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**BEING A BYLAW OF THE TOWN OF BLACKFALDS IN THE PROVINCE OF ALBERTA TO REGULATE THE SUPPLY AND USE OF WATER, WASTEWATER, AND STORMWATER UTILITIES IN THE TOWN OF BLACKFALDS**

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Being a Bylaw of the Town of Blackfalds to provide for the supply and use of water, wastewater and stormwater utilities in the Town of Blackfalds:

**WHEREAS** Part 1, Section 3 of the Municipal Government Act, RSA 2000, Chapter M-26, as amended, provides that one purpose of a municipality is to provide services, facilities or other things that are necessary or desirable for all or part of the municipality;

**WHEREAS** Part 2, Division 1, Section 7 of the Municipal Government Act, RSA 2000, Chapter M-26, as amended, provides a Municipal Council with the authority to pass bylaws respecting safety, health and welfare of people and protection of people and property, services provided by, or on behalf of, the municipality, public utilities and enforcement of bylaws;

**WHEREAS** Part 2, Division 1, Section 8 of the Municipal Government Act, RSA 2000, Chapter M-26, as amended, provides a Municipal Council with the authority to regulate or prohibit and provide for a system of licenses, permits and approvals;

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

**PART 1 – TITLE AND PREAMBLE**

1. This Bylaw may be referred to as the "Utility Bylaw".
2. The preamble and Schedules attached to this Bylaw form part of this Bylaw:
  - a) In this Bylaw, the reference to the singular shall include the plural, and vice versa.
  - b) Where a word or term in this Bylaw is defined by this Bylaw, derivatives of that word or term shall be interpreted to have the same general meaning as the defined word or term, as the context may require.

**PART 2 – DEFINITIONS**

3. In this Bylaw:
  - a) **"Backflow"** means the reversal of flow of any water, wastewater, or any other liquid, chemical, or substance, back into, or towards, the Town Water System, Town Wastewater System or Town Stormwater System.
  - b) **"Backflow Valve"** means a device to prevent flow reversal into a potable water system, stormwater system, or wastewater system.
  - c) **"Chief Administrative Officer"** means the Chief Administrative Officer (CAO) as appointed by the Town of Blackfalds Council.
  - d) **"Commercial"** includes residential buildings consisting of three or more units, as well as all buildings used for the purpose of business.
  - e) **"Council"** means the Municipal Council of the Town of Blackfalds.
  - f) **"Cross Connection"** means an existing connection or a potential connection between any part of a potable water system, stormwater system or wastewater system and any other environment containing other substances in a manner, which, under any circumstances, would allow such substance to enter the potable water system.
  - g) **"Cross Connection Control Device"** means a device or method that prevents Backflow.
  - h) **"Deleterious"** means:
    - i. Any substance that, if added to any water, would degrade or alter or form part of a process of degradation, or, alteration of the quality of that water so that it is rendered, or is likely to be rendered, deleterious to fish, or fish habitat, or unsuitable for the purposes intended;

- ii. Any water that contains a substance in such quantity or concentration, or that has been so treated, processed or changed, by heat or other means, from a natural state that it would, if added to any other water, degrade or alter or form part of a process of degradation or alteration of the quality of the water so that it is rendered or is likely to be rendered deleterious to fish or fish habitat or unsuitable for the purposes intended.
- i) **“Dental Amalgam”** means dental filling materials consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc.
- j) **“Dental Amalgam Separator”** means any technology, or combination of technologies, designed to separate dental amalgam particles from dental operation wastewater.
- k) **“Design Guidelines Manual”** means the manual maintained by the Town to provide information on standards governing subdivision design, servicing, design and construction of developments.
- l) **“Director”** means Director of Infrastructure and Property Services for the Town.
- m) **“Grab Sample”** means a single sample or measurement of potable water, stormwater, wastewater or effluent which is collected at a specific time.
- n) **“Inspector”** means a Person authorized by the Town to enforce the provisions of this Bylaw and includes a designated Town employee, Bylaw Officer, Community Peace Officer and Peace Officer.
- o) **“Low Flow Plumbing Fixtures”** means toilets with a usage not exceeding 6.0 litres per flush; single flush urinals with a usage not exceeding 3.8 litres per flush; shower head fixtures with a flow rate not exceeding 9.5 litres per minute; and lavatory basin faucets and kitchen sink faucets with a flow rate not exceeding 8.3 litres per minute.
- p) **“Minimum Rate”** means the rate established in Schedule ‘B’ for the supply of water and wastewater services.
- q) **“Monitoring Access Point”** means an access point, such as a chamber, in a private sewer connection to allow for observation, sampling and flow measurement of the potable water, stormwater or wastewater therein.
- r) **“Occupant”** means the Person that leases or occupies a property to which a Utility Service is provided.
- s) **“Owner”** means:
  - i. any Person who is registered under the Land Titles Act as the Owner of the land to which a Utility Service is provided;
  - ii. any Person recorded as the Owner of the Property on the assessment roll of the Town; and
  - iii. any Person who has become the beneficial Owner of the Property, by entering into a purchase and sale agreement, whether they have purchased, or otherwise acquired the Property, directly from the Owner or from another purchaser, and who has not yet become the registered Owner of the Property.
- t) **“Person”** means any individual, including their heirs, executors, administrators or other legal representative; corporation, partnership, association or other legal entity to whom the context applies according to law.
- u) **“Property”** means:
  - i. In the case of land, means a parcel of land and includes buildings, if any, located upon the land where the context requires; or
  - ii. In other cases, means personal property where the context requires.
- v) **“Remote Reading Device”** means a device which is connected to a water meter by the Town and provides a duplicate reading of the water consumed, which may be monitored from the exterior of a building.



- w) **“Sampling Port”** means a valve, tap or similar device on equipment, a drainpipe or at another suitable location, to allow for sampling, consistent with technical guidelines that the Town may establish from time to time.
- x) **“Spill”** means a direct or indirect discharge into the wastewater sewer, the stormwater sewer or the natural environment which is abnormal in quantity or quality in light of all circumstances of the discharge.
- y) **“Standard Methods”** means a procedure or method set out in Standard Methods for the Examination of Water and Wastewater, published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, recent or latest edition or approved in writing by the Inspector.
- z) **“Stormwater”** means the water running off the surface of a drainage area during, or immediately after, a period of rain or snow melt.
- aa) **“Stormwater Discharge System”** means a sewer for the collection and transmission of uncontaminated water, stormwater, and drainage from land or from a watercourse, or stormwater pond, or any combination thereof, but excluding wastewater. This includes a sump, sump pump and related piping used to convey water collected by drainage in weeping tile, eaves trough, roof spouts, or foundation drain.
- bb) **“Sump”** means a facility on the connection to the wastewater collection system for trapping large, heavy solids before discharge into these systems.
- cc) **“Testable Cross Connection Control Device”** means a Cross Connection Control Device which is capable of being inspected and tested in accordance with the National Plumbing Code of Canada, as amended.
- dd) **“Town”** depending on its context, means either:
- i. The Municipal Corporation of the Town of Blackfalds, its administration and staff, agents or representative; or
  - ii. The territory contained within the corporate boundaries of the Town of Blackfalds.
- ee) **“Town Stormwater System”** means a system installed by the Town for the collection, distribution and disposal of stormwater within the Town, or in Town owned infrastructure.
- ff) **“Town Wastewater System”** means a system installed by the Town for the collection and transmission, treatment and disposal of domestic or industrial wastewater or any combination thereof within the Town.
- gg) **“Town Water System”** means a system installed by the Town for the supply and distribution of water within the Town.
- hh) **“Utility or Utility Service”** means, as the context may require, the Town’s respective utilities related to the Town Water System, the Town Wastewater System or the Town Stormwater System.

### **PART 3 – DELEGATION OF AUTHORITY**

4. Council hereby delegates to the CAO the powers and authority to do all things necessary in order to fulfill the responsibilities and duties of the Town with respect to the delivery of a Utility Service under the Municipal Government Act and this Bylaw, except those powers exclusively reserved for Council under the Municipal Government Act, or other Persons pursuant to this Bylaw.
5. The CAO is responsible for the operation of the Town Water System, Town Wastewater System and Town Stormwater System in accordance with:
- a) Provincial and Federal Statutes and any regulations thereunder; and
  - b) this Bylaw and related regulations and policies.
6. The CAO is authorized to further delegate the powers, duties or functions granted by Sections 4 and 5.





