

TOWN OF ONOWAY
Bylaw 754-19

A BYLAW OF THE TOWN OF ONOWAY IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE TO REGULATE THE SUPPLY AND DISTRIBUTION OF WATER AND TO REGULATE THE SANITARY SEWAGE COLLECTION SYSTEM

WHEREAS, the Municipal Government Act, Chapter M-26, 2000 with amendments thereto, provides that a Council of a Municipality may pass a bylaw for services provided by or on behalf of the municipality, public utilities, and to regulate or prohibit the supply and distribution of water and sanitary sewage collection system.

NOW THEREFORE, the Council of the Town of Onoway, in the Province of Alberta, duly assembled, enacts as follows:

SECTION 1 **TITLE**

1. This Bylaw may be cited as "The Town of Onoway Water and Sewer Utility Bylaw".

SECTION 2 **DEFINITIONS**

For the purpose of this Bylaw and in the Schedules attached hereto, unless the context otherwise requires:

- 2.1 **"Application"** means the application made by the consumer in writing on the required form to the Town for the supply of water or sewer services;
- 2.2 **"Abnormal Reading"** means the readout on the water meter that represents the volume of water used by a particular consumer that varies significantly from the normal pattern of use, whereas significantly is determined by the factor of 4 times or greater the normal volume of usage for that particular period of consumption.
- 2.3 **"Combined Service"** means the services or service pipes used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection;
- 2.4 **"Consumer"** means any person who uses water or sewer services supplied by the Town;
- 2.5 **"Council"** means the Municipal Council for the Town of Onoway;
- 2.6 **"Fire Line"** means a pipe that is intended solely for the purpose of providing a standby supply of water for fire protection purposes;
- 2.7 **"Meters"** means meters and all other equipment and instruments supplied and used by the Town to be used to calculate the amount of water consumed on the premises upon which such meters are situated;
- 2.8 **"Municipal Manager"** means the Chief Administrative Officer of the Town or his/her designate;
- 2.9 **"Person"** includes a partnership, a firm a body corporate, a body politic, and the heirs,

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executors, administrators or other legal representatives of a person to whom the context can apply according to law;

- 2.10 **“Private Service or Private Service Pipe”** means that portion of a pipe used or intended to be used for the supply of water which extends from the service valve to a meter;
- 2.11 **“Service Valve”** means the valve on a Town Service Pipe;
- 2.12 **“Sewage Lagoon Hauler”** means a contractor who, in agreement with the Town of Onoway and holding a valid Temporary Sewage Dumping Permit, is allowed to dispose of sewage waste collected from residences within the town boundaries which are not connected to the sanitary sewer works collection system;
- 2.13 **“Sewer”** shall mean the system of sanitary sewer works owned and operated by the Town and all accessories and appurtenances thereof and the storm sewer system owned and maintained by the Town and all accessories and appurtenances thereof;
- 2.14 **“Sewer Main”** means those pipes installed by the Town or the developer for the Town in streets or alleys for the conveyance of sewage throughout the Town to which service pipes may be connected;
- 2.15 **“Sewer Utility”** means the system of sanitary sewer works owned and operated by the Town and all accessories and appurtenances thereof;
- 2.16 **“Shut-off”** means an interruption in or discontinuation of the supply of water;
- 2.17 **“Sprinkling”** means the distribution of water to the surface or subsurface of lawns, gardens, or other areas, situated outside buildings by pipes, hoses, sprinkler or any other method;
- 2.18 **“Street or Streets”** shall include all highways, roads, lanes, alleys, avenues, easements, thoroughfares, utility lots, drives, bridges and ways of public nature, sidewalks, boulevards, parks, public square and other public places unless the contrary is expressed or unless such construction would be consistent with the context of this Bylaw;
- 2.19 **“Town”** means the Town of Onoway or its duly authorized representatives;
- 2.20 **“Town Service Pipe”** means that portion of a pipe used for the supply of water which extends from the water main to the service valve or that portion of pipe used for sewer service which extends from the sewer main to the property line;
- 2.21 **“Water Main”** means those pipes installed by the Town or the developer for the Town in streets or alleys for the conveyance of water throughout the Town from which service pipes may be connected; and
- 2.22 **“Water Utility”** means the system of water works owned and operated by the Town and all accessories and appurtenances thereof.

