



**TOWN OF HIGH LEVEL
WATER AND SEWER BYLAW
BYLAW NO. 915-11**

A BYLAW OF THE TOWN OF HIGH LEVEL RESPECTING THE WATER AND SEWER SYSTEM.

WHEREAS, The Town of High Level owns a water treatment and distribution system and a sanitary sewer system and storm drainage system; and

WHEREAS, under the authority and pursuant to the provisions of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta and amendments thereto, the Council may pass a bylaw governing the management of the Town's water system, sewer system and storm drainage system.

NOW THEREFORE, the Council of the Town of High Level in the Province of Alberta, DULY ASSEMBLED, HEREBY ENACTS AS FOLLOWS:

SHORT TITLE

1. This bylaw may be cited as the "Water and Sewer Bylaw".

DEFINITIONS

2. In this bylaw, unless the context otherwise requires,
 - a) "**ACT**" means the Municipal Government Act, Revised Statutes of Alberta, 2000 and amendments thereto;
 - b) "**AUTHORIZED EMPLOYEE**" is a person appointed by the Town's Chief Administrative Officer to act on behalf of the Town with regards to the Town's water and sewer and storm drainage systems.
 - c) "**CAO**" means the Chief Administrative Officer of the Town, a person duly appointed pursuant to the Act and the Town's Chief Administrative Officer Bylaw;

- d) **"CODE"** means the Alberta Environmental Protection standards and guidelines for Municipal Waterworks, Wastewater and Storm Drainage systems and/or the Alberta Plumbing Code.
- e) **"COUNCIL"** means the Council of the Town of High Level, elected pursuant to the Local Authorities Election Act, Revised Statutes of Alberta;
- f) **"MINIMUM WATER AND SEWER FACILITIES"** means one water closet toilet and one cold water tap connected to the water and sewer mains.
- g) **"OWNER"** means a corporation, person, persons, or society or other entity who is the registered landowner, or authorized landowner, or authorized such, requiring the service and who is responsible for the cost of same, as the context requires;
- h) **"PEACE OFFICER"** means a person employed for the purposes of preserving and maintaining the public peace;
- i) **"SEWER"** means the Town's sanitary sewer system, including all mains, treatment and storage facilities;
- j) **"STORM DRAINAGE"** means the Town's storm drainage system, including ditches, catch basins, underground works, and outflows;
- k) **"TOWN"** means the municipality of the Town of High Level, an incorporated body in the Province of Alberta;
- l) **"WATER"** means the Town's Waterworks system, including all mains, storage and treatment facilities.

USE AND CONTROL OF THE WATER, SEWER AND DRAINAGE SYSTEM

- 3. The use and control of all water, sewer and drainage systems belonging to the Town, now laid down, constructed or built subsequent to the passing of this bylaw, shall be in accordance with this bylaw and shall be under the management and control of the CAO of the Town.

REQUIREMENT TO CONNECT

- 4. Each and every occupied building situated on land abutting on the water and/or sewer mains of the Town, shall be connected by connections approved by the Town to the said water and/or sewer mains and shall be serviced with at least the Minimum Water And Sewer Facilities.

- a) If an Owner fails to make any connection of their property with any system within 60 days after receiving notice from the Town to do so, the Town may cause the required connection to be made and charge the costs thereof against the property, effective as though the connection had been made at the request of the Owner.
 - i) These costs involved are a debt due to the Town and may be recovered as such.
 - ii) The statement and demand for payment may be served by ordinary mail addressed to the occupant, at his last known address, and a copy to the Owner of the land at the address on the assessment roll.
 - iii) If the person or persons on whom the statement is served fails to pay the amount set out in the statement within 30 days, the Town may cause the amount of the statement to be placed on the tax roll as an additional tax against the land concerned and the amount may be collected in the same manner as any property taxes are due and payable.
- b) The CAO may extend the date or dates for the completion of the connections of any property to the water and/or sewer mains upon an application for an extension of time being submitted by the Owner of the property.

TAPPING WATER AND SEWER MAINS

5.
 - a) No persons except authorized employees of the Town, or persons duly authorized by the Town, shall make any connection or communication whatsoever with any of the public pipes or mains in the public thoroughfares of the Town.
 - b) All water service pipes laid in private property, between the property line and the water meter, shall be of a material to meet the code. No connection may be made to the water service pipe between the main line and the meter.
 - c) All sewer service pipes laid in private property, between the property line and the interior of the building, shall be of a material to meet the code.
 - d) Unless otherwise approved in writing by a certified engineer, all new sewer connections shall have a back flow prevention device installed, and such device must meet the Code and may be inspected by an authorized employee,
 - e) A separate and independent water and sewer service shall be provided to every building. If any building requires more than one water meter a separate shut-off valve is required for each meter, unless otherwise required or approved in writing by the CAO.

