

Bylaw #2018-03

Utility Bylaw

A Bylaw of the Village of Alliance, in the Province of Alberta, to regulate and control the provision of water, sewer, and garbage services to residents, business, industry, and institutions within and surrounding the Village of Alliance, and to repeal Bylaw 2018-02.

WHEREAS, pursuant to the provisions of Sections 33 to 44 of the Municipal Government Act S.A. 1994 c M-26.1, with all amendments thereto, Council has authority to provide for levying and collection of service charges, tolls, and penalties for the consumption and discharge of water, sewer, and garbage by residents, business, industry, and institutions within and surrounding the Village of Alliance,

NOW THEREFORE, the Council of the Village of Alliance duly assembled, enacts as follows

GENERAL PROVISIONS

- 1) No person, company or business other than the Village shall provide the same or similar type of utility as is outlined in this By-Law in any part of the Village except where special permission is given by the Administrator.
- 2) The Village will supply utility service to the owner of the property that is a residential premises or commercial premises regardless of the fact that it may be rented or leased.
- 3) The owner of the property shall be responsible for the construction, maintenance and repair of the portion of the water service line and sewer service line from the property line service connection to the main line of the system or works.
 - a) Despite section 3) the owner of the property is not responsible for the repair of the portion of the water service line and sewer service line from the property line service connection to the main line of the system or works if the service line infrastructure has failed due to no fault of the owner of the property being serviced.
- 4) A charge shall be made against the owners of all land which is served by the said systems and services in the Village of Alliance, for the use of water supply and distribution system, sewage services and use of sewage system, and garbage disposal services according to rates hereinafter set from time to time by resolution of Council, and set out in Schedule A.

WATER-WORKS

- 5) Village hereby reserves the right to shut off the water without notice to the consumer for any lawful reason.
- 6) No person other than the Village Foreman or his duly authorized agent shall turn off or turn on the water supply from the Village supply system to the owner's premises, or attempt to do so.
- 7) There shall be a charge of a reconnection and a disconnection fee as per Schedule A to restore water supply that has been turned off due to either a delinquent account or if requested by the property owner.
- 8) No person shall have any claim for compensation or damages resulting from the Village shutting off the water without notice, or from the failure of the water supply from any cause whatsoever.
- 9) The Village shall have the right to restrict or ration the amount of water used during periods of heavy demand, upon 24 hours' notice conditions permitting, or interrupt the service for necessary maintenance, repairs, or fire-fighting, or any other possible emergencies.

METERS

- 10) All users of the water service must allow the Village to install a water meter in a suitable place on the owner's premises. The Village is responsible for the cost of the meter and basic installation.
- 11) The Village or its' duly authorized agent shall have the right to enter the premises at periodic intervals;
 - a. For the purpose of conducting sampling tests, inspections, repairs, or remote readings or the installations, inspections, repairing or replacing of water Meters or any equipment associated with the distribution or retrieval of water within a rate payer's property within the Village.
 - b. The Foreman or an authorized Designate for that purpose shall have free access to all parts of the premises in which water is distributed to and/or is serviced by a sewer.
 - c. If entry by the Foreman or an authorized Designate is refused by the owner or occupant, the Bylaw Enforcer will be notified and will accompany the Foreman on the next attempt of entry, cost for including the Bylaw Enforcer will be applied to the owner of the property. If the occupant refuses entry again, a violation ticket will be issued in the amount of \$100.00.
- 12) Water meters shall at all times remain the property of the Village of Alliance.
- 13) Only the Village's duly authorized agent shall be allowed to adjust the water meter in any way.
- 14) The user shall not allow any other person at any time to tamper with or interfere with the water meter.
- 15) Any damage to the said water meter shall be paid for by the owner of the property receiving the water services, on the basis of costs required plus labor charges.
- 16) Should any person claim a meter is not working properly and is over reading; said person shall deposit with the Village the sum as stated in the Schedule A. The meter will then be removed from service and receive testing.
 - a. Any meter which meets the requirements shall be considered adequate, and the said person shall forfeit the deposit to the Village to cover costs of removal and test of said meter.
 - b. If a meter is found to be inaccurate, the accounts based upon the reading of that meter for the maximum of six (6) monthly bills preceding the date of such test shall be corrected in proportion to the error of the meter in excess of the above limits and the customer shall pay or shall be refunded payment.

WASTEWATER

- 17) No person except authorized employees of the Village shall make any connection or contact whatsoever with any of the public pipes or mains in the public thoroughfares of the Village unless authorized by the Director of Public Works.
- 18) Use and Protection of Sanitary Sewer System
 - a. No person shall throw, deposit or leave in/or upon any village sanitary sewer, or any trap basin, grating, manhole or other appurtenance of any village sanitary sewer, any butcher's offal, dairy waste, slaughterhouse waste, food processing waste, animal waste, organic garbage, litter, manure, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, cinders, ashes, rags or refuse matter of any kind, except human excrement, the necessary closet paper, and waste water properly discharged through a house sewer into a village sanitary sewer.
 - b. No person shall permit to be discharged into any sanitary sewer system and/or around the sanitary sewer any chemical refuse, or other trade waste, or any waste stream,

