves any persons from complying with any provisions of any federal or provincial legislation or any other Bylaw of the City,
- AND WHEREAS** Council of the City of Wetaskiwin deems this Bylaw to be in the public interest,
- AND WHEREAS** by virtue of the power conferred upon it by the *Municipal Government Act Alberta Chapter M-26 RSA 2000*, as amended or repealed and replaced from time to time,
- NOW THEREFORE** the Municipal Council of the City of Wetaskiwin, duly assembled, enacts as follows:

1. SHORT TITLE

This Bylaw shall be known and may be cited as the “Waterworks Bylaw” of the City of Wetaskiwin.

2. DEFINITIONS

- a. **“Account”** means the agreement between a Consumer and the City for the provision of Utility Services.
- b. **“Applicant”** means any person, firm, partnership, corporation, organization, government or other association that has applied for Utility Services from the City.
- c. **“Authorized Employee”** shall mean an employee of the City authorized by the Director to carry out certain provisions of this Bylaw.
- d. **“Backflow”** means the flowing back or reversal of the normal direction of flow in either the Water System or a Consumer’s Plumbing System.

- e. **“Back Flow Preventer”** means a device that prevents the reversal of the normal direction of water flow in either the City’s Water System, the Customer’s service connection or Customers plumbing system.
- f. **“Enforcement Officer”** means any peace officer, or any other person appointed by the City to enforce the provisions of this Bylaw.
- g. **“Bypass Valve”** shall mean a pipe or valve used to allow water to bypass a water meter.
- h. **“C.C.”** means the underground water service valve usually located adjacent to the property line and located between the water main and buildings, used to shut-off or turn on water supply from the water distribution system to the service connection.
- i. **“Chief Administrative Officer”** shall mean the City Manager of the City of Wetaskiwin or their designate.
- j. **“City”** means the City of Wetaskiwin.
- k. **“City Manager”** means a municipal official appointed by Council as the City Manager, or anyone appointed to act as City Manager.
- l. **“Commercial Property”** means a property on which a business is located and is the primary use of the property.
- m. **“Commercial Service”** means the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection at a Commercial Property.
- n. **“Consumer”** means a Person who receives Utility Services from the City and who is responsible for payment of the Utility Bill; the same Person may be both an Owner and Consumer.
- o. **“Council”** means the Municipal Council of the City of Wetaskiwin.
- p. **“Cross Connection Control Device”** means a Backflow prevention device approved by the City Manager or person appointed as City Manager or Plumbing Inspector that prevents backflow.
- q. **“Customer”** means any Person, any other municipal corporation, the Government of Alberta or the Government of Canada whose property is connected to the Water System of any lessee or Occupant of such property, or any Person who requests water services or has applied for an Account or is otherwise responsible for paying such Account for water services.
- r. **“Department”** means Infrastructure and Operations Department of the City of Wetaskiwin.
- s. **“Director”** shall mean the Director of the City of Wetaskiwin’s Infrastructure and Operations Department for the City or their designate.
- t. **“Fire Line”** means a pipe that is intended solely for the purpose of providing water for fire protection.
- u. **“Hydrant”** shall mean a large upright pipe connected to a water main, used for firefighting or municipal services.
- v. **“Meter”** means a device installed on a water service for the purpose of measuring the amount of water being supplied to a Consumer and may include a remote read-out device and the associated wiring.
- w. **“Normal Working Hours”** shall mean Monday to Friday from 7:00 a.m. to 3:30 p.m.
- x. **“Occupancy Permit”** means permission or authorization in writing to commence the use or occupancy of any new building or any building in which changes have occurred that are governed by the regulations pursuant to the Safety Codes Act of the Province of Alberta.

- y. **“Occupants”** includes an Owner of a premises where that Owner resides or carries on a business within a premises, and includes any Person or corporation residing or carrying on a business, or both, within a premises either as a lessee or pursuant to a license of occupation, where that premises is connected to the Water System.
- z. **“Owner or Property Owner”** pursuant to Section 1 (1)(u) of the Municipal Government Act and any amendments made from time to time means:
 - i. In respect of unpatented land, the Crown;
 - ii. In respect of other land, the person who is registered under the *Land Titles Act* as the owner of the fee simple estate in the land; and
 - iii. In respect of any property other than land, the person in lawful possession of it.
- aa. **“Peace Officer”** means a member of the Royal Canadian Mounted Police (R.C.M.P), a Community Peace Officer appointed by the Solicitor General of Alberta in accordance with the Peace Officers Act R.S.A. 2006 Chapter p-3.5.
- bb. **“Permanently Abandoned”** means demolished, burnt down, or capped off and abandoned to the satisfaction of the Director.
- cc. **“Person”** means an individual person, partnership, company or corporate body, trustee, executor, or administrator.
- dd. **“Polluted Water”** means non-potable water.
- ee. **“Renter or Lessee”** means a Person occupying a property under the terms of a lease, license, or permit.
- ff. **“Residential Property”** means a property used primarily for residential purposes.
- gg. **“Service” (“Water Service”)** means the supplying of water service by the City to a Consumer and includes all components appertaining thereto.
- hh. **“Service Box”** shall mean the operating rod, casing and top box necessary for the operation of a service valve from ground level.
 - ii. **“Service Connection”** means the water line and appurtenances from the C.C to the building or premises.
- jj. **“Service Valve”** shall mean the valve on a City service pipe.
- kk. **“Stop Cock”** shall mean a stopper or faucet used to turn off or regulate the supply of water.
- ll. **“Temporary Construction Service”** means the supplying of water to a building which is under construction or for which an Occupancy Permit has not been issued.
- mm. **“Temporary Water Meter”** means a meter issued to supply water to a building which is under construction or for which an Occupancy Permit has not been issued. A refundable deposit must be paid to the City at the time of application, and will be returned when the temporary meter is returned in good condition.
- nn. **“Utilities”** means City of Wetaskiwin department which coordinates all Water, Wastewater, and Stormwater functions.
- oo. **“Water Meter”** shall mean an instrument that measures the quantity of water that passes through it, including remove measuring devices. Water Meter Accuracy shall be governed by the relevant American Water Works Standard for the type and class of meter.
- pp. **“Water Meter Chamber”** means any exterior chamber or pit approved by the Director for the purpose of containing a water meter and related appurtenances.
- qq. **“Water Meter Setting”** means the section of the Service Connection that includes the meter couplings and shut-off valves on both sides of the meter.
- rr. **“Water Restrictions”** means restrictions noted in Section 14.