**PART 4 – POWER AND AUTHORITY OF INSPECTORS**

7. An Inspector may in accordance with this Bylaw and the Municipal Government Act:
  - a) Enter upon all parcels of land for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Bylaw;
  - b) Take samples of wastewater, stormwater, potable water and subsurface water being released from any buildings, structures and/or utilities on a Property or flowing within a private drainage system;
  - c) Perform on-site testing of the wastewater, stormwater, clear-water waste and subsurface water within, or being released from, private drainage systems, pre-treatment facilities and stormwater management facilities;
  - d) Make inspections of the types and quantities of chemicals being handled or used on the premises in relation to possible release to a drainage system or watercourse;
  - e) Require information from any Person, inspect and copy documents or remove documents from the Property to make copies, concerning any potential violation of this Bylaw;
  - f) Inspect chemical storage areas and spill containment facilities and request Material Safety Data Sheets (MSDS) for materials stored or used on a Property; and
  - g) Inspect the buildings, structures and/or utilities where a release of prohibited or restricted waste, or of water containing prohibited or restricted waste, has been made or is suspected of having been made, and to sample any or all matter that in their opinion could have been part of the release.
8. Where an inspection discloses any failure, omission, or neglect respecting any Utility Service upon the Owner's Property, or discloses any defect in the location, construction, design or maintenance of any facility or any connection therefrom to the Utility Service, the Inspector shall, in writing, notify the Owner, proprietor and Occupant to rectify the cause of the complaint within such time as is determined to be reasonable by the Town. Within the time specified, the Person notified shall rectify the cause of the complaint stated in the notice.
9. No Person shall hinder or prevent an Inspector from carrying out any of their powers or duties.
10. The Town may serve any Person who is in violation of any provision of this Bylaw with written notice stating the nature of the violation and requiring the satisfactory correction of the violation within 48 hours, within such additional time as required by this Bylaw, or as determined by the Town. Such Person shall, within the time stated in such notice, permanently cease all violations. Nothing in this provision shall preclude the Town from proceeding directly to any other enforcement remedy available to it under this Bylaw, the Municipal Government Act, or any other provincial legislation or regulation.

**PART 5 – WATER, WASTEWATER AND STORMWATER SYSTEMS RESPONSIBILITY**

11. The Town is hereby authorized to operate a Town Water System for the purposes of supplying the Owners within the Town with potable water and fire protection.
12. The Town is hereby authorized to operate a Town Wastewater System for the purposes of collecting, treating and disposing of wastewater produced within the Town.
13. The Town is hereby authorized to operate a Town Stormwater System for the purposes of collecting, treating and disposing of stormwater within the Town.
14. Unless the time period is extended by the CAO, within one year after a Utility Service becomes available as described in Sections 128 and 142, the Owner of the Property, at the Owner's expense, shall connect to the Town Water System, Town Wastewater System and Town Stormwater System, as applicable.
15. Council may by resolution enter into agreements with other Municipalities, private corporations or Persons, for the supply of water, wastewater or stormwater services beyond the corporate limits of the Town, subject to such provisions, regulations or rates as may be deemed appropriate.



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**PART 6 – OPERATIONAL UTILITY WORKS**

16. The installation of all water, wastewater and stormwater mains and related facilities shall be in accordance with the standards and specifications set out in the current Town's Design Guidelines Manual.
17. Where the Town undertakes work pursuant to this Bylaw, the costs to be charged to, and payable by, the Owner of Property, shall be calculated in accordance with costs and charges specified in Schedule "A".
18. Each Property and each principal building shall be provided with separate water and wastewater service connections. Separate stormwater service connections will be determined on a case-by-case basis as determined by the CAO or delegate.
19. No Person shall install a Utility Service line and/or connection without making an application to, and obtaining written approval from, the Town, for installation of such service line. A development or servicing agreement signed by the Owner of the Property in a form satisfactory to the CAO may be required.

**PART 7 – RATES, BILLING AND COLLECTION**

20. Rates for water and wastewater service:
  - a) The various rates to be charged to an Owner for the purchase of potable water and the disposal of wastewater shall be as specified in Schedule "B";
  - b) Each Owner shall pay the rates as specified in Schedule "B"; and
  - c) The rates in Schedule "B" will be reviewed annually by Council.
21. A Utility bill showing the value of water and wastewater services provided by the Town for a one-month period for non-residential and residential Properties, shall be calculated in accordance with the prescribed rates as soon as is practical. The Owner of a building, for which a Utility Service is supplied, is responsible for notifying the Town of the occupancy date and contact information for billing purposes.
22. The calculation of the Utility bill is based on the consumption of water. The quantity of water used shall be determined from the present and previous water meter readings as recorded by the Town, or if an actual reading is not available, by an estimated consumption, based on the consumption history of the Utility Service or of Property of similar characteristic.
23. No reduction in rate or charges shall be made for any interruption in water or wastewater services during a billing period.
24. Obtaining water and wastewater services:
  - a) Under the provisions of the Municipal Government Act, the Town is not obligated to provide Utility Services to an Occupant of the parcel who is not the Owner of the parcel, but must provide Utility Services to the Owner of a parcel on request.
  - b) A Property Owner who requests Utility Services shall apply to the Town for a Utility account and upon completing an application form and providing such information as the Town may require, and payment of the administration fee set out in Schedule "A", the Town shall open a Utility account in the name of the Owner of the Property.
  - c) Written communications related to Utility Services shall be conducted only between the Town and the Owner of the Property, or the property manager or agent identified by the Owner of the Property. All Occupants must direct inquiries or communications to the Town through the Owner of the Property, or the property manager or agent identified by the Owner of the Property.
25. The opening of a Utility account constitutes a binding agreement between the Owner of the Property and the Town for the Utility Service applied for, and this Bylaw shall constitute the terms and conditions of such agreement.
26. No Utility account will be opened in the name of the Occupant of the Property and a Utility account is not transferrable. It will remain in effect until terminated by the Owner of the Property or the Town, as provided by this Bylaw.



- No new Utility account will be opened for anyone who is already indebted to the Town unless satisfactory arrangements for payment of the outstanding amounts have been made with the Town.
27. The Town shall supply a copy of the Utility bills for a Utility account to:
- a) The Owner of the Property;
  - b) A property manager for, or an agent of the Owner of the Property, when requested in writing by the Owner of the Property; and
  - c) An Occupant of the Property when requested in writing by the Owner of the Property.
28. Utility bill payments:
- a) The Owner of the Property is responsible for all rates and fees listed in Schedules "A" and "B" and liable to the fines set out in Schedule "C" upon conviction of any breach of this Bylaw.
  - b) Payments of Utility bills are to be paid to the Town of Blackfalds using any method of payment approved by the CAO.
  - c) Non-receipt of a Utility bill will not exempt an Owner of the Property from payment for the Utility service received. The Owner is deemed to have received the Utility bill seven (7) days after it is sent.
29. All Utility bills, including interim billings, shall be due and payable on or before the fifteenth (15th) day of each month.
30. If payment in full is not received on the fifteenth (15<sup>th</sup>) day of the month, a penalty, in the amount of 5% interest on the current monthly billing balance, shall be added to the Utility account.
31. Any charge on a Utility account and other charges under this Bylaw, that remains unpaid for a period of 90 days, will be in arrears and constitute a debt owing to the Town and recoverable by adding the outstanding Utility account balance to the corresponding tax roll account for the Property.
32. When a Property has been sold, a final Utility bill will be calculated on a prorated basis from the date of the last billing to the date the title to the Property is transferred to the purchaser of the Property.
33. The Town may discontinue the supply of any Utility Service and/or terminate a Utility account for any of the following reasons, after giving reasonable notice pursuant to section 35:
- a) Non-payment of any Utility bill;
  - b) Inability of the Town to obtain safe access to:
    - i. residential premises to read any meter for a period of six (6) months; or
    - ii. non-residential premises to read any meter for a period of three (3) months;
  - c) Failure by, or refusal of, an Owner of the Property to comply with any provision of this Bylaw,
  - d) Failure by, or refusal of, an Owner of the Property to comply with any provisions of a Provincial statute, the Alberta Building Code, or any regulations thereunder;
  - e) In any case provided for in this Bylaw; or
  - f) Upon request of the Owner of the Property, and if Utility Services are discontinued at the request of the Owner, minimum charges will continue to apply.
34. Where The Town shall send written notice to the Owner of the Property of any breach of this Bylaw which may result in the Town discontinuing the supply of Utility Services and/or terminating the Utility account. Such notice shall be delivered at least 10 calendar days prior to the discontinuance of Utility Services or termination of the Utility account. Written notice shall be deemed to have been given if done by at least one of the following methods:
- a) electronic delivery (such as email or text);



- b) mail delivery; or
  - c) manual posting at the service location of the Utility service.
35. Where a Utility service to a Property is discontinued for any reason set out in this Bylaw, the Town, its officers, employees, or agents shall not be liable for any damages of any kind as a result of the discontinuance of any Utility Services.

#### **PART 8 - EXTENSIONS OF UTILITY CONNECTIONS**

36. In order to obtain service connections to the Town Water System, Town Wastewater System or the Town Stormwater System:
- a) Owners of Property, or their agents, shall submit water and wastewater system design plans, duly signed by a Professional Engineer, to the Town for review and approval, prior to the start of the service connection construction. Each parcel must have an outside curb stop readily available near the front property line and otherwise comply with the Town standards.
  - b) When specified by the Town, Owners of Property, or their agents, shall submit stormwater design plans, duly signed by a Professional Engineer, to the Town for review and approval, prior to the start of the service connection construction.
  - c) The Town may require changes to the water, wastewater or stormwater service connection system designs to ensure acceptable standards in design, materials and construction. Costs for design changes are to be borne by the Owner of the Property.
  - d) In circumstances where Utilities are constructed within Town owned property, Owners of Property, or their agents, shall furnish two (2) sets of "as built" plans to the Town within thirty (30) days of completion of the water, wastewater or stormwater service connection systems, and accompanying these "as built" plans shall be a letter indicating that the private water, wastewater and stormwater systems are fully operational. Final "as built" deliverables must also be provided in digital format as specified by the Town's current Design Guidelines Manual.
37. Developing for multi-lot subdivision:
- a) Where any new lot or group of lots is developed, the developer shall arrange, at the developer's cost, for the installation of approved water, wastewater and stormwater service connection lines.
  - b) Each development will be governed by a development permit, development agreement or servicing agreement.
38. Service connections on Town Property:
- a) The Owner of a Property is responsible for all costs of constructing and installing Utility Service connections which service the Owner's Property, regardless of whether the Utility Service connections are within the Owner's Property or within the Town owned or controlled Property.
  - b) The Town may install the Utility Service connection lines within Town Property to the Owner's property boundary only, and shall charge the Owner of the Property for the costs incurred in accordance with the costs and charges specified in Schedule "A".
  - c) The Town may cause the installation of Utility Service connections to be performed by a private contractor at the cost of the Owner of the Property for whom the Utility Service connections are installed.
39. The Owner of a Property shall be responsible to arrange and pay for the laying of Utility Service connections within their own Property.