- condensing water, heated water, or other liquids of a higher temperature than seventy five (75) degrees Celsius or any other refuse matter of any kind not specifically listed.
- c. No person shall make, or cause to be made, any connection with any Village sanitary sewer, house drain or 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, condensing or cooling water, or water from sump pit.
 - d. No person shall discharge the contents of any privy vault, manure pit or cesspools, directly or indirectly, into any village sanitary sewer or house drain connected therewith.
 - e. No person shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any village sanitary sewer, except duly authorized employees of the Village.
 - f. No person shall cut, break, pierce, or tap any village sanitary sewer or appurtenance thereof, or introduce any pipe, tube, trough, or conduit into any town sanitary sewer, except duly authorized employees of the Village.
 - g. No person shall interfere with the free discharge of any village sanitary sewer, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any village sanitary sewer or appurtenance thereof.

DISCONNECTION/RECONNECTION

- 19) A consumer shall pay a disconnection service charge as per Schedule A, which may be added to his/her account for any service call which is made for the purpose of discontinuing a utility service or at the owner's request, for whatever reason, to have services discontinued.
- 20) Where a service call is made for the purpose of restoring services, a reconnection service charge as per Schedule A will be added to the consumer's account where utility services were previously discontinued.
- 21) Having a service disconnected does not cancel the Monthly Utility Infrastructure Maintenance Fee or the monthly Garbage Fee as per Schedule A during the time of disconnection. This applies even if the curb stop has been turned off.

UTILITY BILLING

- 22) At an interval to be determined by resolution of Council, the Village shall mail or deliver to each owner of properties receiving the above-mentioned services, a statement showing
 - a. Water charges calculated as per the rates set out in Schedule A
 - b. Sewer charges calculated as per rates set out in Schedule A;
 - c. Garbage charges calculated as per rates set out in Schedule A.
 - d. The statement shall clearly show the date by which payment is required, and the rates at which any penalty shall be applied.
- 23) Property owners opening a new utility account shall pay a security deposit prior to the commencement of utility services, as per Schedule A. After a period of one year of the customer's account being current at all times, a credit in the amount of the security deposit will be applied against the utility account.
- 24) All utility bills and other charges are deemed to have been received by the utility account customer, seven (7) days from the date of mailing from the Village Office. The failure to receive such notice does not relieve the Person from the charge or from the penalties duly imposed.
- 25) All water, sewer, and garbage accounts shall be due and payable on the last day of each month. Accounts not paid in full after that time shall be assessed a penalty of three and one half per cent (3.5%) per month on the amount remaining unpaid. Such penalties shall be added to and form part of the rates levied.
- 26) Residents whom are absent from their properties for an extended period of time, or whom move and leave an empty residence, shall be charged regular rates as set out in Schedule A. This applies even if water has been shut off at the curb stop.

- 27) In the event an account becomes delinquent for a period of 60 days, then either
- a. Upon resolution of Council, the water may be turned off at the curb stop, after giving 7 days written notice to both occupant and owner. Notice shall be hand-delivered or mailed by registered mail or,
 - b. For all property owners, in the event the utility account remains unpaid for 60 days or more, the unpaid charges for utility services will be added to the tax roll, as needed and a service charge will apply, as per Schedule A. As in accordance with Section 553(1) and amendments thereto. A letter shall be sent to the owner advising that the outstanding account is being transferred to the tax roll,
- 28) Property owners are responsible for all utility services delivered and all charges levied to a vacant or rented property for water, sewer, infrastructure fees and garbage services. Current and future renters are not eligible for utility services in their names living in a rental unit in the Village of Alliance.

READ a first time on this ____ day of _____, 2018.

READ a second time on this ____ day of _____, 2018.

Given UNANIMOUS consent to go to third reading on this _____ day of _____, 2018.

READ a third and final time on this ____ day of _____, 2018.

Signed this ____ day of _____, 2018.

Chief Elected Official

Chief Administrative Officer

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SCHEDULE 'A'

1. Billing frequency – utility bills shall be sent monthly.
2. New customer security deposit shall be \$300.00.
3. Disconnection Fee: \$25
4. Reconnection Fee: \$25
5. Transfer arrears from Utility to Tax roll administration fee \$25
6. Flat Rate for all damaged meters – \$100.00/billing period
7. The deposit required for the testing of a meter shall be \$150.00
8. Monthly Service charges for water, sewer and garbage shall be according to the following set rates:

Water Infrastructure Fee	\$ 25.00/month
Sewer Infrastructure Fee	\$ 25.00/month
Community Enhancement Fee	\$ 5.00/month
Non-Resident Infrastructure Fee	\$ 80.00/month
Water Usage	\$ 3.10/ M ³
Sewer Usage (based on amt of water used)	\$ 1.90/M ³
Garbage	\$ 30.00/Month

Alliance Valley Inn	Water Flat rate	\$ 280
	Sewer flat rate	\$ 85
	Garbage – Renting their own bin from Flagstaff Waste	

9. Non-metered Rates
 1. That unmetered households be charged 5 cubic meters per person per month.
 2. That meters be installed as soon as possible in these households.