- ss. **“Water System”** means the system or works of the water utility operated by or on behalf of the City.

WATER SERVICES

3. GENERAL PROVISIONS

- a. The use and control of all public waterworks shall be in accordance with this Bylaw, the Public Health Act, the Safety Codes Act, the Municipal Government Act and the City of Wetaskiwin Engineering Design standards.
- b. All water works belonging to the City now laid, constructed or built, shall be under the direct control and management of the Chief Administrative Officer of the City, subject to the authority of City Council.
- c. All water pipes located between the City main and up to the service valve shall be the sole responsibility of the City.
- d. All water pipes located between the service valve and the building shall be the sole responsibility of the owner. It is the responsibility of the property owner to protect the service valve.
- e. The owner shall be responsible to maintain a clean water line from any buildings to the City main. The City shall not be held liable in the event that a disruption in service contributes to damage of personal property.

4. WATER MAINS

- a. No persons, except authorized employees of the City, shall expose, make any connection or operation whatsoever with any of the public pipes or water mains within the City.
- b. Any person or contractor, other than an authorized employee of the City, must receive written permission from the Director before operating, connecting or exposing any of the public pipes, valves, or water mains within the City.
- c. Any person or contractor, other than an authorized employee of the City, must receive an approved On-Street Construction Permit from the Engineering & Development Department.
- d. Any person installing water service pipes on private property, between the service valve and the water meter, shall ensure that all materials and installations meet the requirements of the Alberta and National Plumbing Code.
 - i. Any person completing an installation pursuant to this section shall ensure that such installation is inspected by an authorized employee of the City prior to allowing backfilling and must provide a minimum of 48 hours notice.
 - ii. Should any person allow backfilling to commence prior to an approved inspection pursuant to this section the person will be required to re-excavate the service trench completely to allow for a proper inspection.
- b. Any person who performs a service installation from the service valve to any building shall ensure that the installation meets the requirements specified in the National Plumbing Code.
- c. No water service shall be provided to any service installation until a satisfactory inspection of the service installation has been completed.
- d. When a lot is being redeveloped, the developer is responsible for all costs to bring the water service to the current standard which may include a new connection from the main line.

- e. Lead water service lines located between the water main and the service valve are the responsibility of the City. Replacement shall occur in conjunction with scheduled water main replacements, or at the discretion of the Director.
- f. If a lead water service line is found to be on private property between the service valve and the water meter, it is the property owner's responsibility to ensure that the line is replaced with a material that meets the requirements of the Alberta and National Plumbing Code at the same time as the City's side is replaced.
- g. The property owner can utilize Lead Service Replacement program to complete the replacement.

5. WATER WELLS

- a. No person shall drill a water well within the City where water service is available.
- b. No person shall drill a water well within the City where water service is not available without first having received written approval from the Director.
- c. In any case where an application for a water well is received by the Director, permission may be granted at the Director's discretion to extend the water main instead of approving a water well. An extension of the water main would be at the property owner's expense.
- d. No person shall draw water from a well that is not approved unless such a well was installed prior to the passing of this bylaw.
- e. No water service shall be connected to a property until any existing water wells have been properly abandoned.

6. APPLICATION FOR SERVICE

- a. An Applicant may make an application to set up an Account for Water Service by providing all the information requested by this bylaw and in the manner required by the Department. The application shall be submitted at least seventy-two hours (72) prior to the date upon which use of a Water Service is intended to commence and may be done in person, by telephone, or in writing.
- b. If a building contains multiple suites or rental units serviced from one Meter, the Water Service application shall be made by the Property Owner.
- c. Applicants other than the Property Owner who make application and open an account for Water Service will allow the City to discuss any aspect of the account with the Owner as deemed necessary. An Applicant shall provide this consent, as stated in the Account Application & Agreement, by their signature on the Agreement when applying for Water Service.
 - i. Applicants who are not the Property Owner and who refuse to provide signed consent will be denied Water Service.