#### **PART 9 - OWNER PROVIDED UTILITY SERVICE CONNECTIONS**

40. On private property, the Owner shall be solely responsible for ensuring the water system, wastewater system and stormwater system is properly designed, installed, operated and maintained and shall protect the same.





**TOWN OF BLACKFALDS  
UTILITY BYLAW No. 1250.20**

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41. Town repair of Utility Service connections:
- a) The Town shall be responsible for the maintenance and repair of the water, wastewater and stormwater Utility Service lines on Town lands, including the thawing of frozen lines from the main, up to, and including, the curb stop valve. Due to the nature of such maintenance and repairs, access to any building on the Property must be provided by the Owner of the Property, if required by the Town.
  - b) Should damage to the water, wastewater and/or stormwater Utility lines be caused by the negligence or improper action of the Owner, or the Occupant, of the Property, costs for repair and/or thawing of frozen lines, will be charged to the Owner of the Property at the discretion of the CAO.
42. Where the Town does not install the Utility Service connection lines, the Town shall have the right to inspect the lines, following this process:
- a) The Owner of the Property shall advise the Town of when the installation of Utility Service connection lines will occur and request an inspection. The Owner shall allow the Town reasonable opportunity to inspect the installation for conformance to Town standards and specifications.
  - b) When making a request for an inspection, a minimum of 48-hour notice is required by the Town. Inspections will only be done during the Town's regular business hours.
  - c) Persons excavating for Utility Service lines or connections shall not backfill until a request for inspection has been made to the Town and the Town has completed an inspection and approved the installation.
  - d) Persons backfilling, before requesting and receiving an inspection by the Town, may be required by the Town inspector to dig out and expose the Utility Service connection lines, at the Owner of the Property's cost, so that a proper inspection can be done.
43. For multi-residential and Commercial buildings:
- a) The Town will not supply water or wastewater services to two or more Commercial buildings that front on the same street and which are located on the same parcel of land. Each Commercial building must be serviced individually.
  - b) The Town will only supply single Utility Service connections to multi-residential buildings. Each multi-residential building will be responsible for providing water and wastewater Utility Service connections to individual dwellings within the multi-residential building.

**PART 10 - TEMPORARY WATER, STORMWATER OR WASTEWATER SERVICES**

44. A Person who wishes for temporary water service shall make application and enter into an agreement with the Town, and shall pay the Town in advance the whole cost of Utility Service construction, including the cost of removal of temporary systems when they are no longer required.
45. A Person requiring temporary water services shall safeguard all systems or attachments supplied by the Town and meet any Town requirements specified in the agreement with the Town.

**PART 11 – SAMPLING AND MONITORING**

46. Where sampling is required for the purposes of determining the concentration of constituents in the wastewater or stormwater, the sample may:
- a) Be collected manually or by using an automatic sampling device;
  - b) Contain additives for its preservation;
  - c) At the discretion of the Inspector, include taking samples of discrete wastewater or stormwater streams within the premises, for the purpose of determining compliance with this Bylaw.



47. At the time of development, the Owner of any industrial, Commercial, manufacturing or institutional Property or premises; or any multi-unit residential building, shall install a Monitoring Access Point as required by the Town and ensure that it is accessible to the Inspector for the purposes of observing, sampling and measuring water flow.
48. Owners of Property with a development that existed prior to the adoption of this Bylaw, which is found to be in contravention of this Bylaw, may be required to install a Monitoring Access Point as specified by the Town.
49. Any single Grab Sample may be used to determine compliance with any provision of this Bylaw.
50. All tests, measurements, analyses and examinations of wastewater or stormwater, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with Standard Methods and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of the Inspector as agreed in writing prior to sample analysis.
51. The following businesses require Sampling Ports when it is not possible to install a Monitoring Access Point:
  - a) Dental offices;
  - b) Businesses using photographic processing equipment;
  - c) Dry cleaners;
  - d) Vehicle washing; and
  - e) Any other business identified by the Town.

#### **PART 12 – SPILLS**

52. In the event of a Spill on the ground or to a water system, a wastewater system and/or stormwater system, with no immediate danger to human health or safety, the Person responsible for the Spill, or the Person, having charge, management and control of the Spill, shall immediately notify and provide any requested information with regard to the Spill to:
  - a) Alberta Environment and Parks;
  - b) The Town of Blackfalds;
  - c) The Owner of the Property where the release occurred;
  - d) The Owner of any Property impacted; and
  - e) Any other Person whom the Person reporting knows, or ought to know, may be directly affected by the Spill.
53. In the event of a Spill on the ground or to a water system, a wastewater system and/or stormwater system, with an immediate danger to human health or safety, the Person responsible for the Spill, or, the Person having the charge, management and control of the Spill, shall **immediately** notify and provide any requested information with regard to the Spill to 911 Emergency and those listed in Section 50(a) through (e).
54. Nothing in this Bylaw relieves any Person from complying with any notification or reporting provisions of:
  - a) Other government agencies, including federal and provincial agencies, as required and is appropriate for the material and circumstances of the Spill;
  - b) Alberta Environment and Parks; or
  - c) Any other Bylaw of the Town.



55. The Person responsible for the Spill, and the Person having the charge, management and control of the Spill, shall do everything reasonably possible to contain the Spill, protect the health and safety of citizens, minimize damage to property, protect the environment and wildlife, clean up the Spill and contaminated residue, dispose of affected materials at an appropriate waste disposal facility and restore the affected area to its condition prior to the Spill to the satisfaction of the Town.
56. Within five working days after the Spill, the Person responsible for the Spill, and the Person having the charge, management and control of the Spill, shall provide a detailed report on the Spill to the Town, including the following information to the best of their knowledge:
- Name, telephone number and other contact information (address, email) of the Person who reported the Spill and how and when they can be contacted;
  - Location where the Spill occurred; date and time of Spill; material spilled; characteristics and composition of material spilled; volume of material spilled; and duration of Spill event;
  - Work completed, waste disposal location(s) used, and any work still in progress in the mitigation of the Spill; and
  - Preventive actions being taken to ensure a similar Spill does not occur again, with copies of a completed Spill prevention and Spill response plan.
57. The Town may invoice the Person responsible for the Spill, the Person having the charge, management and control of the Spill, and the Owner of the Property where the Spill occurred, or any one or all of them, to recover all costs arising as a result of the Spill and such Person(s) shall pay the costs invoiced within 30 days of invoice.
58. The Town may require the Person responsible for the Spill, the Person having the charge, management and control of the Spill, and the Owner of the Property where the Spill occurred, or any one or all of them, to prepare and submit a Spill contingency plan to indicate how risk of future incidents will be reduced and how future incidents will be addressed. All costs related to this will be the responsibility of the Owner of the Property.

**PART 13 - RESTRICTED MATERIALS IN UTILITY SYSTEMS**

59. No Person shall throw, deposit or leave in, or upon, the Town Water System, Town Wastewater System or Town Stormwater System, or any trap, grating, or manhole, any material that may cause blockage of the Town Water System, Town Wastewater System, or Town Stormwater System, or their mains or service connections.
60. No Person shall discharge into the Town Wastewater System, the Town Stormwater System, or any trap, drain or manhole connected therewith, any Deleterious substance or restricted material, that would prejudicially affect the Town Wastewater System or Town Stormwater System, adversely affect the environment, or which would cause pollution or is hazardous to Persons or the environment.
61. No Person shall connect with the Town Wastewater System or Town Stormwater System, or any drain or pipe connected therewith, by any means, for the purpose of conveying any inflammable, explosive or hazardous material.
62. No Person shall directly or indirectly connect with the Town Wastewater System or Town Stormwater System for the purpose of conveying any surface water collected by drainage in weeping tile, eaves troughs or roof spouts.
63. No Person shall discharge the contents of any privy vault, manure pit or cesspool, directly or indirectly, into the Town Water System, Town Wastewater System or Town Stormwater System, or any drain connected therewith.
64. No Person shall turn, lift, remove, raise, or tamper with the cover of any manhole, or ventilator of the Town Water System, Town Wastewater System or Town Stormwater System, without prior written authorization from the Town.
65. No Person shall cut, break, pierce or tap into the Town Water System, Town Wastewater System or Town Stormwater System, without prior written authorization from the Town.