- f) All tapping, extra shut off valves, and backfilling shall be done to meet the code and at the cost of the Owner.

INSPECTIONS

- 6. The Town is responsible for the inspection of all service connections, including the type of materials used.
 - a) All connections require a utility connection permit, and shall be inspected and approved prior to backfill by an authorized employee. However, any damage during backfilling shall be the responsibility of the Owner.
 - b) If any connections to the Town's water and sewer system are covered or concealed before it is inspected, or tested, it shall be uncovered if the authorized employee so directs at the cost of the Owner.
 - c) A minimum of two (2) working days notice is required for all inspections. If the inspection is an urgent situation requiring a response in less than the required two (2) working days, and the Town agrees to respond in less than two (2) working days, the cost of responding to such a request can be billed at a rate set by Council from time to time by resolution or bylaw in addition to normal fees to the Owner to whom the water and sewer charges are being billed, have been billed or will be billed.

METERS

- 7. Where meters are installed for the measuring of water, all Owners shall give access to every facility for the introduction, placing, inspection, and reading of such meter, and shall protect it from interference or injury by frost or otherwise, and shall be liable for any damage which may occur to the meter. If access to a water meter isn't granted within 30 days of a written request being issued the service to that property may be disconnected until such time as access to the meter is received.
 - a) Each and every water service attached to the water system shall be metered and the water consumed, as indicated by the meter, shall be paid for in accordance with the rates set by Council from time to time by resolution or bylaw.
 - b) All piping of new water installations shall be done in such a manner as to accommodate the installation of a water meter. The appropriate dimensions for each meter and the required meter connections may be obtained from an authorized employee of the Town and it shall be the responsibility of those installing the plumbing to avail themselves of this information.

- i) Where alterations to the piping system are required to accommodate a water meter, the cost of said alterations will be charged to the Owner.
- c) All meter locations shall be subject to the approval of the Town and must be installed at the point of entry of the service to the building and must be accessible for meter reading and repair.
- d) There shall be no branch line or water consuming appliances affixed to the service line on the street side of the meter with the exception of fire protection service lines.
 - i) In the case of fire services line, these shall be used solely for supplying fire protection only and may be taken off the main supply line between the meter and the “Stop and Drain” valve.
 - ii) It shall be the responsibility of the Owner during the installation to ensure that this line is attached to fire protection services only.
- e) All meter locations shall be so constructed as to facilitate the installation of the meter in a horizontal position.
- f) The Town will supply all water meters in the Town and they must be installed by and at the expense of Owner requiring the service. All water meter installations shall be subject to an inspection by an authorized employee.
 - i) All meters, are and will remain the property of the Town and as such shall be moved, changed, repaired, etc. by authorized employees only and at the discretion of the Town.
 - ii) Should an installation prove to be inadequate upon inspection, the Owner shall alter the installation to the satisfaction of the Town and at the expense of the Owner requiring the water meter installation.
- g) All shut-off valves and meters must be left accessible for inspections, repair, removal, maintenance, reading, and testing, at all reasonable times. If any shut-off valves or meters are covered they shall be uncovered at the expense of the Owner.
- h) Any damage caused to meters through abuse, tampering, freezing or hot water shall be considered the responsibility of the Owner. This damage must be repaired and/or the meter replaced and all costs and expenses involved therein shall be borne by the Owner.
- i) The Owner must report to an authorized employee of the Town any damage caused to their meter within one regular working day upon discovering the damage.