- d. If Water Service is requested by an Applicant other than the Property Owner at a location where a boiler system is utilized for central heating, the Water Account shall be in the Property Owners name.
- e. Any contractor, plumber or owner requiring water shall submit a water meter application to the City and pay the appropriate installation fee prior to the water meter being installed.
- f. Any contractor, plumber or owner requiring a temporary water meter for construction purposes shall submit a temporary water meter application to the City, and pay the appropriate refundable deposit and any other fees as set out in Schedule A, prior to the temporary water meter being installed.
- g. Any person requesting installation of a water meter shall ensure that a shut off valve has been installed below the water meter setting. On service lines larger than one inch, a shut off valve shall also be installed above the meter to facilitate meter replacements.
- h. Remote readers are required at the discretion of the Director. The person who was issued the plumbing permit for a new construction site shall ensure that wiring for a remote reader from the location of the water meter to a location on an outside wall is properly installed if required.
- i. Damage to service valves must be reported to the Director within one working day of commencement of the service trench excavation. Any report of damage must be confirmed through an onsite inspection by an authorized employee of the City.
 - i. Service valves will be assumed to be straight and in good repair unless otherwise reported pursuant to this Section. The cost of any damage not reported to the City pursuant to this Section shall be charged again the property and may deducted from the damage deposit paid by the owner or contractor at the time the building permit was issued.
- j. During normal working hours there will be no charge for inspections.
- k. No inspections referred to in Section 6 will be completed without a valid water permit first being obtained by the City.

7. METERS AND METER TESTING

- a. Except where otherwise provided in this bylaw, all water supplied pursuant to this bylaw shall be measured by a Meter including a remote reading device, of a design and capacity approved by the Director. Such Meters shall be installed in respect to any and all Accounts as provided in this bylaw.
- b. The following Water Services shall not require connection to a Meter:
 - i. Fire service connections which are not used for any other purpose; and,
 - ii. Such other connection as approved by the Director.

- b. If the Director becomes aware of any use or flow of water that is not measured by a Meter of a design and capacity approved by the Director and that does not fall within a specified exception to the general requirements of water metering as set forth in this Bylaw, the Director may take all necessary steps to stop that use or flow of water until:
 - i. An application for service has been made by the Owner in accordance with the provisions of this bylaw; and,
 - ii. Meter has been installed pursuant to the provisions of this bylaw.
- c. The City may charge for and recover from the Owner the cost of supplying, installing, relocating or replacing a Meter.
- d. The Owner of every building that has a water service shall make provision of a location acceptable to the City together with all required plumbing for the installation of a Meter.
- e. Notwithstanding the payment of any costs, all Meters shall remain the property of the City.
- f. As a condition of Water Service, the Director may:
 - i. Determine the size, type and number of Meters to be supplied and installed in a premise;
 - ii. Determine the location that the Meters are to be installed;
 - iii. Inspect an installation to ensure it meets approved specifications and require an Owner to remedy any deficiencies;
 - iv. In the case of installation of two or more Meters, require their installation adjacent to each other and as close as possible to the master control valve or place where the Water Service connection enters the building; and,
 - v. Require a Meter to be either tested on site or removed for testing by the City.
- g. Where a Meter cannot conveniently be placed inside a building, it shall be placed in a Water Meter Chamber, the location and construction of which shall be discussed with the Owner or occupant of the premises and shall be constructed in a manner approved by the Director at the cost of the Owner.
- h. Water Meter Chambers shall be kept in good repair by the Owner. If an Owner, after receiving notice from the Director, neglects to repair or improve the Water Meter Chamber, then the Director shall cause the necessary repairs to be made and the Owner shall be liable for the cost of such repairs.
- i. No Person shall allow water to be turned on until the installation is approved by the Director.
- j. Should a Meter or remote reading device, while on the property of the Owner, be damaged or destroyed, the cost of repairing or replacing the Meter shall be paid by the Owner.

- k. Where building alterations require the removal and re-installation of the remote reading device the Owner shall obtain approval from the City for the removal and re-installation and shall pay all costs associated with same.
- l. An Owner shall ensure, at their expense, that:
 - i. Every Water Service entering the building has a horizontal Water Meter Setting and that the piping extends not less than 30cm beyond the wall or floor of the building immediately before the Meter position;
 - ii. The Water Meter setting is positioned as close as possible to the point where the Water Service enters the building and has a safe and convenient access;
 - iii. The Water Meter Setting is constructed in accordance with the City's engineering design guidelines and construction standards.
- m. No person shall:
 - i. Tamper in anyway with a Meter or remote-reading device; or,
 - ii. Open a by-pass valve on a Meter or metering installation except in the case of an emergency.
 - iii. Perform work on a City water meter. In the event that a water meter is damaged due to negligence, the customer shall be required to reimburse the City for the entire cost of such water meter, including labour costs.
 - iv. Break the seal on a water meter or bypass valve. In the event that a seal is broken on a water meter or bypass valve, the customer shall be responsible for a re-sealing fee provided for in Schedule A and where a check of water consumption reveals more than 10% reduction in consumption, a water bill based on an average of the last twelve months consumption will be charged to the account.
- n. Every Owner shall:
 - i. Be responsible for the safe-keeping of any Meter and any remote reading device that is installed on the premises;
 - ii. Notify the City immediately whenever a Meter is not operating, if any part of a Meter becomes damaged or broken or if the seal on a by-pass valve or a Meter is broken;
 - iii. Pay the cost of repairing or replacing any Meter or metering facilities supplied and installed by the City that may be damaged from any action within the control of the Owner.
- o. Where the City determines that seals on the valves, Meters or other appurtenances have been broken and not reported, the City shall, in addition to any other penalty, estimate the quantity of water consumed or obtained, and charge the Owner rates in accordance with Schedule A.
- p. The City may conduct a water meter test to ensure water meters are accurately recording water flow, at the discretion of the Director or upon written request from a

customer or owner. The American Water Works Standard for the type or class of meter shall be used to determine allowable accuracy.