66. The Town may, upon reasonable notice and at reasonable times, enter buildings or other places, which have been connected to the Town Wastewater System or Town Stormwater System, to ascertain whether or not any improper material or liquid is being discharged in wastewater or stormwater, and the Town shall have the right to use any test, or other means necessary, to determine compliance with this Bylaw and to stop or prevent the discharge of any substances that are contrary to this Bylaw.
67. Discharges from Commercial, trade, industrial or manufacturing process:
- a) No Person shall discharge any waste or discharge resulting from any Commercial, trade, industrial or manufacturing process, directly into the Town Wastewater System or Town Stormwater System without it first being treated to the satisfaction of the Town.
  - b) The Owner of the Property, used for a Commercial, trade, industrial or manufacturing process, shall install, at their expense, the necessary pre-treatment works prescribed by the Town prior to the construction of the wastewater or stormwater connection, and shall continuously maintain and operate such pre-treatment works.
68. No Person shall discharge, or allow to be discharged, into the Town Wastewater System any materials listed in Schedule "D" at a level which exceed the levels set out in Schedule "D".
69. No Person shall discharge, or allow to be discharged, into the Town Stormwater System, any Deleterious substance.
70. Any Person who breaches any section of Part 13 of this Bylaw shall, in addition to any fines prescribed in Schedule "C", be liable for all costs incurred by the Town in remediating the situation caused by the breach, including all clean-up and inspection costs.

#### **PART 14 – GOVERNING THE PROVISION AND USE OF WATER SYSTEM**

71. The Town shall endeavor to provide notice to the Owners of a Property of an interruption of a Utility Service described herein and shall seek to minimize the inconvenience to Owners and/or Occupants as may be possible and reasonable.
72. No Owner or Occupant of any Property or building that is supplied with water by the Town, shall sell or otherwise dispose of from the Property, give away, or permit water to be taken or carried away from the Property, unless authorized by the Town in writing.
73. The Town may remove obstructions from the Property or road allowances that are interfering with the performance of providing, maintaining, or terminating the supply of a Utility Service and may charge the Owner of the Property the costs associated with such removal. The Town will use reasonable care to avoid damaging the obstruction during the removal. The Town shall not be responsible for any restoration costs associated with such removals, should they be incurred.
74. If the Town cannot access the meter, shut off valve, or curb stop for any reason on any Property, the Town will charge a "No Access Fee" as set out in Schedule 'A' to the Owner of the Property.

#### **PART 15 – WATER SYSTEM: INSPECTION OF PREMISES**

75. The Town may inspect the premises of the Owner of the Property who applies to the Town for the supply of water in order to determine if it is advisable to supply such Utility to the Property.
76. The Town may, with the permission of the Owner of the Property, inspect the premises of the Owner in order to do any tests on water piping or fixtures belonging to such Owner so as to determine if this Bylaw is being complied with. If the Owner of the Property fails or refuses to give permission to the Town to inspect, the supply of water services to the Owner's Property may be shut off and/or a 'No Access Fee' rendered as set out in Schedule "A" to the Owner of the Property.

#### **PART 16 – WATER UTILITY RESTRICTIONS**

77. In the event of construction, maintenance, repairs, emergency, shortage of water, water bans, or in connecting or repairing of service connections, or the maintenance or repair of the Town Water System, or any part thereof, the Town shall have the right to shut off the water from any Property without notice to any Person and keep it off as long as may be necessary.



78. 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 operating water pressures and to shut off water. The Town, its officers, employees or 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.
79. The Town may have the water shut off to the Property of any Owner or Occupant who is breaching any of the provision of this Bylaw, and in cases where the water has been shut off for allowing waste due to leaks or defects in pipes or connections, the Town may refuse to restore water services until the defects have been repaired to the satisfaction of the Town.
80. When an emergency in water supply occurs, the CAO may restrict the use of water from the Town Water System as per policy.

#### **PART 17 – WATER UTILITY WASTAGE**

81. No Person shall cause, permit or allow the discharge of water so that it runs to waste, whether by reason of leakage from a private water service connection, a faulty plumbing system, or otherwise.
82. Notwithstanding the foregoing, the Town may, under such conditions as the Town may consider reasonable, allow water discharge for the purposes of:
- a) The installation and maintenance of infrastructure, including flushing of water mains, hydrant leads and Town service connections to prevent stagnation and/or to remove Deleterious materials;
  - b) Preventing the freezing of water mains, hydrants leads, and services connections;
  - c) Conducting water flow tests;
  - d) Firefighting and associated training programs; or
  - e) Other purposes as deemed necessary by the Town.

#### **PART 18 – REQUIREMENT TO USE LOW-FLOW PLUMBING FIXTURES**

83. Any Person installing plumbing fixtures for any new construction or renovation project that requires a plumbing permit shall only install Low-Flow Plumbing Fixtures.
84. The requirements of this Bylaw shall not apply to plumbing facilities installed for safety or emergency purposes including emergency safety showers and face/eye wash stations.

#### **PART 19 – REPAIR AND MAINTENANCE OF EXISTING WATER SERVICES**

85. The Owner of the Property shall be responsible for the repair and maintenance of the water service line and connections within their own Property.
86. Repair of water service connections and lines on the Owner's Property:
- a) Where the exact location of a water service problem cannot be determined to be either, clearly within the Town lands, or on the Owner's Property, the Town may undertake additional survey and/or inspection measures to determine the location of the problem. Costs of this service will be borne by the Owner of the Property.
  - b) If it is determined that a water service problem exists on private property, the Owner of the Property shall be responsible for the costs incurred by the Town to that point and for the costs to complete repairs. All costs incurred by the Town will be the responsibility of the Owner of the Property.
87. Where the Owner of the Property undertakes the repair of a water service line or connection on their own Property and finds that the problem exists on the portion of line for which the Town is responsible, the Town may complete the repairs.
88. Replacement of water service lines:
- a) If the Owner of a Property wishes to replace a water service line, it shall be at the Owner's expense.



- b) Where a water service line needs replacement because it can no longer be economically repaired, the replacement must be undertaken by the Owner of the Property at the Owner's expense.
- c) Installation or replacement of water service lines shall be governed by the process set out in Parts 8 and 9 of this Bylaw.

#### **PART 20 – WATER SYSTEM: TREES AND ROOTS**

- 89. No Person shall plant deep rooting trees such as willow, poplar or elm within a minimum of 6 metres of a water main or lateral services; all other species of trees shall be planted at a minimum of 4 metres from water mains or lateral services.
- 90. If it is determined that a blockage or leak in a private water service is caused by a tree adjacent to, or directly on private property, the Town shall have no obligation to clear the blockage unless the tree is on Town property.
- 91. If it is determined that a blockage or leak in a private water service is caused by a tree located on Town property, the Town will repair the water line and remove the tree at the Town's expense.
- 92. If it is determined that a blockage or leak in the Town's water main or any other part of the Town Water System is caused by tree roots extending from trees located adjacent to, or directly on private property, the Town will, at the private property Owner's expense, repair the water line and remove the trees.

#### **PART 21 – OPERATION & TESTING OF WATER SERVICE VALVES**

- 93. During operation and testing of water service valves, water will be shut off at the curb stop valve and no Person shall turn on, or attempt to turn on, the water, except where authorized by the Town in writing.
- 94. The Owner or Occupant of a Property shall ensure that the water service curb stop valve remains accessible and exposed. Where the Owner or Occupant damages the curb stop valve, causes it to become inoperative, or prevents access to it, they shall be responsible for costs incurred by the Town to repair or expose the curb stop valve.
- 95. The Town is authorized to arrange for the removal of any obstructions, restricting access to the curb stop valve or water meter or radio, at the cost of the Owner of the Property.
- 96. Application for the testing of a water line:
  - a) A plumber may, after obtaining permission from the Director or the Director's designate, operate a curb shut off valve up to 1" (25 mm) in diameter for the purpose of:
    - i. testing their own piping in the case of a new installation: and
    - ii. replacing, repairing or renewing of a service line.
  - b) If water is required to test plumbing before a meter is installed, a plumber may temporarily install a meter spacer pipe.
  - c) After completion of work pursuant to this section, the authorized plumber shall immediately close the valve and remove the temporary meter spacer pipe.
  - d) A plumber shall not operate any of the curb stop valves of 25 mm (1"), or larger in size, for any purpose.
  - e) All Owners of Property having a meter shall, at the Owner's sole cost and expense, supply and maintain valves on both sides of, and within 300 mm (12") of, the meter.

#### **PART 22 – PROVISION OF FIRE PROTECTION WORKS**

- 97. When an Owner of Property wishes to provide fire protection by means of sprinkler heads, fire hydrants, or outlets for hose lines, or some other manner, the Owner must apply for a service connection in accordance with the extension of utility connection process set out in Part 8 of this Bylaw.



98. When an application is approved by the Town for a separate service pipe to be utilized for fire protection, all costs are at the Property Owner's expense, including the costs of the service connections between the Owner's Property and the Town Water System as well as any possible upsizing costs.
99. The Town shall maintain, at its expense, that portion of the service pipe between the main and the Owner's property line where a tapping valve and sleeve from the connection of the main, or between the main and control valve, when the control valve is located within 1.2 meters (4 feet) of the property line.
100. Fire protection service connections constructed on lands under the control or ownership of the Town shall become the property of the Town upon acceptance by the Town.

