

TOWN OF THREE HILLS

Bylaw No. 1467-20

WATER AND WASTEWATER SERVICES BYLAW

A BYLAW OF THE TOWN OF THREE HILLS, IN THE PROVINCE OF ALBERTA RESPECTING WATER AND WASTEWATER IN THE TOWN OF THREE HILLS.

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, C. M-26 as amended, provides for the passing of a bylaw by a Municipal Council respecting public utilities within the Town; and

WHEREAS, Waterworks and Wastewater are defined as a Public Utility; and

WHEREAS, the Town of Three Hills deems it appropriate and necessary to levy rates and charges on all Persons to whom such utility services are provided and to set forth the terms and conditions under which such utility service will be provided;

NOW THEREFORE, the Municipal Council of the Town of Three Hills, in the Province of Alberta, duly assembled in a regular meeting, hereby enact as follows:

Part I: TITLE, DEFINITIONS, INTERPRETATIONS, AREA OF RESPONSIBILITY

1. SHORT TITLE

1.1. This Bylaw shall be referred to as the “Water and Wastewater Services Bylaw”.

2. DEFINITIONS

2.1. In this Bylaw, unless the context otherwise requires:

- 2.1.1. “Account” shall mean an agreement between an Owner/Occupant and the Town for the supply of water and/or wastewater.
- 2.1.2. “Appurtenance” shall mean any fixture, receptacle, apparatus or other device which is attached to and forms a part of a Service Connection, or the Water System, as applicable.
- 2.1.3. “Authorized Person” shall mean a Person employed or under contract to the Town for the purposes of inspection and enforcement and shall include an Enforcement Officer.
- 2.1.4. “Backflow” shall mean the reversal of the direction of flow within a Service Connection.
- 2.1.5. “CAO” shall mean the Chief Administrative Officer for the Town of Three Hills or his designate.
- 2.1.6. “Control Valve” shall mean a valve that can be used to control flow and pressure of water supply to a pipe or series of pipes but does not include a Curb Stop Valve.
- 2.1.7. “Council” shall mean the body of elected officials who govern the Town.
- 2.1.8. “Cross-Connection” shall mean any temporary, permanent or potential connection to

a Service Connection or Appurtenance of a Service Connection that may allow Backflow to occur and includes, but is not limited to swivel or changeover devices, removable sections, temperature connections and bypass arrangements.

- 2.1.9. “Curb Stop Valve” shall mean a shut-off valve constructed in-line at the end of a water Service Connection allowing the supply of water to a Property to be shut off.
- 2.1.10. “*Design Standards*” shall mean the Town’s Design Standards document or its successor, as approved by Council from time to time.
- 2.1.11. “Development Authority” shall mean the Development Officer or Municipal Planning Commission pursuant to the Land Use Bylaw, as the context may require.
- 2.1.12. “Dwelling Unit” means a building intended for residential purposes.
- 2.1.13. “Enforcement Officer” shall refer to a Bylaw Enforcement Officer appointed by the Town pursuant to the *Municipal Government Act* to enforce Town Bylaws, a member of the Royal Canadian Mounted Police or, when authorized, a Community Peace Officer appointed under the *Peace Officer Act*, SA 2006, c. P-3.5, as amended.
- 2.1.14. “Facilities” shall mean any physical facilities and infrastructure including, but not limited to, transmission and distribution pipelines, valves, reservoirs, pumping stations, fire hydrants, chambers and pressure reducing valves, meters, measurement devices, and other physical plant and piping Appurtenances.
- 2.1.15. “Fire Water Service Connection” shall mean that portion of a water Service Connection that is intended solely for the purpose of providing a standby supply of water for fire protection services.
- 2.1.16. “Litres per Minute (“LPM”)” shall mean the amount of water in litres passing through a pipe per minute.
- 2.1.17. “Master Rates, Fees and Charges Bylaw” shall mean the Town’s Master Rates, Fees and Charges Bylaw, as amended from time to time.
- 2.1.18. “Meter Reader” shall mean a Person employed or contracted to the Town for the purpose of gathering the information recorded by a Meter.
- 2.1.19. “Meter Spacer” shall mean a length of pipe which can be removed from a water Service Connection for the purpose of installing a Water Meter.
- 2.1.20. “MGA” shall refer to the *Municipal Government Act*, RSA 2000, C. M-26, as amended from time to time.
- 2.1.21. “Occupant” shall mean any Person other than the Owner who is in possession of the Property, including, but not limited to, a licensee, tenant, or agent of the Owner.
- 2.1.22. “Owner” shall mean:
- i. any Person registered as the Owner of the Property under the *Land Titles Act*;
 - ii. a Person who is recorded as the Owner of the Property on the Assessment Roll of the Town;
 - iii. a Person who has become the beneficial Owner of the Property, including by entering into a Purchase and Sale Agreement, whether they have purchased or