- i. Pursuant to this Section, should a water meter test reveal that a water meter is inaccurately recording water flow above the relevant AWWA standard for the type or class of meter, the City shall compensate the owner or customer for recognized over-billing. The cost of manpower, equipment and testing shall be the responsibility of the City.
- ii. Pursuant to this Section, should a water meter test, conducted upon a customer's request, reveal that a water meter is accurately recording water flow, or if the meter is reading below the AWWA standard, the owner or customer shall continue to be responsible for any outstanding water bills. The cost of manpower, equipment and testing shall be responsibility of the customer or owner and may be added to subsequent water bills.

8. ACCESS TO SERVICE CONNECTION AND METER

- a. As a condition of the Water Service and as operational needs dictate, employees of the City shall have free access to all parts of a property, building or other premises in which water is delivered and consumed, at reasonable hours of the day and upon reasonable notice for the purpose of:
 - i. Installation, maintenance, repair, and removal of the Water Service;
 - ii. Installation, reading, maintenance, repair and removal of Meter or other parts of the Water Service;
 - iii. Inspection of cross connection control devices or other equipment and works associated with the Water System and Water Service; and,
 - iv. Inspections for compliance with this bylaw.
- b. No person shall hinder, interrupt or cause to be hindered any employee of the City or its contractors, servants and agents or workers, in the exercise of any of the powers or duties relating to the Water System as authorized or required in this bylaw.
 - i. In the event that a Person fails or refuses to provide access pursuant to this Section, the supply of water to those premises may be shut off after notice has been given.
- c. A fee will be charged, as set out in the fee schedule, where a City employee or agent is required to make an additional visit or visits to a parcel or premises for any of the following reasons:
 - i. Where an Owner refuses access to a parcel or premises for a City employee or agent to install, repair, replace, inspect, test or read a Meter or any other equipment;
 - ii. Where a City employee attends a parcel for a scheduled appointment to perform any of the functions in Section 9.a., and the Owner is not present to provide access to the parcel;
 - iii. Where a City employee attends a parcel to perform any of the functions set out in Section 8 and is unable to proceed based on unsafe conditions or the inadequacy of access to the parcel.

9. READING OF WATER METERS AND ESTIMATE OF WATER USED

- a. The Director may:
 - i. Require a Meter to be read;
 - ii. Determine the frequency at which Meters shall be read;
 - iii. Shut-off the water supply to a Consumer who refuses to provide a Meter reading as requested to provide such Meter readings; and,
 - iv. Estimate a Meter reading.
- b. A Meter reading may be estimated by the Director based on either previous consumption patterns or a daily average consumption for the premises if:
 - i. The City is unable to obtain a Meter reading;
 - ii. A Meter fails to properly register the amount of water consumed; or,
 - iii. Water supplied through a Meter has not, for any reason whatsoever, registered on the Meter.
- c. In the event of a difference in reading between the remote register and the Meter, the Meter shall always be deemed correct.

10. SERVICES DISCONTINUED OR REFUSED

- a. The City may, upon providing reasonable notice, discontinue or refuse water service to an Applicant or a Consumer for failure to:
 - i. Open an Account, or
 - ii. Pay any rates or fees or charges, or
 - iii. Pay rates or fees from accounts in the Consumer's name that have been closed where unpaid balances have been written off by the City or sent to a collection agency;
 - iv. Provide access to a meter, or
 - v. Comply with any provision of this Bylaw.
- b. In the event of a water bill being in arrears, an authorized employee of the City may disconnect water service to the property concerned, and may enter onto private property to carry out the provisions of this Section.
- c. No person, except an authorized employee of the City, shall turn water on or off at the service valve.

11. FEE FOR RESTORED SERVICE

- a. In the event that a discontinued Service is restored, the Consumer shall pay a re-connection fee as specified in Schedule A herein, and may, at the discretion of the City, be required to pay a deposit before service is resumed.

12. WATER SUPPLY

- a. In the case of emergency, the City may shut off the water supply in any part of the City.
- b. The City guarantees neither the pressure nor the continuous supply of water. The City reserves the right at any time without notice to adjust the operating water pressures and to shut off water for maintenance or emergency reasons. The City and its officers, employees and agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of the water containing sediments, deposits or other foreign matter.

13. WATER BEING WASTED

- a. In the event that it is determined by the Director that the water is being wasted, the City may shut off the water supply to the property concerned.

14. WATERING RESTRICTION

- a. Where it is deemed necessary to impose watering restrictions, City Council or the Director may declare the imposition of a Class I or Class II watering restriction.
- b. No person shall use water contrary to any watering restriction imposed by City Council until such time as the restriction is removed by City Council or the Director.
- c. Commercial businesses shall comply with provisions of this Section unless otherwise approved by City Council.
- d. The Director, at their discretion, may declare a water shortage emergency and may impose any or all of the following restrictions:
 - i. Regulate the hours and/or days that water may be used outside of Residential Property or a Commercial Property unit;
 - ii. Regulate or prohibit the use of water for watering lawns and gardens;
 - iii. Regulate or prohibit the use of water for washing vehicles or structures of any kind.
- e. Where the Director believes there is a reason to regulate the use of water, a public notice is to be published in the City and no Person shall use water outside of the prescribed restrictions as amended from time to time and found in the City website. The Director, in fixing restrictions on the use of water, may vary the hours and days of use for different portions of the City, or may attach other conditions as deemed necessary.