**PART 23 – PUBLIC OR PRIVATE FIRE HYDRANTS:**

101. Unless authorized by the Town, no Person shall:
  - a) open or close any fire hydrant cap or valve;
  - b) connect any device of any kind to a fire hydrant, including a pipe, hose, fixture, or appliance; or
  - c) use water from a fire hydrant, regardless of whether that hydrant is located on private or public property, for any purpose other than fire protection.
102. No Owner or Occupant of a Property shall allow the access to a fire hydrant located on, or adjacent to, that parcel or premises to be obstructed in any manner, whether by the building or erection of any structure or the accumulation of any building material, rubbish, snow or other obstruction including, but not limited to, trees and or shrubs.
103. No Owner or Occupant of a Property shall allow anything on the parcel or premises to interfere with the operation and maintenance of a fire hydrant located on, or adjacent to, that parcel or premises.
104. All Owners of Property on which a fire hydrant is located or Owners of Property which is adjacent to Town owned property on which a fire hydrant is located shall:
  - a) maintain a clearance area consisting of a minimum of four (4) metre clearance all around a fire hydrant and a minimum of four (4) metre clearance above the hydrant;
  - b) not permit anything to be constructed, erected, or placed within the clearance area;
  - c) not permit anything except grass to be planted within the clearance area;
  - d) maintain visibility of hydrants from the nearest access road; and
  - e) maintain all private fire hydrants and provide records of maintenance on a yearly basis to the Town if requested by the Town.

**PART 24 – WATER METERS**

105. All water supplied by the Town to a Property shall be measured by a meter unless otherwise provided for in this Bylaw.
106. Where, at the time of passage of this Bylaw, a water service is not metered, the Town shall install a meter at a cost to the Owner of the Property as specified in Schedule "A".
107. All water meters shall be supplied and installed by the Town with all costs specified in Schedule "A" being charged to the Owner of the Property, or the general contractor in charge of the property, to which the meter has been installed.
108. Placement of water meters:
  - a) The Town will supply water meters as specified in Schedule "A" and maintain all water meters as required and may install Remote Readout Devices where necessary or desirable to the Town.



- b) The Owner of the Property will be responsible for coordinating the installation of the meter with the Town for any building on the Property.
- c) The Town may undertake any necessary repairs to the meter and Remote Readout Devices to ensure proper operation.
109. The Owner of the Property shall ensure access to the Property, and buildings, if any, is available to the Town for the purposes of installing, maintaining or reading a water meter.
110. Installation of water meters:
- a) All Property Owners shall allow installation of water meters in accordance with the Town's specifications.
- b) All Property Owners shall allow installation of a Remote Reading Device in an easily accessible location inside any building, or on the outside at the front of the building, in accordance with the Town's specifications.
111. Protection of water meters:
- a) The Owner of the Property shall provide adequate protection for the water meter and any associated valves or pipes against freezing, heat or any other internal or external damage of any kind which may affect the operation of any water meter, failing which the Owner of the Property shall pay all costs associated with the repair.
- b) No Person other than an authorized Town employee shall install, test, repair, remove, disconnect, and/or reconnect a water meter unless specifically authorized to do so in writing by the Town.
- c) No Person shall break, tamper, or interfere with, any water meter, appurtenances or facility.
- d) The Owner of the Property shall notify the Town immediately whenever a water meter is not operating or if any part of a meter becomes damaged or broken.
- e) The Owner of the Property is responsible for the safe operation and use of any water meter and any Remote Reading Device that is installed on the Owner's Property.
- f) The Owner of the Property shall pay the cost of repairing or replacing any water meter or metering accessories supplied and installed that are damaged from any causes within the control of the Owner.
112. The Town may seal installed water meters and no Person, except as authorized by the Town, shall break or tamper with any such seal.
113. Reading of water meters:
- a) The Town may read the actual consumption from the meter rather than from the Remote Reading Device, in which case, the next Utility billing will be calculated using the actual consumption.
- b) When an Owner of a Property requests a meter reading at a time other than the regular scheduled time for meter reading, the Owner may be assessed a fee as set forth in Schedule "A".
114. Testing of water meters:
- a) If a water meter reading is disputed by either the Town or the Owner of the Property, the party disputing the reading shall give a written notice to the other party.
- b) Prior to the Town conducting water meter testing, the Owner of the Property will be required to pay the fee as specified in Schedule "A".
- c) Once a written notice has been given under Section 114 (a), the Town shall arrange for the meter to be tested or calibrated by a qualified official delegated by the Town.



- d) If upon testing or calibrating, the meter is found to be recording accurately, which, for this purpose, is defined as recording between 98.5% and 101.5% of the water passing through the meter, the expense of such test or calibration shall be borne by the party who gave notice under Section 114 (a), in the amount specified in Schedule "A".
- e) If a meter is found not to be accurate within the limits set out in Section 114 (d), the meter shall forthwith be repaired, or replaced by another meter, and the expenses of such repair or replacement shall be borne by the Town. Where the Owner of the Property paid a fee for testing, the Town will reimburse the fee paid by the Owner.
- f) If a meter is found not to be accurate, the accounts, based upon the readings of that meter for the consumption portion of the monthly bill, for a maximum of 12 (twelve) monthly bills immediately preceding the date of such test, shall be corrected to reflect the error of the meter, and the Owner shall pay, or shall be refunded, as the case may be, the amount so determined, which payment or refund shall be accepted by both the Town and the Owner of the Property as full settlement to the date of the test of any claim that may arise out of a meter error.

#### **PART 25 – WATER METER CHAMBER**

115. When in the opinion of the Town, the building to be supplied with water is too far from the Town service connection to conveniently install a meter in the building, or if a number of buildings are to be supplied, or for any other reason in the opinion of the Town, then the Owner of the Property shall, at the Owner's expense, construct and maintain an approved container for a water meter and such container shall in all respects, including location, construction size, access and otherwise, be satisfactory to the Town.

#### **PART 26 – CROSS CONNECTIONS AND BACKFLOW PREVENTION**

116. No Person shall connect, cause to be connected, or allow to remain connected, to the Town Water System, any piping, fixture, fitting, container or appliance, in a manner which, under any circumstances, may allow water, wastewater or any other liquid, chemical or substance to enter the Town Water System.
117. Owners of Property must allow an Inspector full access to their residences, buildings or facilities in order to evaluate and/or inspect possible cross connections and existing or newly installed Backflow Valves.
118. For the purposes of preventing a Cross Connection prohibited in Part 26, the Director may require any Owner of a Property to install a Testable Cross Connection Control Device at the expense of the Owner.
119. Any Owner of Property who is required by the Director or by any Act, regulation or code, to install a Testable Cross Connection Control Device shall:
- a) Ensure that the Testable Cross Connection Control Device installed is inspected and tested on a yearly basis; and
  - b) Report the results of the inspection and testing to the Director, on the form prescribed by the Director, within the time frame specified by the Director.
120. Any Owner of Property who is required by the Director to install a Testable Cross Connection Control Device, shall only install such devices as approved by the Director.
121. Every Owner of Property required by Part 26 to install a Testable Cross Connection Control Device, shall ensure that it is only inspected and tested by Persons approved by the Director. In approving Persons to inspect and test Cross Connection Control Devices, the Director may take into consideration the following qualifications:
- a) A certificate for a Certified Backflow Prevention Device Tester from an accredited organization;
  - b) A calibration certificate for test equipment;
  - c) History of non-compliance with occupational health and safety acts and regulations;
  - d) Another trade or professional qualification (e.g. Plumbing Certificate, Sprinkler Fitter Certificate, etc.); and
  - e) Liability insurance coverage.



122. If an Owner of a Property fails to have a Testable Cross Connection Control Device inspected or tested, or fails to report the results of the inspection or testing to the Director, the Director may:
- a) Require the Owner to have the Testable Cross Connection Control Device inspected and tested, and a test report submitted to the Director, within the time frame specified by the Director; and
  - b) Discontinue providing water service to the Property until the Owner has the Testable Cross Connection Control Device inspected and tested, and has submitted a report with satisfactory results, to the Director.
123. Any Owner of a Property with a Testable Cross Connection Control Device shall display an up-to-date information record card issued by the Town on, or immediately adjacent to, each Testable Cross Connection Control Device.

**PART 27 – PRIVATE WATER SERVICES & GROUND WATER SYSTEM**

124. No Owner or Occupant of Property in the Town shall use a well or other source of water, except the Town Water System, without written permission from the CAO.
125. No Person, except the Town, may drill a water well, on private or public land, within the boundaries of the Town, unless authorized in writing by the CAO.
126. No permits to drill a new well within the Town will be issued by the Town after the date this Bylaw becomes effective.
127. The Owner of a Property, which contained a water well or a water system or supply prior to the Property's annexation by the Town, may continue to operate such well or water system until the Town has installed a water system within a road, easement, public utility lot or other property controlled by the Town, at which time the CAO may require the Owner of a property adjacent to such road, easement, public utility lot or other property controlled by the Town, to provide, or pay for, a service connection to the Town Water System and, if connected to any other water system, or supply (including a well) to disconnect from that water system and connect to the Town Water System within one year from the time the Town Water System is available, or such further time allowed by the CAO.
128. All Persons having charge of, or being Owners or Occupants of Property containing a well or other source of supply of water, other than Town Water System, may apply to the CAO for permission to use the water in such well or other source of supply of water. The CAO, at their discretion, may deny the application, or grant the application subject to such conditions as the CAO may deem appropriate, including conditions on the use of the water from such well or other source or supply of water, together with conditions allowing the Town access to the Property for inspection to determine compliance with this Bylaw and any conditions stipulated by the Town at the time the application was granted.
129. Upon complying with, and abiding by, the conditions prescribed in Section 128, the applicant may be granted a permit to use the water in the well or other source of supply of water. Any such permit may be withdrawn by the CAO at any time without notice, and no Person shall use a well or other source of supply of water after a permit from the Town for use of same has been withdrawn.
130. If the use of any well or other source of water supply is continued contrary to the provisions of this Bylaw or the directions of the CAO, the CAO may issue an order that use of the well or other source of water cease immediately and that the well or other source of water supply be disconnected, removed, plugged, filled up or otherwise abated.