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SECTION 3 ADMINISTRATION

- 3.1 The Water and Sewer Utility of the Town of Onoway, comprised of water mains, sewer mains, intermediate mains, lift stations, service pipes, fire hydrants, valves, meters, service and all other appurtenances together with the sale of water, shall be under the management and control of the Municipal Manager;
- 3.2 The Municipal Manager has authority to shut off water for any consumer or consumers for any reason which, in the opinion of the Municipal Manager, necessitates such shutting off, provided that the Municipal Manager shall give notice of such shutting off (Except in an Emergency; notice will be given, if possible, for emergency situations);
- 3.3 The Town does not guarantee the pressure nor the continuous supply of water and the Town reserves the right at any and all times, without notice, to change the operating water pressure and to shut off water; neither the Town, its officers, employees or agents shall be liable for the change in water pressure nor for the shutting off of water or should the water contains sediments, deposits, or other foreign matter;
- 3.4 Consumers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply, pressure or quality of water required for this use;
- 3.5 The Town may, as a condition to the supply of water, inspect the premises of a consumer who applies to the Town for such supply in order to determine if it is advisable to supply water to such consumer;
- 3.6 The Town may, with the permission of the consumer, inspect the premises of the consumer in order to do any tests on water piping or fixtures belonging to such consumer so as to determine if this Bylaw is complied with and, in the event that such consumer fails or refuses to give such permission, the supply of water to that consumer may be shut off;
- 3.7 The Town may at such times and for such length of time as considered necessary or advisable, regulate, restrict or prohibit the distribution of water to the surface of lawns, gardens or other areas situated outside buildings by way of hoses, sprinklers or any other method; and
- 3.8 In exercising the authority conferred by paragraph 3.7 of this section, the Town:
 - 3.8.1 Shall cause to be published in a local newspaper that is circulated in the Town and/or others mean of advising the general public, with a public notice giving reasonable detail of the regulation, restriction or prohibition of sprinkling being imposed which may be limited as to time or times specified or which may be unlimited as to time in which latter case, a similar public notice shall be given of the cessation of such regulation, restriction or prohibition; and
 - 3.8.2 May regulate, restrict or prohibit sprinkling in all or any part or parts of the Town and in so doing the Town may provide different times during which different consumers may sprinkle by reference to compass direction related to streets, odd and even street addresses, or such other manner as the Town consider appropriate.

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SECTION 4 PROHIBITIONS

4.1 Restricted use of Town facilities:

4.1.1 No consumer shall operate, use, interfere with, obstruct or impede access to the water or sewer utilities or any portion thereof in any manner not expressly permitted by this Bylaw; if the consumer is in default of this, the Municipal Manager may cause the water being supplied to such consumer to be shut off until such consumer complies with all of the provisions of this Bylaw;

4.2 Wastage

4.2.1 No consumer shall cause, permit or allow the discharge of water so that it runs to waste, whether by reason of leakage from underground piping, a faulty plumbing system or otherwise;

4.2.2 The Municipal Manager may cause the water supply to any consumer who violates paragraph 4.2.1 of this Bylaw to be shut off until such time as the consumer establishes, to the satisfaction of the Municipal Manager, that he/she has taken such steps as may be necessary to ensure that any water supplied to him/her by the Town will not run to waste and further forfeit the right to be supplied with water and, additionally, shall be guilty of an offence and liable on summary conviction to a fine, as per "Schedule A" of this Bylaw; and

4.2.3 The Municipal Manager shall give notice to such consumer prior to causing the water supply to be shut off; and

4.2.4 Notwithstanding the foregoing, the Municipal Manager may under such condition as he may consider reasonable allow a consumer to discharge water so that it runs to waste or unless the municipality installs a bypass flow if such consumer's water service would be susceptible to freezing;

4.3 Use of Water

4.3.1 No consumer shall be permitted to:

4.3.1.1 Lend, sell or otherwise dispose of water unless specifically licensed or permitted by the Town of Onoway to do so;

4.3.1.2 Give away or permit water to be taken from their water service in bulk quantities for use in residential, commercial, industrial, or oil and gas applications located outside of municipal boundaries unless specifically or permitted to do so by the Town.

4.3.1.3 Use or apply any water to the use or benefit of others or to any other than his own use and benefit; with the exception of supporting not-for-profit events or fundraisers that may include car washes, spray contests, and other similar type events upon first receiving permission from the Town of Onoway.

4.3.1.4 Increase the usage of water beyond that agreed upon with the Town;

4.3.1.5 Wrongfully or improperly waste water;

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4.3.2 Any consumer who contravenes paragraph 4.3.1 of this Bylaw forfeits any right to be supplied with water and, in addition, shall be guilty of an offence and liable on summary conviction to a fine, as per "Schedule A" of this Bylaw; and

4.3.3 Any landowner who rents his/her property in a manner so as to be subject to the Landlord and Tenant Act shall be exempt from the provisions of paragraph 4.3.1 of this Bylaw so long as the use and benefit of the water accrues solely to the benefit of the tenant(s);

4.4 **Investigation into Water Supply or Sewer Services Failure**

4.4.1 Any consumer complaining of a failure or interruption of water or sewer service, the investigation of which complaint necessitates the opening up and excavating of a street, shall, prior to such opening up and excavating, deposit with the Town Financial Officer the costs thereof as estimated by the Municipal Manager. In the event that such failure or interruption was caused by the Town service, such deposit shall be refunded, but in the event that such failure or interruption was caused by the private service, the actual cost of such work shall be paid by the consumer and the said deposit shall be applied thereto, any excess to be refunded to the consumer and any deficiency shall be collectible in the same manner as water and sewer rates. Work completed to investigate the water or sewer service system failure shall be done only by the Town or the Town's designated contractor.