15. BACKFLOW PREVENTION

- a. On all new buildings, other than single family and duplex buildings, the owner shall ensure that an approved backflow prevention device is installed at the expense of the owner or water meter applicant on private property at least 0.6 meters in distance from the water meter setting prior to any branching of the building water piping system.
- b. On all new single family and duplex buildings, the owner shall ensure that an approved backflow prevention device is installed at each hose connection, and each device that has potential for backflow, as determined by the City, to the City water system.
- c. Where it is determined by the Director that any Service Connection creates a high risk for contamination to the Water System, the Owner, upon being given a notice by the City, shall install on their Service Connection an approved Backflow Preventer (certified cross connection control device) at the Owner's sole cost, at all identified sources of contamination.
- d. No Person shall connect, cause to be connected, or allow to remain connected to the Water System any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or Polluted Water, Wastewater, or any other liquid, chemical or substance to enter the Water System.
 - i. If a condition is found to exist which is contrary to this Section, the City may issue such order or orders to the Owner as may be required to obtain compliance with this Section. In addition the City may order an immediate disconnection of the Service Connection to the Water System until the issue is

resolved. The City may also carry out the necessary work at the Owner's expense.

- e. All Backflow Preventers (certified cross connection control device) shall be inspected and tested at the expense of the Owner, upon installation, and thereafter annually, or more often if required by the City; by:
 - i. A person approved by the City to carry out such tests, to demonstrate that the device is in good working condition; or
 - ii. A certified tester in accordance with Section 15.d. of this bylaw.
- f. The Owner shall submit a report in a form approved by the City for all tests performed on a Backflow Preventer within thirty (30) days of a test being performed and a record card issued by the City shall be displayed on or adjacent to the Backflow Preventer (certified cross connection control device). The tester shall record thereon the name and address of the Owner; the location, type, manufacturer, serial number and size of the device; and the test date, the tester's initials, the tester's name (if self-employed) or the name of the tester's employer and the tester's license number.
- g. When the results of a test referred to in Section 15.e. show that a Backflow Preventer (certified cross connection device) is not in acceptable working condition, the Owner shall, when so directed by the City, repair or replace the device within ninety-six (96) hours. If the Owner fails to comply with the direction given, the City may shut off the Water Service or Water Services.
- h. If an Owner fails to have a Backflow Preventer (certified cross connection control device) tested, the City may notify the Owner that the Backflow Preventer (certified cross connection control device) must be tested within ninety-six (96) hours of the Owner receiving the notice.
- i. If an Owner fails to have a Backflow Preventer (certified cross connection control device) tested within the time provided in Section 15.e., the City may cause the Water Service or Water Services to be shut off until the Backflow Preventer (certified cross connection control device) has been tested and approved. The City may also carry out the necessary work at the Owner's expense.
- j. No person shall turn on a "C.C. Valve" to provide water to the Occupants of any newly renovated, constructed, or reconstructed premises until the plumbing system in such premises has been inspected for cross connections and approved by the City's Plumbing Inspector.

16. CERTIFIED CROSS CONNECTION CONTROL DEVICE MAINTENANCE

- a. Where a certified Cross Connection Control Device has been required by the City's Plumbing Inspector the Owner shall have the device tested annually by a Certified Cross Control Device Tester (as defined under the Alberta plumbing code) and shall submit a detailed report of such tests to the City's Safety Codes/Plumbing Inspector prior to December 31st of each calendar year.

17. LIABILITY FOR FREEZING

- a. The Owner shall be responsible for all costs resulting from a freezing of the Service Connection if the freezing is not a result of an interruption in the supply of water through the water main.
- b. If required for new development, Service Connections shall be insulated in accordance with the City's engineering design guidelines and construction standards.
- c. The Owner, at their own expense, may install a freeze protection device. Freeze protection devices or methods shall be installed or employed in accordance with the City's engineering design guidelines and construction standards and with approval of the City Manager or Director. The Owner will be responsible and shall be liable for any damage which may result from the improper or negligent operation and maintenance of the freeze protection device.

18. INTERFERENCE WITH HYDRANTS AND VALVES

- a. No person, except an authorized employee of the City or members of the Fire Department, shall open, close, operate or interfere with any valve, hydrant or fireplug or draw water from them unless they have received approval from the utilities department and use the approved meter.
- b. No person shall in any matter obstruct the free access to any hydrant, valve or stopcock.

19. PROTECTION OF THE WATER SYSTEM

- a. No owner, customer or other person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fitting, container or appliance in a manner, which under any circumstances may allow water, waste water or any other liquid, chemical or substance to enter the water system.
 - i. If a condition is found to exist which is contrary to this Section, the Director may issue an order to the owner, customer or other person as the case may be, in order to obtain compliance with this Section. Any costs associated with an order under this Section shall be responsibility of the person to whom the order was issued.
 - ii. Any person issued with an order under this Section shall comply with such order.
 - iii. Should any person fail to comply with an order issued under this Section, the Director may, in addition to any penalties imposed under this Bylaw, authorize the water be shut off to the building or buildings affected without issuing prior notice.
 - iv. Notwithstanding this Section, where a severe hazard exists which, in the opinion of the Director, creates a high risk of contamination to the water system, the Director may authorize the water be shut off to the building or buildings affected without previously issuing any type of order or notification. Should the water be shut off pursuant to the provisions of this Section, notification shall be issued to the owner or occupant of the building or buildings affected as soon as possible and shall include the reasons for such action.
- b. The use of pesticides and herbicides within 150m of drinking water reservoirs is prohibited.