**PART 28 – GOVERNING THE PROVISION AND USE OF WASTEWATER SYSTEM**

131. The Town shall endeavor to provide notice to the Owners of a Property of an interruption of a Utility Service described herein and shall seek to minimize the inconvenience to Owners and/or Occupants as may be possible and reasonable.
132. No Owner or Occupant of any Property or building, that is supplied with a wastewater system by the Town, shall sell or otherwise dispose of, give away, or permit wastewater to be taken or carried away from the Property, unless authorized by the Town in writing.



133. The Town may remove obstructions from the Property or road allowances that are interfering with the performance of providing, maintaining, or terminating the supply of a Utility Service and may charge the Owner of the Property the costs associated with such removal. The Town will use reasonable care to avoid damaging the obstruction during the removal. The Town shall not be responsible for any restoration costs associated with such removals, should they be incurred.
134. If the Town cannot access the Property or the building on the Property, for the purposes of installing, maintaining or terminating supply of a Utility Service, the Town may charge a "No Access Fee" as set out in Schedule "A" to the Owner of the Property.

**PART 29 – WASTEWATER SYSTEM: INSPECTION OF PREMISES**

135. The Town may inspect the premises of the Owner of the Property who applies to the Town for the connection of wastewater in order to determine if it is advisable to supply such Utility to the Property.
136. The Town may, with the permission of the Owner of the Property, inspect the premises of the Owner in order to do any tests on wastewater piping or fixtures belonging to such Owner so as to determine if this Bylaw is being complied with. If the Owner fails or refuses to give such permission, the supply of water services to that Owner's property may be shut off and/or the Town may charge a "No Access Fee" as set out in Schedule "A" to the Owner of the Property.

**PART 30 – REPAIR AND MAINTENANCE OF EXISTING WASTEWATER SYSTEM**

137. The Owner of the Property shall be responsible for the repair and maintenance of the wastewater service line and connections within their own Property.
138. Repair of existing wastewater service lines:
- a) If an Owner of Property believes that the wastewater service is performing poorly or that it repeatedly causes problems, the Owner may request the Town in writing to repair or replace the wastewater service line within the Town's property. Before action is taken by the Town, the Owner may be requested to camera the wastewater service line, at the Owner's expense, to determine the nature of the problem.
  - b) If a problem is, or problems are, found to be on both the Owner's private Property and the Town property, it will be the responsibility of the Owner of the Property to repair the portion of the wastewater service line on the Owner's Property before the Town will undertake repairs to the wastewater service line on the Town's property. The Town will reimburse the Owner of the Property 50% of the expenses incurred by the Owner under Section 139 (a) to camera the service line.
  - c) If the problem is, or problems are, found to be located entirely on the Town's property, the Town will reimburse the Owner of the Property for camera costs incurred and will repair the wastewater service line at the Town's expense.
139. Replacement of wastewater service lines:
- a) If the Owner of a Property wishes to replace a wastewater service line on private property, it shall be at the Owner's expense.
  - b) Where a wastewater service line on private property needs replacement because it can no longer be economically repaired, the replacement must be undertaken by the Owner of the Property at the Owner's expense.
  - c) Installation or replacement of wastewater service lines shall be governed by the process set out in Parts 8 and 9 of this Bylaw.
140. The Owner of the Property shall be responsible for clearing any blockages in the wastewater service line from the building on the Property to the main, Town owned, wastewater service line to which it connects to.



**PART 31 – PRIVATE WASTEWATER SYSTEM**

141. The Owner of a Property, who operated a wastewater collection and disposal system prior to the Property's annexation by the Town, may continue to operate a wastewater collection and disposal system until the Town has installed a wastewater collection and disposal system within a road, easement, public utility lot or other property controlled by the Town, at which time the CAO may require the Owner of a Property adjacent to such road, easement, public utility lot or other property controlled by the Town, to provide, or pay for, a service connection to the Town Wastewater System within one year from the time the Town Wastewater System is available, or such further time as allowed by the CAO.

**PART 32 – PROHIBITED SUBSTANCES IN WASTEWATER**

142. No Person shall discharge, or allow to be discharged, into the Town Wastewater System any materials listed in Schedule "D" at a level which exceed the levels prescribed in Schedule "D".
143. No Person shall allow the discharge from a stormwater system to enter the Town Wastewater System.

**PART 33 – DENTAL WASTE AMALGAM SEPARATOR**

144. Every Owner or operator of premises, from which Dental Amalgam may be discharged, which waste may directly or indirectly enter wastewater shall:
- a) Install in any piping system at its premises that connects directly or indirectly to the wastewater system, Dental Amalgam Separators with at least 95% removal efficiency in amalgam weight and which are certified as compliant with ISO 11143 – "Dental Equipment: Amalgam Separators", as amended;
  - b) Operate and maintain all Dental Amalgam Separators in good working condition and according to the manufacturer's recommendations;
  - c) Provide an approved Monitoring Access Point which is readily and easily accessible at all times for inspection; and
  - d) Provide to the Inspector on request a maintenance schedule and record of maintenance for each installed Dental Amalgam Separator.

**PART 34 – GREASE, OIL & SOLIDS INTERCEPTION IN WASTEWATER**

145. Grease traps of sufficient size and approved design shall be placed by the Owner of the Property on the waste pipes from all hotels, restaurants, laundries, and such other places as the Town may direct. The Owner of the Property and Occupant of the building will be responsible for the maintenance of the grease traps.
146. Residential, Industrial and Commercial building sumps:
- a) Interceptors of sufficient size and approved design shall be placed by the Owner of the Property on the waste pipes from all car washes and any other buildings that may cause excess dirt and debris to pass into the Town Wastewater System. The Owner of the Property and Occupant of the building will be responsible for the maintenance of the sumps and interceptors.

**PART 35 – WASTEWATER SYSTEM: TREES AND ROOTS**

147. No Person shall plant deep rooting trees such as willow, poplar or elm within a minimum of 6 metres of a wastewater main or lateral services; all other species of trees shall be planted at a minimum of 4 metres from wastewater mains or lateral services.
148. If it is determined that a blockage in a private wastewater service is caused by a tree located adjacent to or directly on private property, the Town shall have no obligation to clear the blockage.
149. If it is determined that a blockage in a private wastewater service is caused by a tree located on Town property, the Town will clear the blockage and either place the service line on a root-cutting maintenance program, re-line or repair the wastewater pipe and remove the tree(s) at the Town's expense.



150. If it is determined that a blockage in the Town's wastewater main or any other part of the Town Wastewater System is caused by tree roots extending from trees located adjacent to or directly on private property, the Town will, at the private Property Owner's expense, clear the blockage and either place the sewer on a root-cutting maintenance program, re-line or repair the sewer pipe and remove the tree(s).

**PART 36 – GOVERNING THE PROVISION AND USE OF STORMWATER SYSTEM**

151. The Town shall endeavor to provide notice to Owners of a Property of an interruption of Utility Services described herein and shall seek to minimize the inconvenience to Owners and Occupants as may be possible and reasonable.
152. No Owner or Occupant of any Property or building supplied with stormwater services by the Town, shall sell or otherwise dispose of from the Property, give away, or permit stormwater to be taken or carried away from the Property, unless authorized by the Town in writing.
153. The Town may remove obstructions from the Property or road allowances that are interfering with the performance of providing, maintaining, or terminating the supply of a Utility Service and may charge the Owner of the Property the costs associated with such removal. The Town will use reasonable care to avoid damaging the obstruction during the removal. The Town shall not be responsible for any restoration costs associated with such removals, should they be incurred.
154. If the Town, after giving reasonable notice to the Property Owner or Occupant, cannot access the Property or the building on the Property for the purpose of providing, maintaining or terminating the supply of a Utility Service to that Property, the Town may charge a "No Access Fee" set out in Schedule "A" to the Owner of the Property.

**PART 37 – STORMWATER SYSTEM: INSPECTION OF PREMISES**

155. The Town may inspect the premises of an Owner of Property who applies to the Town for the connection of stormwater services in order to determine if it is advisable to supply such Utility to the Property.
156. The Town may, with the permission of the Owner of the Property, inspect the premises of the Owner in order to do any tests on stormwater piping or fixtures belonging to the Owner so as to determine if this Bylaw is being complied with. If the Owner of the Property fails or refuses to give such permission, the supply of water services to that Property may be shut off and/or a 'No Access Fee' rendered as set out in Schedule "A".