4.5 **Noise and Pressure Surges**

4.5.1 No consumer shall cause, permit or allow any apparatus, fitting or fixture to be or to remain connected to his/her water supply or allow his/her water supply to be operated in such a manner as to cause noise, pressure surges or other disturbances which may in the opinion of the Municipal Manager result in annoyance or damage to other consumers or the water utility. The Municipal Manager may cause the water supply to any consumer contravening the provisions of this section to be shut off provided that the Municipal Manager shall give notice to such consumer prior to such water supply being shut off. The water supply to any such consumer shall not be restored until such time as the consumer has paid to the Town all costs incurred by the Town in shutting off and turning on such water supply plus a fine as set out in "Schedule A" of this bylaw;

4.6 **Contamination**

4.6.1 No consumer shall cause, permit or allow to remain connected to his/her water supply or sewer any piping, fixture fitting, container or other apparatus which may cause water from a source other than the water utility or another harmful or deleterious liquid or substance to enter the water or sewer utilities. The Municipal Manager may cause the water supply to any consumer contravening the provisions of this section to be shut off provided that the Municipal Manager shall give notice to such consumer prior to such water supply being shut off. The Water supply to such consumer shall not be restored until such consumer has paid to the Town all costs associated with the shutting off and turning on of the water supply plus any applicable fine for contravention of the bylaw as set out in "Schedule A" of this bylaw;

4.7 **Bylaw**

4.7.1 The provisions of the Bylaw shall form part of a contract between the consumer and the Town for the supply of water and this supply shall be subject to all the provisions of this Bylaw.

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4.8 Sewer

- 4.8.1 No person shall throw, deposit or leave in the municipal sewer system, through trap, basin, grating, manhole or other appurtenance of any Town sewer any butcher's offal, garbage, litter, manure, sanitary pads, baby diapers, rubbish or refuse of any kind, except necessary toilet discharge, toilet paper and kitchen slops properly discharged through a private sewer line from a residence or non-residential building into the Town sewer lines;
- 4.8.2 No person shall permit to be discharged into any sewer any liquid, chemical, trade wastes or any liquids heated to a temperature higher than 170 degrees Fahrenheit;
- 4.8.3 No person shall make or cause to be made any connection with any Town sanitary sewer line or house drain, an appurtenance thereof for the purpose of conveying or which may convey into the same any inflammable or explosive material, storm water, roof drainage, cistern or tank overflow;
- 4.8.4 No person shall interfere with the free discharge of any Town sewer, sanitary or storm, or any part thereof, or do any act or thing which may impede or obstruct the flow or clog up any Town sewer or appurtenance thereof. This will include the discharge of any improper materials such as grease from cooking;
- 4.8.5 Grease traps of sufficient size and approved design shall be placed on the waste pipes of all hotels, restaurants, laundries, grocery stores and other such places as the Town may direct; and
- 4.8.6 No commercial or private sewer hauling service shall be allowed to dump any materials in the sewage system without first obtaining a Temporary Sewage Dumping permit.

SECTION 5 METERS

5.1 General

- 5.1.1 All water meters shall be supplied by the Town and application for such meter shall be made at the Town office; all meters shall be owned and maintained by the Town;
- 5.1.2 All water supplied by the Town through a private service shall be measured by a meter unless otherwise provided under this Bylaw or unless a special agreement is entered into between the Town and the consumer.

5.2 Installation Responsibility

- 5.2.1 All water meters shall be supplied by the Town, and the original meter to a property shall be installed at the consumer's expense and all replacement meters will be supplied by the Town unless the meter is being replaced as a direct result of negligence, abuse, destruction, or other any other means other than general wear and tear. The owner will be responsible for the installation of all replacement meters. The manner of installation of the meter shall be approved by the Town;

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5.3 Subsidiary Meter

5.3.1 A consumer may, for his/her own benefit, install a meter between the meter supplied by the Town and the point of use of the water supply, provided that the Town shall not maintain such meter, nor shall such meter be read by the Town;

5.4 Installation

5.4.1 A consumer shall make provision for the installation of a water meter to the satisfaction of the Town and, when required, shall install a proper valve bypass as per paragraph 5.12 following:

5.4.2 Any consumers

5.4.2.1 Whose water supply is not metered, or

5.4.2.2 Whose water meter is not positioned to the satisfaction of the Town, shall make proper provision for a meter to be installed or the meter to be moved as the case may be, all costs of which shall be paid by the consumer and in default of payment the water supply of such consumer shall be shut off until such costs are paid;

5.5 Special Meter Reading

5.5.1 A consumer who requests of the Town a special meter reading shall pay the fee designated in "Schedule A" of this Bylaw;

5.6 Testing or Calibration on Disputed Meter Reading

5.6.1 In the event a meter reading is disputed by either the Town or the consumer, a written notice shall be given to the other. In the case of the consumer disputing the meter accuracy, a deposit, in accordance with "Schedule A" attached to this Bylaw, shall accompany the written notice. Following written notice, a meter situated on the premises of such consumer shall be tested or calibrated by a proper official designated by the Town. In the event that the said meter is found to be accurate within 98.5% to 101.5% of the water passing through same, the expense of such test or calibration shall be born by the party giving such notice in the amount designated in "Schedule A". In the event that the said meter is found not to be accurate within the aforesaid limits, the same shall forthwith be repaired or replaced by another meter and the expense of so doing shall be borne by the Town (unless the meter is of over 5/8 of an inch) and the dispute deposit shall be returned;

5.6.2 In the event that a meter is found not to be accurate within the limits set out in paragraph 5.6.1 of this Bylaw hereof, the accounts based upon the reading of that faulty meter, for the maximum of six (6) monthly bills rendered immediately preceding the date of such test or calibration shall be corrected in proportion to the error of the meter in excess of the aforesaid limits and the consumer shall pay or there shall be refunded to the consumer, as the case may be, the amount so determined which payment or refund shall be accepted by both the Town and the owner as settlement in full to the date thereof of all claims on account of such meter;