20. REPAIR OF DEFECTIVE WORK

- a. If it is determined by the Director that any materials have been used or any work has been done that is not in accordance with the provisions of this Bylaw, the Director may order any person to change the work or materials in order to meet the requirements of this Bylaw.
 - i. Any person issued with an order pursuant to this Section shall comply with such order.

FEES, CHARGES, PENALTIES

21. WATER CHARGES

- a. All Consumers shall pay for water consumption and all other charges levied pursuant to this Bylaw in accordance with the attached Schedule "A", which is hereby declared to form part of this Bylaw. Water consumption shall be as recorded by the Meter or as estimated by the City.
- b. Water fees will be charged on the utility bill unless the water service is Permanently Abandoned.
- c. If a consumer shall only partially pay a utility invoice, all monies paid shall, notwithstanding any contrary direction from the consumer, be applied towards the payment of the amount due under such invoice on the following order:
 - i. Penalties;
 - ii. Arrears of charges for all utility service;
 - iii. Currently solid waste service charges;
 - iv. Current wastewater charges;
 - v. Current water charges.
- d. The customer shall be responsible for any additional fees as identified in Schedule "A".

22. WATER CONSUMPTION MEASUREMENT

- a. In special circumstances or when accurate metered consumption values are not available, water consumption may be estimated by the City.

23. DUE DATE

- a. All fees, rates, and charges shall be due and payable on or before the due date shown on the billing.

24. PENALTY CHARGES

- a. A penalty charge, as specified in Schedule "A" herein, shall be levied on any unpaid amount which is outstanding after the due date.

25. ENFORCEMENT OF PAYMENT

- a. Any unpaid fees, rates and charges may be collected by the City by any of the following means:

- i. By action in any court of competent jurisdiction, including distress and sale of personal property after obtaining judgement; or
- ii. By shutting off the service being supplied to the Consumer, or discontinuing the Service thereof, until the unpaid amounts are paid. Water Accounts in the name of a Customer who is not the Property Owner with payment arrears for two consecutive months of consumption will be shut off within the seven day period following the due date without notice; or
- iii. By entering the unpaid amounts on the tax roll of the property for which the Service was supplied where the Consumer is the owner of the premises being served.

OFFENCES AND PENALTIES

26. TAMPER WITH "CC" AND SERVICE CONNECTION

- a. No person shall without a permit, operate or in any way tamper with any valve or pipe designed to control a Service Connection.

27. TAMPER WITH METER

- a. No person shall, without a permit, tamper with, modify, maintain, or disconnect a Meter or its accessories, or in any way render it inoperative.

28. BREAK SEALS

- a. No person shall, without a permit, break or interfere with any seal placed by the City, on any Meter or valve or other part of a Service Connection, except in an emergency, in which case, the City must be notified as soon as possible.

29. TAP SERVICE

- a. No person shall, without a permit, tap into a service pipe or valve between the Meter setting and the City water main.

30. TAP FIRE LINE

- a. No person shall, without a permit, tap into or modify a Fire Line.

31. HYDRANT USE – CITY AND PRIVATE

- a. No person, other than authorized City employees, shall without a permit, operate or use water from a City fire hydrant or without a permit, operate or use water from a private fire hydrant, except for annual maintenance authorized by the City Manager or Director.

32. PRIVATE HYDRANT MAINTENANCE

- a. Every person who is responsible for a private fire hydrant that is connected to the City Water System, must perform an annual maintenance on the private hydrant, to the satisfaction of the Director of Engineering and Development and submit a report describing and confirming such maintenance annually to the Director of Infrastructure and Operations unless an agreement with the City is in place, or as noted in Schedule "A".

33. OBSTRUCT ACCESS

- a. No person shall obstruct or in any way interfere with the free access, by City employees, to any hydrant, water main control valve, Meter, or other components of the Water System.

34. POSSESS WRENCH OR KEY

- a. No person, other than authorized City employees, shall without a permit, use any wrench or key designed to operate any valve, C.C., hydrant, or other components of the City Water System.

35. CROSS CONNECTION

- a. No person shall allow a condition to exist within their plumbing system or Service Connection which is likely to allow the introduction of a foreign material into the City Water System even in circumstances of zero or negative Water System pressure.

36. CONTRAVENE REGULATIONS

- a. No person shall, during a Water Shortage Emergency (Section 14), use any water contrary to the regulations imposed by the Director or Council.

37. UNAUTHORIZED USE OF WATER

- a. Except as otherwise authorized under this Bylaw, no person shall obtain water from the Water System, or allow water to be obtained from the Water System to be used:
 - i. In an illegal manner, or
 - ii. In a manner that will impede use by other Consumers, or
 - iii. Unless an Account has been opened, or
 - iv. Unless the water has first passed through a Meter.
- b. If the City finds an unauthorized use of water, including tampering with a Meter or part of the Water System, the City may take corrective action to remedy the unauthorized use and repair its Meters, appliances, or other facilities, and ensure the safety of the general public.
- c. Upon finding an unauthorized use of water, the City may disconnect the Service Connection immediately, without notice, and shall charge the Customer all costs incurred in correcting the condition, in addition to any other right and remedies which may be available to the City.
- d. Any person who uses water in contravention of this Section may be required to pay the following charges:
 - i. All charges for water consumed or obtained in accordance with the water rates as per Schedule "A", as estimated by the City; and
 - ii. All charges to cover the City's costs associated with the unauthorized use of water.
- e. No Consumer shall cause, permit to allow to remain connected to any portion of the Water System any piping, fixture, fitting, container or other apparatus which may cause water from a source other than the Water System or any other actual or potentially harmful or deleterious liquid or substance to enter the Water System.