- ii) An authorized employee may undertake such repairs/replacements and charge all costs to the account of the Owner.
 - iii) The Owner shall be responsible for the installation of the repaired/replacement meter and must install the said meter within the time specified by the authorized employee.
- i) Repairs necessitated to meters through normal operation and wear and tear will be repaired by the Town and will be considered as an operating expense and as such, charged to the water department.
 - j) No meter by-pass lines shall be installed without having obtained prior written approval from the Town.
 - k) All meters and meter installations shall be sealed by the Town. Where a by-pass line and valve are installed around the meter, this valve shall also be sealed in a closed position. These sealing devices will be installed by authorized employees only and are not to be broken, except in the case of emergency when the seal on a by-pass valve may be broken. The breaking of any seals whether by accident or emergency shall be reported immediately to the Town office.
 - l) Should a Owner request a meter be removed for a calibration check, all costs involved therein shall be borne by the Owner except if and when the meter is found to be registering in excess of the allowances made by the code. Should this latter case arise, the cost therein would be carried by the Town's waterworks department.
 - m) The size of all meters installed shall be determined by the Town and will not necessarily conform to the size of service pipe installed in the building but will, however, be based on the estimated rate of consumption.
 - n) Should a meter cease to operate between meter reading periods, billing of the account will be done on an estimated consumption for the period. This estimate will be based on previously obtained consumption figures.
 - o) Each meter shall be read by the Town monthly. In the event a meter cannot be read, the Owner shall provide access to the meter in accordance to Section 7.

TURNING SERVICES ON/OFF

- 8. a) After any construction, reconstruction, alteration or change, or the completion of any work requiring a permit, water shall not be turned on to any building or premises until after the whole of the work has been done to the satisfaction of the Town. Water shall be turned on or off only by an authorized employee of the Town.

- b) All applications for water and sewer service connections or disconnections shall be made in a form prescribed by the Town and shall be accompanied by all required fees as set by Council from time to time. A minimum of two (2) working days notice is required for all connections and disconnections. If the connection/disconnection is an urgent situation requiring a response in less than the required two (2) working days, and the Town agrees to respond in less than two (2) working days, the cost of responding to such a request will be billed in accordance with Bylaw No. 889-09 "Schedule G" as amended by Council from time to time to the Owner to whom the water and sewer charges are being billed, have been billed or will be billed.

WATER AND SEWER SERVICE CHARGES

9.
 - a) Water and sewer service charges or rates shall be levied and collected monthly from all Owners.
 - b) Failure of the Owner being charged for water or sewer service, to receive a monthly bill, shall in no way affect the liability of such Owner to pay such levies or charges.

INTERFERENCE WITH HYDRANTS AND VALVES

10. Except as hereinafter provided, no person other than authorized employees of the Town shall open or close or operate or interfere with any valve, hydrant, or draw water therefrom.
 - a) The Fire Chief of the Town Fire Department, his assistants and officers, and members of that Department, are authorized to use the hydrants for the purpose of extinguishing fires, or for making trial of hose pipe, or for fire protection, but all such uses shall be under the direction and supervision of the said Fire Chief or his duly authorized assistants, and in no event shall any inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant.
11. No person shall in any manner obstruct the free access to any hydrant or valve or stop cock. No vehicle, building, rubbish, concrete, asphalt, or any other matter which would cause such obstruction shall be placed nearer to a hydrant than the property line of the street in which the hydrant is located, nor within a 1.2 meter radius of the hydrant.

RATIONING OF WATER

12. The CAO or a Designated Officer of the Town may order water rationing as and when needed.

USE AND PROTECTION OF SEWER SYSTEM

13. a) No person shall throw, deposit or leave in or upon any Town sewer or storm drainage, or any trap, basin, grating, or other appurtenance of any Town sewer, any butchers' offal, garbage, litter, manure, rubbish, sweepings, sticks, stones, bricks, feathers, tar, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, glass, rags, cinders, ashes, any inflammable, hydrocarbon or explosive material, or refuse matter of any kind, except feces, urine, the necessary closet paper, waste water, slops properly discharged through the Town's sanitary sewer.
- b) No person shall permit to be discharged into any sewer, any liquid or liquids which would prejudicially effect the sewers or the disposal of the sewage, or any matter of substance by which the free flow of the sewage may be interfered with, or any chemical refuse, or other trade waste, or any waste stream, condensing water, or other liquids of a higher temperature than sixty-five (65) degrees Celsius.
- c) No person shall make or cause to be made any connection with any Town sewer, or house drain, or appurtenance thereof for the purpose of conveying, or which may convey, into the same any roof drainage, cistern or tank overflow, condensing or cooling water, or discharge the contents of any privy vault, manure pit or cesspool, directly or indirectly, into any Town sewer or house drain connected therewith without the written permission of the CAO.
- d) No person shall turn, lift, remove, or tamper with the cover of any manhole ventilator or other appurtenance of any Town sewer, except duly authorized employees of the Town.
- e) Weeping tiles and similar appurtenances shall not discharge into the sanitary sewer system. Connections to storm sewer systems shall be permitted only if the storm water system is designed to handle weeping tile flow and only after the Town has reviewed and accepted the design.
- f) No waste or discharge resulting from any trade, commercial, industrial or manufacturing process, shall be directly discharged to any Town sewer without such previous treatment as shall be prescribed the Town or by the Code for such cases. The necessary treatment work so prescribed shall be completely installed by the applicant, at the applicant's expense, prior to the construction of the sewer connection, and thereafter shall be continuously maintained and operated by the applicant. Grease, oil, sand or mud, sumps or interceptors shall be provided by the Owner, where in the opinion of the Town they are necessary for the proper handling of liquid wastes containing grease, oil, sand or mud, or other harmful ingredients. Grease traps of sufficient size and approve design shall be placed on the waste pipes from all hotels, restaurants, laundries, and such other places as the Town may direct.