5.7 Meter Chamber

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5.7.1 When in the opinion of the Municipal Manager 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 for any other reason in the opinion of the Municipal Manager, then the consumer shall, at his sole cost, construct and maintain a container for a meter and such container shall in all respect including location, construction, size, access and otherwise howsoever be satisfactory to the Municipal Manager;

5.8 Meter Size

5.8.1 The size of the water meter shall be determined as follows:

5.8.1.1 If the internal diameter of the private service is 1 inch or less, a 5/8 inch meter shall be used;

5.8.1.2 If the internal diameter of the private service exceeds 1 inch, the size of the meter shall be one size smaller than the size of the private service;

5.8.1.3 If the private service is a combined service (to supply water for fire protection as well as water for other purposes) the internal diameter of the private service branch to be used for such other purposes shall determine the meter size;

5.9 Non-Registering Meter

5.9.1 If upon the reading of a meter it is determined that the meter has failed to properly record the flow of water, the Municipal Manager shall estimate the flow and render an account based upon such method as he considers to be fair and equitable;

5.10 Protection of Meter

5.10.1 Every consumer shall provide adequate protection for the meter as supplied by the Town against freezing, heat or any other internal or external damage failing which the consumer shall pay to the Town all costs associated with the repair of such meter which amounts shall be recoverable in the same manner as water rates;

5.11 Reading

5.11.1 The meters of all consumers where practicable shall be read once a month, or when a change in property ownership has taken place (that the municipality is aware of) and before the new owner has occupied the property or as soon as possible after the new owner has taken possession.

5.12 Bypasses

5.12.1 Any consumer having a meter 2 inches in size or larger shall at his expense construct and maintain a proper bypass valve satisfactory to the Town which bypass shall be sealed by the Town and shall be opened by the consumer only in the case of emergency. The consumer shall notify the Town within 24 hours after the seal on the bypass is broken failing which the Municipal Manager may cause the water supply to such consumer to be shut off until satisfactory arrangements have been made for the calculation of and payment for water supplied and not recorded on the meter and payment of a fine, as per "Schedule A" of this bylaw is paid;

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5.13 Meter Valves

5.13.1 Any consumer having a meter smaller than 2 inches in size shall, at his/her sole cost and expense, supply and maintain valves on both sides of and within 12 inches of the meter;

5.14 Water Meters - Installation/Repairs

5.14.1 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 the approval of the Town. All meters shall be located on the consumer's side of the approved shut off valve;

5.14.2 No person shall do, or shall cause to be done, or shall permit to be done, any act or thing which may obstruct, interfere with or impede direct and convenient access to a meter for the purpose of installation, inspection, removal, repair, replacement reading or the like at all times; and

5.14.3 All consumers shall give free access to all or part 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;

5.14.4 When a developer is building a show home or a residence under a contract, the developer shall obtain a water meter of appropriate size from the Town following the required procedure of written application and shall install at the time of construction.

SECTION 6 SERVICE AND SERVICING

6.1 Owner Responsibility

6.1.1 The owner of a parcel of land is responsible for the construction of the portion of the municipal public utility services connection from the main lines to the boundary of the road or easement as well as for the portion located above, on or underneath the owner parcel; and is responsible for the costs of construction, and the work done on Town property must be done by the Town or a contractor approved by the Town.

6.1.2 The owner of a parcel of land is responsible for the maintenance and repair of any portion of the utility services, starting from the property line; located above, on or underneath their parcel; and

6.1.3 Notwithstanding 6.1.2, any property owner who causes damage to municipal public utility services may be responsible for the costs of maintenance and repair of the municipal public utility service connection if, in the mind of the Town, there are extenuating circumstances that may warrant;

6.2 Application For New Infrastructure Connection

6.2.1 Any new construction on placing new services connection being water or sewer in the Town shall complete an Infrastructure Connection Permit, and submit to the Town with the permit fee specified in "Schedule A", together with any required documents. This submission shall be made not less than 30 days prior to requiring the services;

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- 6.2.1.1 All installation and connection services and equipment shall be as per Onoway Minimum Design Standards and shall be inspected by the Town;
- 6.2.1.2 Any installation or connection done or equipment used but not inspected by the Town, will place the responsibility of repair and maintenance on the owner, even if the repair or damage is on Town property;
- 6.2.2 **Meter Activation Fee**
- 6.2.2.1 Any person applying for the supply of water and sewer services hereunder shall make payment of the fee designated in "Schedule A" of this Bylaw and the fee shall be retained by the Town. Such application shall be made in writing not less than 48 hours prior to requiring the service except that it shall coincide with the normal business hours of the Town;
- 6.3 **Plumber and Plumbing Contractors**
- 6.3.1 All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the provisions of the Plumbing and Drainage Regulations of the Department of Health or the Province of Alberta and any Bylaws of the Town applicable thereto;
- 6.4 **Number of Services**
- 6.4.1 Unless the Municipal Manager otherwise approves or requires, there shall not be more than one private service to any building or site;
- 6.5 **Depth of Service**
- 6.5.1 Unless otherwise approved by the Municipal Manager a private service shall be buried to a depth of at least 2.44 meters at the property line;
- 6.6 **Fire Protection**
- 6.6.1 A combined service or fire line shall not be installed without the prior approval of the Municipal Manager. A fire line shall be used only for fire protection purposes, and the Municipal Manager shall determine whether or not a meter shall be affixed to such fire line and if the Municipal Manager requires such a meter, the same shall be supplied and installed in a manner satisfactory to the Municipal Manager at the sole cost and expense of the consumer;
- 6.7 **Temporary Water Service**
- 6.7.1 When, for any reason, a temporary water service is required, an applicant shall pay in advance the whole cost of its construction, together with the cost of abandoning it when no longer needed. Application for such service construction shall be made as per section 6.1. If, in the opinion of the Municipal Manager, a meter should be installed on a temporary service, the applicant shall provide a safe and adequate meter setting in a stated location, and shall be responsible for the protection of the whole installation while his/her account is open for service. The applicant will be responsible for the payment of any application rates and charges as set out in Schedule "A" attached to this Bylaw.