- f. Except as otherwise authorized under this Bylaw, no Customer shall sell water supplied hereunder.
- g. If a Consumer is in breach of Section 37, notwithstanding any other provision of this Bylaw, the City may charge the Consumer for all water supplied at the current bulk water rate.
- h. If the City finds an unauthorized use of water including use resulting from any tampering with a Meter or other parts of the Water System, the City may make such changes in its Meters or Water Systems, Service Connections, or take such other corrective action, as may be appropriate to ensure only authorized use. The Owner shall pay all costs of such action necessary to remedy any violation of the bylaw caused by the Owner or Customer.

38. NOTICE

- a. In any case where the City is required to notify a Consumer or Owner pursuant to this Bylaw, the City Manager or Director shall effect such notification either:
 - i. By causing a written copy of the notice to be delivered to and left in a conspicuous place at or around the premises within which the potable water was being consumed by the Owner or the Consumer affected by such notice, or
 - ii. By causing a written copy of the notice to be mailed or delivered to the last known address of the Owner as disclosed in the land registry system established by the Land Titles Act of Alberta as shall appear to the City Manager or person appointed as City Manager most appropriate in the circumstances.

39. PENALTY FOR VIOLATION

- a. Every person who violates any provision of this Bylaw is guilty of an offence and shall be liable on summary conviction to a fine of not less than One Thousand Dollars (\$1,000.00) and not more than Ten Thousand Dollars (\$10,000.00) per offence and in default of payment to imprisonment for a term not exceeding six (6) months. Further, an additional fine of not less than \$1,000.00 and not more than \$10,000.00 for each day that the offence continues.
- b. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs for which that Person is liable under the provisions of this Bylaw or any other Bylaw.
- c. Notwithstanding the provisions of this Section, any Person who contravenes any provision of this Bylaw may forfeit the privilege to be supplied with water from the Water System.

40. VOLUNTARY PENALTY - \$1,000.00

- a. Notwithstanding Section 39.a., the persons to whom a Violation Ticket has been issued pursuant to the Provincial Offences Procedure Act, RSA 2000, C P-34, as amended, or as repealed and replaced from time to time, may please guilty by making a voluntary

payment in respect to the summons by delivering to the Provincial Court on or before the initial appearance date, the Violation Ticket together with the equal to amount of One Thousand Dollars (\$1,000.00).

- b. Enforcement will be done through City of Wetaskiwin Peace Officers or a designated Enforcement Officer.

MISCELLANEOUS

41. PERMITS ISSUED

- a. Permits required under this Bylaw may be obtained from the Department.

42. LICENSED PLUMBER EXEMPT

- a. A licensed plumber acting in an emergency shall not be deemed to be in violation of this Bylaw, provided that the plumber obtains the necessary permit or permission from the City at the earliest opportunity.

43. VICARIOUS LIABILITY

- a. For the purpose of this bylaw, an act or omission by an employee or agent for a person is deemed also to be an act or omission of the person if the act of omission occurred in the course of the employee's employment with the person, or in the course of the agent exercising the powers of or performing duties on behalf of the person under their agency relationship.

44. SEVERABILITY

- a. If a court of competent jurisdiction should declare any Section or Subsection of this Bylaw to be invalid, that Section or Subsection shall be severed from the remainder of the Bylaw, and the remaining provisions of this Bylaw shall continue to be valid and enforceable

CONFIDENTIAL INFORMATION

45. All information submitted to and collected by the City that is contained in reports, surveys, monitoring and inspection and sampling activities will, except as otherwise provided in this Section, be available for disclosure to the public in accordance with the *Freedom of Information and Protection of Privacy Act (FOIP)*, Alberta Chapter RSA 2000, Ch. F-25, as amended or repealed and replaced from time to time.
46. In the event that any person submitting information to the City in any form, as required under this Bylaw, believes such information is confidential or proprietary or otherwise may be exempt from disclosure under *FOIP*, the person submitting the information shall so identify that information upon its submission to the City and shall provide sufficient details as to the reason for its purported exemption from disclosure.

REPEAL AND PASSAGE

47. Bylaw #1895-18 is hereby repealed upon this Bylaw coming into effect.

48. This Bylaw shall become into full force and effective on the date of the final passing thereof.

READ a FIRST time in COUNCIL this 23 day of April, 2019.

READ a SECOND time in COUNCIL this 23 day of April, 2019.

READ a THIRD time and FINALLY PASSED this 23 day of April, 2019.