- otherwise acquired directly from the Owner or from another purchaser, and who has not yet become the registered Owner thereof;
- iv. a Person holding himself out as the Person exercising the power or authority of Ownership or, who for the time being exercises the powers and authority of Ownership over the Property.
- 2.1.23. “Person” shall include any individual, firm, partnership or corporation and the heirs, executors, administrators, or other legal representatives of an individual.
- 2.1.24. “Premises” or “Property” shall mean real Property and all buildings, structures, and improvements thereon.
- 2.1.25. “*Provincial Offences Procedure Act*” shall refer to the *Provincial Offences Procedure Act*, R.S.A. 2000 C. P-34, as may be amended from time to time, and any regulations thereunder.
- 2.1.26. “Remote Meter Reading Device” shall mean equipment installed to remotely read a Water Meter without obtaining physical access to the Water Meter, and includes all wiring and accessories required to operate the device.
- 2.1.27. “*Safety Codes Act*” shall refer to the *Safety Codes Act*, R.S.A. 2000, C.S-1, as may be amended from time to time, and any regulations thereunder.
- 2.1.28. “Service Connection” shall mean the part of the system or works of a Utility that runs from the Water Main of the Utility to a building or other place on a parcel of land for the purpose of providing Water Service to the parcel and includes parts or works such as the pipes, wires, couplings, meters and other apparatus.
- 2.1.29. “Service Connection Fee” shall mean that fee set out in the Master Rates, Fees and Charges Bylaw charged by the Town for the connection of Premises to the Water System or Wastewater System, as applicable.
- 2.1.30. “Storm Water” shall mean water running off the surface of a drainage area during and immediately after a period of rain or snow melt.
- 2.1.31. “Town” shall mean the Town of Three Hills.
- 2.1.32. “Unauthorized Use” shall mean any use that is not:
- i. for construction purposes;
 - ii. metered through a Town-owned Water Meter;
 - iii. emergency use; or
 - iv. authorized by the CAO.
- 2.1.33. “Utility” shall mean the system or works of a public utility operated by or on behalf of the Town.
- 2.1.34. “Violation Ticket” shall mean a violation ticket issued pursuant to the *Provincial Offences Procedure Act*, RSA 2000, C. P-34, as amended, and the regulations thereunder.
- 2.1.35. “Wastewater Service Line” shall mean that line extending from the main in the street to the Property line of the building being serviced.

- 2.1.36. “Wastewater System” shall mean that system of pipes, fittings, fixtures, Appurtenances, treatment plants, pumping stations, feeder mains, portions of Service Connections, and all other equipment and machinery of whatever kind owned by the Town which is required for the collection and disposal of sewage, and which is deemed to be a Public Utility within the meaning of the MGA, or other such legislation that may be applicable from time to time.
- 2.1.37. “Water Main” shall mean a water pipe in the street, public thoroughfare, or Town easement that forms part of the Town’s water distribution network and delivers the water supply to service lines.
- 2.1.38. “Water Meter” shall mean a Water Meter used to measure the amount of water used in metric measurement.
- 2.1.39. “Water Service” shall mean the Utility provided by the Town to provide water to Property through a Water Main to a Service Connection.
- 2.1.40. “Water Service Connection” shall mean the portion of a Water Service pipe between the Water Main and the curb stop valve.
- 2.1.41. “Water Service Line” shall mean that line extending from the main in the street to the Property line of the building being serviced.
- 2.1.42. “Water System” shall mean a system of reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, Service Connections, pipes, valves, fittings, hydrants, meters, Cross-Connection control devices, and all other equipment and machinery that is required to supply and distribute water to properties and which is deemed to be a public Utility within the meaning of the MGA, or other such legislation that may be applicable from time to time.

3. INTERPRETATION

- 3.1. The headings in this Bylaw are for reference purposes only.
- 3.2. Nothing in this Bylaw shall be interpreted as conflicting with any Provincial or Federal legislation.
- 3.3. Where any provision of this Bylaw conflicts with any Provincial or Federal legislation, the Provincial or Federal legislation shall take precedence.