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6.7.2 That Temporary Water Service be granted to developers in accordance with the terms set forth in the Development Incentive Program Policy that may be amended by Council from time to time.

6.8 Service Kill

6.8.1 No permit for the demolition or removal of a building shall be issued by the Town nor shall any person cause, permit or allow to be demolished or removed, a building connected to a water main until there has been paid to the Town the cost of disconnecting the Town service at the water main in the amount set out in "Schedule A". Notwithstanding the foregoing, the Municipal Manager may, in circumstances which he considers appropriate, permit the service to remain connected to the water main;

6.9 Thawing Service

6.9.1 The cost of thawing a frozen service shall be borne as follows:

6.9.1.1 If the private service or the plumbing system connected thereto is frozen, as determined by the Town, costs shall be borne by the consumer;

6.9.1.2 If the Town service is frozen as a result of the negligence of the consumer, as determined by the Town, costs shall be borne by the consumer;

6.9.1.3 If the Town service is frozen, as determined by the Town, costs shall be borne by the Town. If the Municipal Manager is of the opinion that a private service or plumbing system has frozen without any negligence on the part of the consumer or any other person for whose negligence the consumer is responsible, the Municipal Manager may waive the cost of one thawing during any one winter season which shall be deemed to run from November 15th to May 15th; and

6.9.1.4 The Town shall not thaw a private service or plumbing system unless the consumer shall first have signed an acknowledgement recognizing that thawing may be inherently dangerous to property including the private service or plumbing system and may cause damage to electrical system or the outbreak of fire and waiving any claim against the Town for any such damage whatsoever;

6.10 Size

6.10.1 The size of the service required for residential purposes shall be determined by the Plumbing and Drainage Regulation of the Province of Alberta, providing that the Town shall not install a service having a size smaller than 5/8 of an inch;

6.11 Boilers and The Like

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

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6.12 Termination

6.12.1 The supply of water to any consumer may be shut off for any or all of the following reasons:

6.12.1.1 Repair;

6.12.1.2 Want of Supply;

6.12.1.3 Non-Payment of Accounts Rendered;

6.12.1.4 Defective Piping, or

6.12.1.5 For any reason which the Municipal Manager or Council considers sufficient;

6.12.2 Reconnection of the water service will be done by the Town upon the cessation of the problem causing the disconnection and the payment of the fee for reconnection as set out in "Schedule A" of this Bylaw.

6.13 Requested Water Turn Off and/or On

6.13.1 If a consumer requires the supply of water to be shut off for his own purposes, he shall therefore pay the amount specified in "Schedule A" of this Bylaw.

6.14 Remote Reading Devices

6.14.1 Any user shall be responsible for damage of the meter and remote reading device which may result from other than normal wear and tear;

6.14.2 Any consumer requesting the installation of a remote reading device on their premises will be required to comply with the above regulations and shall be responsible for the installation of the wiring for the remote reading device;

6.14.3 Ownership of the meter and remote reading device and any apparatus thereto remains with the Town;

6.14.4 The Town does not assume any responsibility for any damages to the premises due to the installation of such wiring should the Town be required to install the remote reading device on the outside of the premises. All other conditions of the remote reading device shall apply;

6.15 Water Valves, Hydrants

6.15.1 No contractor/owner shall turn the water service on for testing purposes or uses. This is to be completed by the Town of Onoway Public Works staff, who will ensure the water service is turned on or off.

6.15.2 No person, corporation or consumer, other than if authorized by the Town in advance, shall touch, turn or disturb any fire hydrant, curb stop, water valve or anything associated with the water supply system. Approval for all connections to the Town water system as specified in this Bylaw shall require the prior approval of the Town;

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6.16 Vacant Services

- 6.16.1 Any owner of a premise requesting the water service not be disconnected after the building has been vacated shall apply in writing in person to the Town on the form supplied by the Town and shall pay the amount specified in "Schedule A" of this Bylaw;
- 6.16.2 The meter shall be read and no water shall be consumed by the vacant property;
- 6.16.3 If any water is consumed while on vacant services charges, the Municipal Manager shall reverse the monthly billing as it was prior to the commencement of vacant services and the owner of the premise will have to pay the difference of both charges or the water services may be shut off.

6.17 Curb Stops

- 6.17.1 The contractor and/or owner shall ensure that the curb stop, c.c., or water valve is at a height flush with the finished grade prior to water service being provided; and
- 6.17.2 In the event that the curb stop is inaccessible and the Town is needing to repair/maintain/shut off this curb stop the Town will undertake whatever action is required to access this curb stop and complete the necessary repair/maintain/shut off with all associated costs being charged to the property which caused the curb stop to become inaccessible.