- g) Authorized employees of the Town shall have the right at all reasonable times to enter houses or other places which have been connected with the Town sewers, and facilities must be given him to ascertain whether or not any improper material or liquid is being discharged into the sewer, and they shall have the power to stop or prevent from discharging into the sewer system any private sewer or drain through which substances are discharged which are liable to injure the sewers or obstruct the flow of sewage.
- h) The cost required to repair such damage as determined upon inspection shall be charged to the Owner.
- i) The Owner of a property served by a public sewer shall be responsible for the cost of servicing, clearing, rodding, removing blockages or tree roots, or maintaining in any way the sewer lateral or sewer connection that serves the property, including any portion of the sewer lateral or sewer connection which is upon, under, or over public property up to the point of connection to the main sewer or drain line. The main lines are under the responsibility of the Town of High.

USE AND PROTECTION OF THE STORM DRAINAGE SYSTEM

- 14. a) No person shall throw, deposit or leave in or upon any Town storm drainage system, or any trap, basin, grating, or other appurtenance of the Town's drainage system, any butchers' offal, garbage, litter, manure, rubbish, sweepings, sticks, stones, bricks, feathers, tar, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, glass, rags, cinders, ashes, any inflammable or explosive material, feces, urine, closet paper, waste water, slops, or any other liquid or chemical or refuse matter of any kind.
- b) No person shall turn, lift, remove, or tamper with the cover of any manhole ventilator, catch basin grate, screen or other appurtenance of the Town storm drainage system, except duly authorized employees of the Town.
- c) No person shall cut, break, pierce, or tap the Town storm drainage system or appurtenance thereof, or induce any pipe, tube, trough, or conduit into the Town storm drainage systems, unless so authorized by the CAO.
- d) No person shall interfere with the free discharge of the Town storm drainage system, or part thereof, or do any act or thing which may impede or obstruct the flow, or clog up the Town storm drainage system or appurtenance thereof.

UTILITY GUARANTEE DEPOSITS

- 15. a) If in any case money deposited with the Town as a guarantee deposit remains unclaimed for a period of one (1) year after the account of the person so depositing it

has been discontinued, the amount of the deposit shall be transferred to the general revenue account of the Municipality.

- b) The Town remains liable to repay the amount of the deposit to the Owner lawfully entitled thereto for a period of seven (7) years next following the discontinuance of the account but after the seven (7) year period the deposit becomes the absolute property of the Town free from any claim in respect thereof.

PENALTIES AND SERVICE DISCONNECTION

- 16. a) Accounts which are in arrears by 30 days may be issued a shut off notice requiring payment before the account is 60 days in arrears. Once the notice is issued, payments may be required to be made at the Town office in the form of cash or certified cheque. If the account becomes 60 days in arrears, the service may be terminated. Reconnection of the service will occur only after the account is paid in full, including all late payment penalties, and upon payment of the specified Reconnection fee as set by Council from time to time. Outstanding utility amounts may be applied as an amount due registered on the tax roll after the account becomes 60 days in arrears OR a change in ownership of the property associated with the account appears imminent. Transfers to the tax roll require CAO approval. *Amended May 28, 2018 Res# 229-18*
- b) In the event that a water service has been disconnected at the request of a Owner whose water and sewer account was fully paid, and the Owner subsequently desires the service to be reconnected, a specified fee as set by Council from time to time shall be payable to the Town for turning on the service.
- c) A property occupant may enter into a formal payment plan with the Town with respect to utilities arrears owing for his or her service address at the discretion of the Taxation & Utilities Clerk or the Director of Finance. Upon approval and enactment of such a payment plan, service at that service address will not be terminated as long as the conditions of the plan are met. *Amended May 28, 2018 Res# 229-18*
- d) Termination of water service shall be at the discretion of the Taxation & Utilities Clerk or the Director of Finance. *Amended May 28, 2018 Res# 229-18*
- e) Any lack of action or enforcement of any of the foregoing provisions and penalties shall not constitute any waiver of those rights, action and provisions. *Amended May 28, 2018 Res# 229-18*