**PART 38 – REPAIR AND MAINTENANCE OF EXISTING STORMWATER SYSTEM**

157. The Owner of the Property shall be responsible for the repair and maintenance of the stormwater service line within their own Property.
158. Repair of stormwater service connections and lines on the Owner's Property:
- a) Where the exact location of a stormwater service problem cannot be determined to be either, clearly within the Town lands, or on the Owner's Property, the Town may undertake to determine the location of the problem.
  - b) If a stormwater service problem exists within the Town lands, the Town will complete repairs.
  - c) If it is determined that a stormwater service problem exists on private property, the Owner of the Property shall be responsible for the costs incurred by the Town to that point and for the costs to complete repairs.
159. Where the Owner of a Property undertakes the repair of a stormwater service line or connection on their own Property and finds that the problem exists on the portion of line for which the Town is responsible, the Town will complete the repairs.
160. Replacement of stormwater service lines:
- a) If the Owner of a Property wishes to replace a stormwater service line, it shall be at the Owner's expense.
  - b) Where a stormwater service line needs replacement because it can no longer be economically repaired, the replacement must be undertaken by the Owner of the Property at the Owner's expense.



- c) Installation or replacement stormwater service lines shall be governed by the process set out in Parts 8 and 9 of this Bylaw.
161. The Owner or Occupant of a Property shall ensure that stormwater infrastructure remains accessible and exposed. The Town is authorized to arrange for the removal of any obstructions restricting access to the stormwater infrastructure, at the cost of the Owner of the Property.
162. Where the Owner or Occupant of the Property, damages, or causes, stormwater infrastructure to become inoperative, they shall be responsible for costs incurred by the Town to conduct repairs.
163. The Owner of any Property on which there is a dwelling, shall design and connect a stormwater system to allow discharge to the Town Stormwater System with relief discharge to the surface. The stormwater system shall be installed by the Owner of the Property in such a manner as to comply with all Town Bylaws, standards and policies and other applicable regulatory authorities and without causing excessive pooling or icing on public or private property.

#### **PART 39 – DISCHARGE OF PROHIBITED SUBSTANCES IN STORMWATER SYSTEM**

164. Only stormwater is permitted to be disposed of into the Town Stormwater System. No Person shall discharge or allow to be discharged into the Town Stormwater System, any substance including, but not limited to, any Deleterious substances, and/or restricted substances identified in Schedule D.

#### **PART 40 – GREASE, OIL & SOLIDS INTERCEPTION IN STORMWATER**

165. Grease, oil and sediment separators of sufficient size and approved design shall be placed in manholes and/or catch basins into the Town Stormwater System as determined by the Town. The Owner of the Property will be responsible for the maintenance of the separators.

#### **PART 41 – STORMWATER SYSTEM: TREES AND ROOTS**

166. No Person shall plant deep rooting trees such as willow, poplar or elm within a minimum of 6 metres of a stormwater main or lateral services; all other species of trees shall be planted at a minimum of 4 metres from stormwater mains or lateral services.
167. If it is determined that a blockage in a private stormwater service is caused by a tree located adjacent to or directly on private property, the Town shall have no obligation to clear the blockage.
168. If it is determined that a blockage in a private stormwater service is caused by a tree located on Town property, the Town will clear the blockage and either place the sewer on a root-cutting maintenance program, re-line or repair the service line and remove the tree(s) at the Town's expense.
169. If it is determined that a blockage in the Town Stormwater Service main, or any other part of the Town Stormwater System, is caused by tree roots extending from trees located adjacent to or directly on private property, the Town will, at the private Property Owner's expense, clear the blockage and either place the sewer on a root-cutting maintenance program, re-line or repair the service line and remove the tree(s).

#### **PART 42 – CHARGES AND FINES**

170. Charges as prescribed in Schedule "A" will be imposed on the Owner of the Property for issuing a payment to the Town which is dishonoured or returned with a notification of non-sufficient funds (N.S.F.) and those charges shall be added to the Utility account for the Property.
171. Any Person who breaches or contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to pay a fine as specified in Schedule "C" of this Bylaw, in addition to any further or other sanction a Court may impose.
172. Where a Person has been convicted of a contravention of the same provision of this Bylaw twice within a twelve month period, the specified fine payable in respect of the second conviction is double the amount of the fine specified in Schedule "C" in respect of that provision, in addition to any further or other sanction a Court may impose.





TOWN OF BLACKFALDS  
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173. Any Person who breaches or contravenes any provision of this Bylaw for which there is no fine specified in Schedule "C" of this Bylaw, is liable, upon summary conviction, to pay a fine of \$250.00 for a first offence, \$500.00 for a second offence, and \$1,000.00 for a third or subsequent offence, within a twelve month period, in addition to any further or other sanction a Court may impose.

174. A Peace Officer who has reasonable and probable grounds to believe that a Person has contravened any provision of this Bylaw is hereby authorized to issue a violation ticket to that Person pursuant to the Provincial Offences Procedure Act, RSA 2000, c. P-34.

175. Any fine or penalty imposed pursuant to this Bylaw is to the benefit of the Town.

**PART 43 – SEVERABILITY**

176. Should any clause or part of this Bylaw be found to have been improperly enacted, for any reason, then such clause or part shall be regarded as being severable from the rest of this Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the clause or part found to be improperly enacted had not been enacted as part of this Bylaw.

**PART 44 – REPEAL**

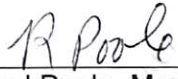

177. Bylaw No. 1150.13 is hereby repealed upon this Bylaw coming into effect.

**PART 45 – DATE OF FORCE**

178. That this Bylaw shall come into effect, upon the date on which it is finally read and passed.

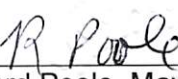

READ for the first time this 8<sup>th</sup> day of September, 2020 A.D.

(Resolution No. 247/20)

  
\_\_\_\_\_  
Richard Poole, Mayor  
  
\_\_\_\_\_  
Sean Barnes,  
Acting Chief Administrative Officer

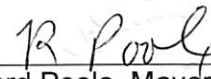

READ for the second time this 8<sup>th</sup> day of September, 2020 A.D.

(Resolution No. 248/20)

  
\_\_\_\_\_  
Richard Poole, Mayor  
  
\_\_\_\_\_  
Sean Barnes,  
Acting Chief Administrative Officer

READ for the third and final time this 13<sup>th</sup> day of October, 2020 A.D.

(Resolution No. 276/20)

  
\_\_\_\_\_  
Richard Poole, Mayor  
  
\_\_\_\_\_  
Myron Thompson,  
Chief Administrative Officer





SCHEDULE "A"

Meter installation cost	
5/8" Meter	At Cost + 25%
3/4" Meter	At Cost + 25%
1" Meter	At Cost + 25%
1 1/2" Meter	At Cost + 25%
2" Meter	At Cost + 25%
3" Meter	At Cost + 25%
4" Meter	At Cost + 25%
6" Meter	At Cost + 25%
Water line connection rates	
1" from main to property	At Cost + 25%
1 1/2" from main to property	At Cost + 25%
2" from main to property	At Cost + 25%
Wastewater line connection rates	
4" from main to property	At Cost+ 25%
6" from main to property	At Cost+ 25%
Stormwater line connection rates	
4" from main to property	At Cost+ 25%
6" from main to property	At Cost+ 25%
Construction restoration	At Cost+ 25%
Miscellaneous rates	
"No Access Fee"	\$ 50.00 (per visit)
Turn water off and/or on	
- during regular hours	\$ 50.00 (per visit)
- after hours	At Cost (per visit)
Water service removal (including construction restoration)	At Cost+ 25%
Repairs to water meters (damaged by homeowner or tenant)	At Cost+ 25%
Thawing water or wastewater service	At Cost+ 25%
Repair to damaged standpipe	At Cost+ 25%
Cleaning plugged wastewater service lines	At Cost+25%
after hours	At Cost+25%
Administration fee: (initiating account)	\$ 25.00
Researching and reporting on utility accounts	\$ 25.00
NSF payments	\$ 25.00
Water meter installation	\$ 50.00
Owner requested meter reading	
Meter testing – in house	\$ 50.00
Meter testing – out-sourced	At Cost + 25%
Miscellaneous items at cost plus 25% as determined by Administration.	





SCHEDULE "B"

COMMERCIAL AND RESIDENTIAL WATER AND WASTEWATER RATES  
(Rates Effective January 1, 2020)

WATER RATES

Each Owner shall pay for water services supplied to the Property owned by them, the aggregate of amounts determined as per below:

A. Minimum Rate: Fixed base rate as below:

The fixed base rate monthly charge shall be determined by the size of the meter supplied to each Owner as follows:

5/8" (16mm) and 3/4" (19 mm)	\$17.06 fixed rate
1" (25 mm)	Cost of 3/4" meter multiplied by 2.5
1 1/2" (38 mm)	Cost of 1' meter multiplied by 2.5
2" (50 mm)	Cost of 1 1/2' meter multiplied by 2.5
3" (75 mm)	Cost of 2' meter multiplied by 2.0
4" (100 mm)	Cost of 3' meter multiplied by 2.0

\*\* For larger size service, multiplier to be determined by Administration.