6.18 Final Approval

- 6.18.1 A premise shall be approved for occupancy by the Safety Codes Officer only after all provisions of Section 6 have been complied with and the water meter along with proper remote reading equipment is in place. At this time final approval for occupancy shall be given.

SECTION 7 BILLING AND COLLECTION

7.1 General

- 7.1.1 All rates and charges payable hereunder shall be paid to the Town;
- 7.1.2 The Municipal Manager has authority to establish the Meter Activation Fee based on the nature of service or services and equipment being provided to a consumer and will provide the consumer with a quote for the required services that will remain in effect for a period of thirty (30) days from the date of issuance. The fee may be established using any or all of the following parts and/or services or additional equipment required to complete all associated works:
 - 1. The Water Meter at the cost for the Town to replace into inventory at the time of ordering.
 - 2. Waterline Flushing to be charged at the actual labour and material costs, should a staff member be called out after regular business hours, a minimum of 3 hours labour will be charged to the customer based on hourly rate set by Council on an annual basis.

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3. Waterline Turn On is to be charged out at the actual cost of labour, should a staff member be called out after regular business hours, a minimum of 3 hours labour being charged based on hourly rate set by Council on an annual basis.
4. Account Set Up to be charged at a rate that is set by Council on an Annual basis.
5. Additional or Special Equipment that is required to complete the associated works is to be paid by or billed to the Owner or Customer directly from the source of such equipment or services.

7.1.3 Failure of an owner or renter to receive an account shall in no way affect the liability to pay the account.

7.2 Owner Responsibility

7.2.1 The Owner will receive and pay all Town utility bills for the property that is serviced by utilities services, unless a renter/owner agreement is signed; stating that the renter will be paying and receiving the utility bills and the agreement form is received by the Town.

7.2.2 When a current renter moves out of a rental property, it is the owner's responsibility to inform the Town of the change of billing address and the owner will be responsible for payment of the utility services charges;

7.3 Renter Responsibility

7.3.1 The Renter will receive and pay all Town utility bills for the property that he/she is renting that is serviced by utility services, if a renter/owner agreement is signed, as per "Schedule B" of this Bylaw, stating that the renter will be paying and receiving the utility bills is received by the Town;

7.4 Charges

7.4.1 There shall be paid for all water supplied and sewer service rendered hereunder the amounts set out in "Schedule A" of this Bylaw.

7.4.2 **Abnormal Readings** – In the event that there is a significant volume of water consumed or utilized as a result of a faulty appliance or fixture, the account holder can apply to the Chief Administrative Officer for a One-Time adjustment that is based upon an average consumption rate using the past twelve months of usage excluding the abnormal month of consumption. The decision to provide a price adjustment is at the sole discretion of the Chief Administrative Officer.

7.5 Application - Contract – Termination

7.5.1 Application for water supply and sewer services shall be made in writing in person to the Town for this purpose together with payment of the fee. The application for water supply and sewer services may be made by the Town of Onoway in the name of the registered property owner at the time the Town is notified by the Land Titles Office if the registered property owner has not made application for water supply and sewer services before this time.

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7.5.2 No provision, agreement, term, condition or representation not contained in an application for water supply and sewer services, which contract is not transferable and shall remain in full force and effect until the consumer has notified the Town of his/her desire in writing to terminate the said contract or until said contract shall have been terminated by the Town;

7.5.3 Following written notification by a consumer of his/her desire to terminate a contract hereunder, the Town shall shut off the water supply as soon as reasonably practicable and the consumer shall be liable for and shall pay all of the rates and charges payable hereunder until the time of such shut off including the costs of such shut off, all as designated in "Schedule A" of this Bylaw;

7.5.4 All applications for connection or notification to terminate shall allow a minimum of 24 hours before such application or notification order is to become operative provided that such time period falls within the normal business hours of the Town;

7.6 Consumption

7.6.1 Subject to the other provisions of this Bylaw, the rates payable by a consumer as set out in "Schedule A" for all water supplied shall be determined by reference to the reading of the meter supplied to such consumer;

7.7 Payment Period

7.7.1 All accounts, including interim accounts for utilities services, shall be due and payable on the last working day of the month of the statement. Accounts not paid on or before that day shall be liable to a penalty of 3.5%;

7.8 Unpaid Accounts

7.8.1 Any owner who fails to pay his/her account may have the outstanding balance that is more than 30 days overdue automatically transferred to his/her property tax roll;

7.8.2 The Municipal Manager may authorize any overdue account to be transferred to the owner's property tax roll at his/her discretion;

7.8.3 There shall be an Overdue Account Transfer Fee as listed in "Schedule A" of this Bylaw charged when an account balance is transferred to the tax roll.