OUTSIDE USERS

- 17. Council may, by resolution, provide for the supply of water to Owners located outside the municipal boundaries of the Town, and
 - a) set water rates which differ from the regular rates in effect from time to time;

- b) require such Owners to meet conditions not applicable inside Town boundaries; and
- c) in addition, require such Owners to comply with any or all the clauses of this Bylaw.

ENFORCEMENT

- 18.
 - a) Where a Peace Officer believes that a person has contravened any section of this bylaw, the Peace Officer may serve upon such a person a voluntary payment tag in a form designated by the Town allowing payment of the penalty specified in Schedules "A and such payment shall be accepted by the Town in lieu of prosecution for the offence.
 - b) If the person upon whom a voluntary payment tag is served fails to pay the required sum within the time specified in the voluntary payment tag, the provisions of this section regarding acceptance of payment in lieu of prosecution do not apply.
- 19. A Voluntary Payment Tag shall be deemed to be sufficiently served:
 - a) If served personally on the accused, or
 - b) Served personally to a person who is 18 years of age or older or appears to be 18 years of age or older that resides either permanently or temporarily at the residence
 - c) If mailed by ordinary mail to a registered owner of the residence or to the tenant of that residence
 - d) If affixed to what the Peace Officer reasonably believes to be the Primary Entrance to the residence
- 20.
 - a) Any Person who contravenes any provision of this bylaw by:
 - i) Doing any act or thing which the person is prohibited from doing; or
 - ii) Failing to do any act or thing the person is required to do;is guilty of an offence.

Any Person who is convicted of an offence pursuant to this bylaw is liable on summary conviction to a fine not less than Two Hundred (\$200) Dollars but not exceeding Five Thousand (\$5000) and in default of payment of any fine imposed, to a period of imprisonment not less than 7 days and not exceeding sixty (60) days or until such fines are paid.

- 21. The specified penalty applicable for a first offence against a particular Section of this bylaw shall be the specified penalty as set out in Schedule “A”
- 22. a) Where a Peace Officer reasonable believes that a person has contravened any provision of this bylaw, the Peace Officer may commence proceedings against the person pursuant to the provisions of the Provincial Offences Procedures Act, allowing for a voluntary payment in the amount of the specified penalty as set out in Schedule “A”
- b) This Section shall not prevent any Peace Officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, or from laying any information in lieu of issuing a violation ticket.
- 23. The document attached hereto and marked Schedule ‘A’ shall form part of this bylaw.
- 24. It is the intention of the Council of the Town of High Level that each provision of this bylaw shall be deemed independent of all other provisions and it is further the intention of the Council of the Town of High Level that if any provisions of this bylaw be declared invalid, all the other provisions shall remain valid and enforceable.
- 25. The documents attached and marked Schedules “A” are hereby incorporated into and form part of this bylaw.

REPEALING OF FORMER BYLAWS

- 26. Bylaws No. 644-97 and all amendments thereto, are hereby repealed.

DATE OF COMMENCEMENT

- 27. The Provisions of this bylaw shall come into force and effect upon receiving third and final reading.

READ A FIRST TIME this 14 day of day of November, 2011.

(Original signed) _____
 Mayor

(Original signed) _____
 Designated Officer

READ A SECOND TIME this 14 day of day of November, 2011.

(Original signed) _____
Mayor

(Original signed) _____
Designated Officer

READ A THIRD TIME AND FINALLY PASSED this 14 day of day of November, 2011.

(Original signed) _____
Mayor

(Original signed) _____
Designated Officer

SCHEDULE "A"

Description

Specified Penalty

All sections:

- | | |
|--|-----------|
| a) first offence | \$200.00 |
| b) second offence within 1 year | \$500.00 |
| c) third and subsequent offences within 1 year | \$1000.00 |