B. Plus an Infrastructure rate: \$10.61

C. Plus a Consumption rate: \$ 2.72 per cubic meter of water measured

WASTEWATER RATES

Each Owner shall pay for wastewater services supplied to them, the aggregate of amounts determined as per below:

A. Minimum Rate: \$14.59

B. Plus an Infrastructure rate: \$ 0.00

C. Plus a Consumption rate: \$ 3.00 per cubic meter at 80% of water measured.

The above monthly minimum rates will apply to all properties in Town that have water and/or wastewater services available in the land abutting the property.

GENERAL PROVISIONS

A deposit of no greater than three months estimated billing may be required at the discretion of the CAO.

The decision to sell bulk water to contractors, developers and private companies shall be at the discretion of the CAO and/or their delegate. If the Town of decides to sell bulk water, it will be at the rate established by the North Red Deer River Water Services Commission, plus an additional \$0.75 for every cubic meter. A minimum charge of \$110.00 per sale will apply to all bulk sales.



**SCHEDULE "C"**

**VIOLATION FINES**

Fines for first offences are set out below.

<b>Section</b>	<b>Description of Offence</b>	<b>Fine</b>
9	Hinder/prevent Inspector from carrying out their duties	\$500
19	Install Utility service line or connection without Town approval	\$500
52	Failure to notify required parties of Spill (no immediate danger)	\$250
53	Failure to notify 911 and other required parties of Spill (with immediate danger)	\$1500
56	Failure to provide Spill report to Town within 5 days	\$250
56 (a)	Failure to provide name/address/contact information in Spill report to Town	\$250
56 (b)	Failure to provide required details of Spill in Spill report to Town	\$250
56 (c)	Failure to provide work status in Spill report to Town	\$250
56 (d)	Failure to provide preventative action information in Spill report to Town	\$250
59	Deposit material in Town Water System/Wastewater System/ Stormwater System that may cause blockage	\$3000
60	Discharge Deleterious substance/restricted material in Town Wastewater System or Town Stormwater System that may adversely affect or pollute the environment or cause hazard to a person	\$3000
61	Connect to Town Wastewater/Stormwater System to convey inflammable/explosive/hazardous material	\$3000
62	Connect to Town Wastewater/Stormwater System to convey water collected by weeping tile/eaves troughs/roof spouts	\$3000
63	Discharge contents of privy vault/manure pit/cesspool to Town Water System/Wastewater System/Stormwater System	\$3000
64	Tamper with manhole cover/ventilator of Town Water System/ Wastewater System/Stormwater System	\$3000
65	Cut/break/pierce into Town Water System/Wastewater System/ Stormwater System without Town authorization	\$3000
67 (a)	Discharge/waste without treating into Town Wastewater System/ Stormwater System from Commercial/trade/industrial/ manufacturing Process	\$3000
67 (b)	Failure to install/maintain/operate pre-treatment works	\$3000
68	Discharge a Schedule D material exceeding acceptable level into Town Wastewater System	\$3000
69	Discharge Deleterious substance into Town Stormwater System	\$3000
72	Sell/dispose/gift water from Town Water System without Town authorization	\$1000
81	Cause/permit/allow waste of water	\$250
83	Failure to install low-flow plumbing fixtures on new construction And/or renovations	\$250
89	Plant trees too close to water main/lateral service	\$500
93	Turn on water from curb stop valve without Town authorization	\$500
94	Failure to keep water service curb stop valve accessible	\$500
96 (d)	Operate curb stop valve larger than 25 mm (1 inch)	\$500
101 (a)	Open/close fire hydrant cap/valve	\$3000
101 (b)	Connect device to fire hydrant	\$3000
101 (c)	Use water from fire hydrant for purpose other than fire protection	\$3000
102	Allow access to fire hydrant to be obstructed	\$3000
103	Allow interference with operation/maintenance of fire hydrant	\$3000
104 (a)	Failure to maintain required clearance area around fire hydrant	\$3000
104 (b)	Construct/erect/place obstruction in clearance area of fire hydrant	\$3000
104 (c)	Plant something other than grass in clearance area of fire hydrant	\$3000
104 (d)	Failure to maintain visibility to fire hydrant from access road	\$3000
104 (e)	Failure to provide maintenance records for private fire hydrant to Town	\$3000





**TOWN OF BLACKFALDS  
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109	Failure to ensure access to Property/building for Town to install/maintain/read water meter	\$1000
110 (a)	Failure to allow Town installation of water meter	\$1000
110 (b)	Failure to allow Town installation of remote reading device	\$1000
111 (b)	Install/test/repair/remove/disconnect/reconnect water meter without Town authorization	\$1000
111 (c)	Break/tamper/interfere with water meter	\$1000
111 (d)	Failure to notify Town of inoperative/damaged water meter	\$1000
111 (e)	Failure to keep water meter/remote reading device safe	\$1000
112	Break/tamper with water meter seal	\$1000
116	Allow water/wastewater/liquid/chemical/substance to enter Town Water System	\$3000
117	Failure to allow Inspector to inspect cross connections/backflow preventers	\$1000
119 (a)	Failure to annually inspect/test testable cross connection	\$1000
119 (b)	Failure to report cross connection testing to Director	\$1000
120	Failure to install Director approved testable cross connection	\$1000
121	Failure to have inspection/test conducted on cross connection by person approved by the Director	\$1000
123	Failure to display up-to-date card on testable cross connection	\$1000
124	Use well/source of water other than Town Water System without Town authorization	\$1500
125	Drill well without CAO authorization	\$1500
132	Sell/dispose/gift wastewater without Town authorization	\$1000
142	Discharge Deleterious substance into Town Wastewater System	\$3000
143	Allow discharge from stormwater system to enter Town Wastewater System	\$3000
144 (a)	Failure to install required dental amalgam separators	\$3000
144 (b)	Failure to operate/maintain dental amalgam separators	\$3000
144 (c)	Failure to provide approved monitoring access point	\$1000
144 (d)	Failure to provide maintenance records requested by Inspector	\$1000
145	Failure to install/maintain appropriate grease traps	\$3000
146	Failure to install/maintain appropriate sump interceptors	\$3000
147	Plant trees too close to wastewater main/lateral service	\$500
152	Sell/dispose/gift stormwater without Town authorization	\$1000
161	Fail/refuse to ensure stormwater infrastructure is accessible	\$3000
164	Discharge Deleterious/restricted substance into Town Stormwater System	\$3000
166	Plant trees too close to stormwater main/lateral service	\$500



**SCHEDULE "D"**

**Restricted Materials**

As per the North Red Deer River Wastewater Services Commission (the "Commission") of Supply Service, as amended from time to time.

No Person shall discharge wastewater into any part of the Town Wastewater System:

- a) In excess of an amount of cubic meters per day of wastewater that the Commission stipulates from time to time based on capacity of the system and the Commission's ability to process the wastewater, as communicated by the Commission by written notice to the Town of Blackfalds;
- b) Waters or wastes having pH lower than 6.0 or higher than 10.5, or having any corrosive property capable of causing damage or hazard to structures, equipment, biological wastewater treatment processes, and Personnel of, wastewater works;
- c) Containing substances in concentrations exceeding the following parameters:

<b>CONTAMINANTS</b>	<b>LIMITS</b>
Total Suspended Solids	4,800 mg/L
Biochemical Oxygen Demand (B.O.D.)	4,800 mg/L
Chemical Oxygen Demand (C.O.D.)	9,600 mg/L
Total Phosphorus	150 mg/L
Total Kjeldahl Nitrogen (T.K.N.)	400 mg/L
Oil & Grease – Animal and Vegetable	500 mg/L
Oil & Grease – Synthetic Hydrocarbon	50 mg/L
Phosphates	100 mg/L
<b>INORGANIC CONSTITUENTS</b>	
Antimony	1.00 mg/L
Arsenic	1.00 mg/L
Barium	3.00 mg/L
B.E.T.X. (Benzene, Ethyl Benzene, Toluene, Xylene)	1.00 mg/L
Boron	1.50 mg/L
Cadmium	0.05 mg/L
Chromium	1.00 mg/L
Chlorinated Hydrocarbons	0.02 mg/L
Copper	0.50 mg/L
Cyanide	1.00 mg/L
Hydrocarbons	50 mg/L
Lead	1.00 mg/L
Manganese	1.00 mg/L
Mercury	0.10 mg/L
Nickel	0.50 mg/L
Phenolic Compounds	0.10 mg/L
Selenium	1.00 mg/L
Silver	1.00 mg/L
Sulphide	1.00 mg/L
Zinc	1.00 g/L

- d) containing lime slurry and residues;
- e) containing any substance which, in the opinion of the Commission or AEP:
  - i. is or may become harmful to any recipient water course or wastewater system or part thereof;
  - ii. may interfere with the proper operation of the wastewater system;
  - iii. may impair or interfere with any wastewater treatment process; or
  - iv. may become a hazard to Persons, property or animals.





**TOWN OF BLACKFALDS  
UTILITY BYLAW No. 1250.20**

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Where any Person has discharged, caused or permitted to be discharged into the Town Wastewater System, any wastewater which does not comply with the foregoing limits and the Commission's Service Standards & Requirements including, without restriction, in excess of the following limitations:

- a) Suspended solids which exceed 300 mg/L; or
- b) B.O.D. which exceed 300 mg/L; or
- c) Oil and grease which exceeds 100 mg/L;

that Person shall be responsible for the additional rates or fees for treatment arising from such transgression or non-compliance, as well as any additional fines or costs incurred by the Town of Blackfalds imposed by the Commission.