7.9 Reconnection Fee

7.9.1 In the event any water service has been discontinued for reason of non-payment of account rendered, a reconnection fee shall be requested before the service is reconnected, as per "Schedule A" of this Bylaw;

7.10 Enforcement and Collection

7.10.1 The Municipal Manager is authorized to transfer any outstanding utility charges to the related tax roll as the Municipal Manager deems necessary, such transfer being subject to the Administration Fee as set out in "Schedule A" of this Bylaw;

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- 7.10.2 In the event where the Town is unable to disconnect water services to a property which has unpaid utility fees, all unpaid utility fees will be transferred to the related tax roll.
- 7.10.3 Any property owner that fails to pay his/her account, that is more than 30 days in arrears, will receive the notice to disconnect and will have the applicable notice to disconnect fee applied to their utility account. Failure to either pay the account as per the notice to disconnect, or make payment arrangements with the Town, will result in disconnection of service and will be subject to the disconnection fee.
- 7.11 **Interim Account**
- 7.11.1 In any case in which the Town has rendered on account based upon an estimate of water supplied, the Town shall, upon reading the meter in respect of which the estimate was made, render an account for water supplied to that time and since the time the said meter was last read by the Town after crediting all amounts received from the consumer in respect of such estimated accounts;
- 7.12 **Single Billing**
- 7.12.1 A separate account shall be rendered in respect of each meter; and
- 7.13 **Partial Period**
- 7.13.1 Where any service rate or charge is designated by reference to a time certain, the charge for a lesser period of time shall be calculated on a proportional basis.

SECTION 8 **APPEALS**

8.1 **General**

- 8.1.1 Notwithstanding any other provisions of this Bylaw or "Schedule A", any consumer who feels himself aggrieved in respect of rates charges to him/her under "Schedule A", on the grounds that such rates are unfair, unreasonable or discriminatory may, by notice of appeal in writing delivered to the Municipal Manager specifying the grounds of such appeal, appeal such rates. Such appeals shall in the first instance heard and determined by the Municipal Manager, provided that if such consumer is not satisfied with such determination, he may further appeal the matter to Council and the decision of Council shall be final.
- 8.2.1 In the event that a resident would like to appeal their bill on the premise if a "One Time" billing consideration for uncharacteristically high consumption, they must send a copy of the letter to the Chief Administrative Officer outlining such request along with a copy of their consumption history and the reason for the water loss/use. The Chief Administrative Officer may at his/her sole discretion, grant a remedy that he/she sees reasonable at the time of the occurrence.

SECTION 9 **PENALTIES**

9.1 **General**

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- 9.1.1 Any person found to be violating any provision of this ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall within the period of the time stated in such notice, permanently cease all violations;
- 9.1.2 Any person who shall continue any violation beyond the time limit provided for in paragraph 9.1.1 shall be guilty of a misdemeanour and a conviction shall be fixed in the amount not exceeding two hundred dollars (\$200.00) for each violation. Each day in which any violation shall continue shall be deemed a separate offence; and
- 9.1.3 Any person violating any of the provisions of this Bylaw shall become liable to the Town for any expense, loss or damage occasioned to the Town by reason of such violation.
- 9.1.4 Any person who contravenes, disobeys, refuses or neglects to obey any provision of the bylaw is *guilty of an offence and liability on summary conviction of a fine of up to \$500.00 plus costs.*

SECTION 10 **AMENDMENTS**

10.1 **General**

- 10.1.1 The Council of the Town of Onoway may, by Bylaw or resolution in Council, alter, amend or repeal any or all of the Schedules which form part of the Bylaw.

SECTION 11 **VALIDITY**

- 11.1 Bylaw 738-18 shall be rescinded in its entirety upon effective date of this bylaw.
- 11.2 That this Bylaw shall take effect on the 5th day of February, 2019.

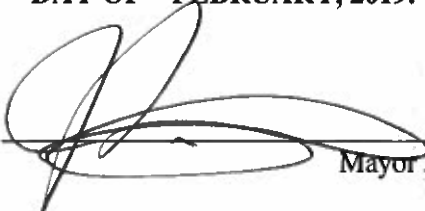
READ A FIRST TIME THIS 5th DAY OF FEBRUARY, 2019.


READ A SECOND TIME THIS 5th DAY OF FEBRUARY, 2019.

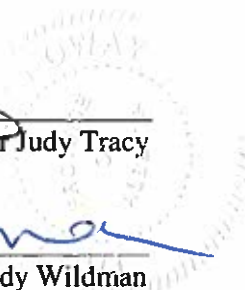
UNANIMOUSLY CONSENTED TO FOR THIRD READING THIS 5th DAY OF FEBRUARY, 2019.

READ A THIRD AND FINAL TIME THIS 5th DAY OF FEBRUARY, 2019.

Signed February 5th, 2019.


Mayor Judy Tracy


Chief Administrative Officer, Wendy Wildman



**TOWN OF ONOWAY
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**SCHEDULE A
Rate Schedule
effective for January 1st, 2019 consumption billings**

Water Rates		
Water System Charges – Monthly Basis		
\$ Based on Water Meter Size	Metric Water Meter	Imperial Water Meter
\$11.70	15 mm	5/8"
\$29.00	20 mm	3/4"
\$71.30	25 mm	1"
\$193.25	40 mm	1 1/2 "
\$362.70	50 mm	2 "
\$849.50	75 mm	3"
\$1,532.00	100 mm	4"
\$1,957.13	150 mm	6"
\$2,382.26	200 mm	8"
Water Commodity Charge		\$5.60 per cubic meter
Water Commodity Charge – residential construction (unmetered) 1" line		\$150.00/month (unmetered)
Water Commodity Charge – commercial construction (unmetered) 1" line & up		\$500.00/month (unmetered)
Water Commodity Charge – multi unit (unmetered)		\$150.00/month plus \$75.00 for each additional unit/month
Water Commodity Charge – Fire Department (cost + 20%)		\$6.72 per cubic meter (cost + 20%)
Bulk Water Sales/Sales to Non Town Users (cost + 20%)		\$6.72 per cubic meter (cost + 20%)
WILD Water Phase I Debenture Charge		\$5.20 per month per customer
WILD Water Phase II Debenture Charge		\$3.30 per month per customer