ORIGINAL SIGNED

TYLER GANDAM, MAYOR

ORIGINAL SIGNED

PETER TARNAWSKY, CITY MANAGER

SCHEDULE "A"

WATER SERVICE AND TOLL CHARGES:

1. Monthly Service Charges shall be levied and collected bi-monthly on all properties connected to the water system in the City based on meter sizes as follows:

<u>Meter Sizes</u>		<u>2018 Rates</u>	<u>2019 Rates</u>
16mm x 19mm	5/8" x 3/4" and smaller	\$28.83	\$28.83
19mm	3/4"	\$36.65	\$36.65
25mm	1"	\$44.14	\$44.14
38mm	1 1/2"	\$82.44	\$82.44
50mm	2"	\$100.49	\$100.49
76mm	3"	\$120.81	\$120.81
102mm	4"	\$157.95	\$157.95
150mm	6"	\$346.88	\$346.88

2. The following water consumption charges shall be levied and collected bi-monthly from all persons connected by meter to the City's water supply system:

Effective January 1, 2019, for water used bi-monthly, a charge of \$2.50 per cubic metre (the 2018 rate was \$2.50 per cubic metre).

3. The following water consumption charges shall be levied and collected bi-monthly, on all bulk purchases from the City:

Bulk Purchase:

For water supplied in bulk to the purchaser's tank truck - \$6.00 per cubic metre (220 imperial gallons).

4. Effective September 9, 2013, any new applicant who wishes to purchase bulk water without using coins must purchase a key for \$12.50 to access the equipment and a smart card for an additional \$12.50. The applicant must prepay to load the smart card up to a maximum of \$900.00. The City will have no liability for lost keys or smart cards.
5. A service and inspection rate of \$24.84 each month for each private hydrant installed on private premises shall be charged to any person or corporation.
6. A service and inspection rate of \$24.84 per month per hydrant installed on City lands and Condominium properties shall be charged to the Operating Budget.

7. An interest charge of three per cent (3%) per month shall be charged to all water usage accounts, not paid by the date specified on the bill, on the amount remaining unpaid after twenty-one days from the mailing of a bill and such interest charges shall be added to and form part of the rates levied.
8. There shall be a connection fee required for each new water meter service installation as follows:

<u>Meter Sizes</u>		<u>2018 Rates</u> <u>(Effective January 1,</u> <u>2018)</u>	<u>2019 Rates</u>
16mm x 19mm	5/8" x 3/4" and smaller	\$278.10	\$344.14
19mm	3/4"	\$335.61	\$379.13
25mm	1"	\$451.13	\$488.73
38mm	1 1/2"	\$516.74	\$824.27
50mm	2"	\$920.56	\$1,056.75
76mm	3"	\$2,456.93	\$2,692.93
102mm	4"	\$5,222.27	\$2,821.71
150mm	6"	\$9,078.60	\$4,187.71

9. There shall be a fee of \$27.78 each time a curb stop for a service pipe that is 2" (50 mm) or less, and \$55.46 for a curb stop for a service pipe that is greater than 2" (50 mm), is operated by the City at the request of the property owner or their designate.
10. There shall be a fee for each new connection to any city owned water main, as follows.

50 mm or less (5/8 – 2")	\$164.67
Larger than 50 mm	\$274.44
11. There shall be a reconnection fee of eighty eight dollars and seventy one cents (\$88.71), to be paid in advance, for any water service that has been disconnected for reason of non-payment of bills rendered. There shall be an administration fee of twenty-seven dollars and seventy three cents (\$27.73) for any account that has been tagged for disconnection. There shall be an after hours rate of three hundred dollars an hour (\$300/hr).
12. Accounts for water service shall be due and payable when rendered, with payment to be made at City Hall, or at any chartered bank, Credit Union, Treasury Branch, Internet or Telephone banking. Failure to receive an account shall in no way affect the liability of the consumer to pay the account.
13. That in the event any water user does not pay their water bills thirty (30) days from the billing date, the Director is authorized to discontinue water supply to the customer.

14. That in the event an account becomes delinquent, collection of the account may be transferred to the tax roll in accordance with Section 553(1) of the Alberta Municipal Government Act, Chapter M-26.1.
15. That in accordance with the agreement between the Province of Alberta and the City of Wetaskiwin dated the 6th day of November, 1972, there shall be levied against all commercial and industrial users a surcharge of 0.01281 per cubic meter.
16. That in the event any water service has been discontinued for reason of nonpayment of bills rendered, a security deposit in the amount of \$300.00 and acceptable arrangements have been made to pay the balance owing before the service is reconnected. The deposit may be refunded after one year providing the accounts have been paid on or before the time specified on the billings.
 - a. There shall be levied a deposit of \$300.00 payable prior to commencement of service on all persons or corporations who lease property in the City when application is made by that person or corporation for the City's water utility.
 - b. There shall be levied a deposit of \$300.00 payable prior to commencement of service on all persons or corporations who lease property in the City when application is made by that person or corporation for the City's water utility if a credit reference is provided that is acceptable to the City.
 - c. If a residential property owner within the City sells their property and applies for residential utility services on a rental property, the City may waive the deposit for the applicant provided they maintained their utility account in a current position for the prior two (2) years.
17. The \$300.00 deposit may be refunded to the customer:
 - a. If the customer vacates the rented premises and his final account has been paid in full.
 - b. When the customer has occupied rented premises in the City of Wetaskiwin for twelve (12) consecutive months and all water bills for the 12 consecutive months have been paid in full by the due date.
18. If a consumer wishes to set up a temporary water meter for construction purposes, one can be obtained from the City with the payment of a refundable deposit in the amount of \$150.00. If the customer returns the temporary water meter in good condition, the deposit will be returned.

Amended 1935-19