Sewer Rates		
Sewer System Charge – Monthly Basic		
\$ Based on Water Meter Size	Metric Water Meter	Imperial Water Meter
\$7.25	15 mm	5/8"
\$13.45	20 mm	3/4"
\$29.50	25 mm	1"
\$75.45	40 mm	1 1/2 "
\$139.50	50 mm	2 "
\$323.00	75 mm	3"
\$579.70	100 mm	4"
Sewer usage shall be determined by water consumption and shall be the same, regardless of where the water was deposited.		
Sewage Commodity Charge		\$1.44 per cubic meter
Sewage Commodity Charge (no water meter)		\$25.00 per month

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SEWER FORCEMAIN REPLACEMENT	\$6.30 per month per customer

Miscellaneous Rate	
Administrative Fee – monthly on each utility bill	\$5.00
Overdue Account Transfer Fee	\$25.00
Inspection Fee for New Infrastructure Connection Permit (6.2)	\$100.00
Notice to Disconnect (letter)	\$50.00
Special Meter Reading (Other than Terminal)	\$100.00
Meter Test or System Test	\$100.00
Service Kill/Service Disconnect (unpaid account)	\$50.00
Connection or Reconnection of water service	\$50.00
Connection or Reconnection of water service within 2 hours	\$100.00
Vacant services	\$30.00/month
Bylaw Contravention (any section)	\$200.00

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Schedule B – Renter/Owner Agreement

Date: _____

Town of Onoway
Box 540
Onoway, AB T0E 1V0

RE: Property Located at: _____
Utility Account # _____
Meter Read _____
Effective Date _____

Dear Utility Clerk:

I am the property owner of the above noted property located within the Town of Onoway.

I am renting this property to:

Renter's Name

Mailing Address & Phone Number

The above named renter and I agree that the water, sewer and garbage bill for this property will be mailed to the renter. However, as the owner, I acknowledge that I am ultimately responsible for the payment of the billing. I also acknowledge that any unpaid balance from this account can be transferred to this property tax roll, at the discretion of the Town of Onoway. I agree that water service will be shut off at this property for non-payment **only at my request**. The Town of Onoway is not obligated to collect unpaid accounts on my behalf.

Owner's Name – Please print

Owner's Signature

Date

I am the above named renter and I agree that any information regarding my utility account may be released to the property owner at any time at the request of the owner **OR** at the discretion of the Town of Onoway.

Renter's Name – Please Print

Renter's Signature

Date

(The above information is being collected for the purposes stated)

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WATER & SEWER CONNECTION PERMIT
4812 – 51st Street
Onoway, AB T0E 1V0
Phone: (780) 967-5338
Fax: (780) 967-3226

Tax Roll # _____
Dev. Permit # _____

Permit Fee \$50

<input type="checkbox"/> New Installation Single	<input type="checkbox"/> Detached Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
<input type="checkbox"/> Service Disconnection	<input type="checkbox"/> Multi-Family	<input type="checkbox"/> Institutional	

PLEASE RETURN FORM AND ATTACHMENTS TO THE ONOWAY TOWN OFFICE.

Applicant (Contractor): _____

Project: _____

Municipal Address: _____

Legal Address: Lot: _____ Block: _____ Plan: _____

Contact Name: _____

Contact Phone#: _____ or _____

Proposed Work: Water Service Size _____ mm _____ inches

Sanitary Sewer Service Size _____ mm _____ inches

Storm Sewer Service Size _____ mm _____ inches

Stamped Engineering Drawings Attached? Yes No

Proposed Construction Date: From: _____ To: _____

Conditions:

- Permit is not valid unless authorized signature completed below.
- Stamped Engineering Drawings required for water services larger than 25 mm (1 inch) and for sanitary sewer larger than 150 mm (6 inches). All Multi Family, Commercial, Industrial and Institutional developments require stamped Engineering Drawings.
- All work must conform to the Town Engineer's Standards as determined by the **General Manager of Planning and Infrastructure**. Water Service **MUST** be Type K Copper and Sanitary Sewer Service **MUST** be PVC-SDR 35. Any work completed with materials other than these shall be replaced at the sole cost of the applicant
- Only authorized Town personnel to operate water shut off valves at or near the property line.

Subject to this application being approved, the undersigned acknowledges responsibility for all work and materials associated with the project, including any damages to any Public Utilities or local improvements including but not limited to curb stops, water shut off valves, curbs, sidewalks, roadways, lanes, etc. The applicant shall be responsible for the prevention and/or clean up of any spillage, littering or garbage associated with this project. No ground water of any kind including weeping tile, roof down spouts, or site drainage shall be allowed to enter the sanitary sewer system.

THE APPLICANT HEREBY AGREES TO ABIDE BY THE TOWN WATER & SEWER BYLAW AND ALL THE ABOVE NOTED CONDITIONS:

Applicant's Signature: _____ Date: _____

Applicant's Printed Name: _____

Town of Onoway Authorization for Permit: _____

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The Information on this form is collected under the authority of Paragraph 32c. of the Alberta Freedom of Information and Protection of Privacy Act, SA, 1994, Ch.F-18.5, and shall only be used for the purpose for which it was collected.