4. AREA OF RESPONSIBILITY

- 4.1. The Town may establish standards, guidelines, and specifications for the design, construction, and maintenance of the Water System and Wastewater System, including or in addition to the *Design Standards*.
- 4.2. All waterworks, Wastewater Systems, storm drainage systems, drains and wastewater disposal works, belonging to the Town now laid down, or hereafter laid down shall be under the direct control of the Town.
- 4.3. Nothing in this Bylaw shall be interpreted as preventing the Development Authority from imposing as a condition of subdivision or development approval, an obligation upon the

applicant for subdivision and development approval to pay for the cost of installation of a portion of the Water System necessary to service the lands subject to the application, including the main line and those portions of the Service Connection owned by the Town, and located between the Town's Water Mains and the Property line on the road or easement boundary.

- 4.4. The Town does not guarantee the continuous uninterrupted supply of any utility service but reserves the right to suspend the supply of a utility service at any time without notice where required in the maintenance and operation of the utility service.

Part II: WATER SERVICE

5. PROVISION OF WATER SERVICE

5.1. *Terms of Water Service*

- 5.1.1. The Town shall, in accordance with the terms and conditions prescribed in this Bylaw, be responsible for the operation and management of all Water Service facilities and equipment utilized for the distribution of water.
- 5.1.2. The use and control of the Water Service shall be in accordance with this Bylaw.
- 5.1.3. The Town shall supply Water Service to any Property that is situated along a Water Main operated by the Town if there is sufficient capacity, upon such terms, costs or charges as established by Council.
- 5.1.4. The Town may authorize, under such conditions as the Town deems necessary, the supply of water to a Property that is not situated along a Water Main, at the cost of the applicant.
- 5.1.5. An account must be opened before the Town's Water Service is provided.
- 5.1.6. The Town shall maintain ownership of all:
- i. Water Mains;
 - ii. service lines, between the Water Main and the Curb Stop Valve;
 - iii. Water Meters required by this Bylaw; and
 - iv. Curb Stop Valves.
- 5.1.7. An Owner shall be responsible for damages to Town owned equipment and infrastructure located on the Owners property. For example, damaging a curb stop located on the Owners property.
- 5.1.8. All items on an Owner's Property, including all pipes, valves, privately-owned meters, fixtures, and other items attached to the Water System, except for those listed in section 5.1.6., shall be the Property of the Owner.
- 5.1.9. An Owner shall be responsible for the installation, inspection, repair, and maintenance of all items owned by the Owner.
- 5.1.10. The provisions of this Bylaw relating to the supply of water to Owner/Occupants shall form part of every contract, written or implied, between the Town and an Owner/Occupant for Water Service.

- 5.1.11. All work performed on any portion of the Water System, pursuant to the terms of this Bylaw by an Owner/Occupant shall be performed in accordance with the required standards set out in the *Plumbing Code*, *Building Code* and any other applicable Code under the *Safety Codes Act*.

5.2. *Use of Water*

- 5.2.1. No Person shall use water from the Town's Water System, unless
- i. the water first passes through a Town-owned Water Meter;
 - ii. the water is used for firefighting purposes;
 - iii. the water is used for other emergency purposes as approved by the Town;
 - iv. the water is used for construction purposes, and the construction company has an Account for the use; or
 - v. the Town has provided written permission to take or use water from the Town's Water System.
- 5.2.2. No Person, except as authorized by the Town or this Bylaw, shall;
- i. operate, handle, or interfere with the Town's provision of water, or operation of the Water System;
 - ii. operate the Town's Curb Stop Valves, valves, pipes, or other parts of the Water System; or
 - iii. impede access to the Water System.
- 5.2.3. Persons shall take all reasonable measures to ensure water is not wasted.
- i. For the purposes of this section, wasting water means excessive use of water for non-human consumption, over and above the daily requirements for normal use.

5.3. *Connecting to the Town's Water System*

- 5.3.1. All Owners whose Property is adjacent to a Town Water Main may be connected to the Town's Water System at the applicant's expense.
- 5.3.2. All Properties which have access to the Town's Water System, but are not connected, shall not be required to pay the flat rate amount as established by Council.
- 5.3.3. A vacant property that does not have an improvement on the property shall not be charged the flat rate amount as established by Council.
- 5.3.4. A property that has an improvement located on the property shall be required to pay the flat rate amount as established by Council.
- 5.3.5. Those who connect to the Town's Water System shall pay for consumption-based usage upon Council's established rates in addition to the flat rate amount.
- 5.3.6. Any Owner who requires residential or commercial Water Service in the Town:

- i. shall make an application to the Town. Failure to make an application to the Town prior to usage of water shall constitute a contravention of this Bylaw, and may be subject to a fine or penalty;
 - ii. upon the acceptance of the application, shall have an Account set up in the name of the Owner of the Property;
 - iii. may request, in writing, that the monthly utility billings under the Account be submitted directly to the Occupant of the Property or another third party, including but not limited to: a Property manager, tenant, or both; and
 - iv. shall acknowledge that a request made pursuant to Section 5.3.5.(iii.) does not limit the liability of the Owner to ensure the utility account remains in good standing.
- 5.3.7. All Water Service Connections laid in private Property, between the Property line and the Water Meter, shall be C.S.A. approved material of equal quality to the Water Service Line, and shall be the sole responsibility of the property owner.
- 5.3.8. All Owner/Occupants require Water Meters and radio transmitting devices to be installed on their Premises at the costs stated in the Master Rates, Fees and Charges Bylaw.
- 5.3.9. No Water Service Connection may be made to the Water Service Line between the Property line and the meter.
- 5.3.10. A private Water Service Connection cannot be made to the Town's Water Service Line until approval is granted by the Town.
- 5.3.11. Only one Water Service Connection will be provided per lot.
- 5.3.12. A Water Service Connection shall not be extended from one lot to another lot.
- i. The Owner of a Property that is connected to the Town's Water System may apply to the Town for a larger Water Service Connection and Water Service Line.
 - ii. The Owner shall pay a deposit in advance of the Town upgrading the size of a water Service Connection and Water Service line.
 - iii. The Owner shall pay all the Town's reasonable costs associated with upgrading the size of a water Service Connection and Water Service line.
- 5.3.13. Water service shut off shall be located on or near the Property line and shall not be obstructed by any shrubs, bushes, trees, garbage receptacles, etc.

5.4. *Alternate Sources of Water Supply*

- 5.4.1. No well water or source of water other than water provided by Town Water Mains shall be used in the Town without first obtaining written permission from the Town.
- 5.4.2. An Owner or Occupant of a Premise containing a well, or source of water other than water provided by Town Water Mains, may apply to the Town for permission to use the water in said well or another source. The Town may impose such conditions on



the use of said well or source as the Town deems necessary. These conditions shall not be able to be appealed to any group or organization. Upon complying with the conditions prescribed, the applicant may be granted a permit to use the water in the said well or other source of supply of water.

- 5.4.3. No permits will be issued for new wells upon the date this Bylaw becomes effective.
- 5.4.4. If the use of any such well or other source of supply of water is continued, contrary to the provisions of this Bylaw:
 - i. the Town shall provide to the Owner or the Occupant forty-eight (48) hours notice to discontinue the use of such well or other source of supply of water;
 - ii. after forty-eight (48) hours has passed the well, or other source of water, may be declared to be a nuisance and dangerous to the Public Health and Safety and shall be removed, plugged, filled up, or otherwise abated.
 - iii. Any permission issued pursuant to Section 5.4.1. may be withdrawn by order of Council at any time without notice, and no Person shall use a well or other source of supply of water after a permit for use of same has been withdrawn.

6. WATER METERS

6.1. *General Conditions*

- 6.1.1. Unless otherwise approved by Council, all water supplied to an Owner/Occupant shall pass through a Water Meter installed and supplied by the Town.
- 6.1.2. All Water Meters supplied and installed by the Town shall, at all times, remain the Property of the Town. Payment of a Service Connection Fee or any other fee does not constitute a sale.
- 6.1.3. The Property Owner shall be responsible for the cost of any additional plumbing requirements beyond the installation or replacement, such as cut ins, modifications, or relocations. Should the Town be able to accommodate these requirements as part of the overall project, the cost shall become due and payable upon receipt of a demand, in writing from the Town, and may be recovered from the Owner in accordance with the terms of this Bylaw and the MGA.
- 6.1.4. No Person, other than a Person authorized by the Town or by this Bylaw shall install, test, remove, repair, replace or disconnect a Water Meter or a Remote Meter Reading Device owned by the Town.
- 6.1.5. For the purpose of protecting, testing or regulating the use of any Water Meter, an Authorized Person may, after having given reasonable notice to the Owner/Occupant, enter into the Premises, and take any action necessary to protect, test or regulate the use of the meter including setting or altering the position of the Water Meter.
- 6.1.6. An Owner shall be responsible for the general care and maintenance of a Town-owned Water Meter and Remote Meter Reading Device installed on the Owner's Property, and shall take care to prevent damage from all sources including, but not

limited to:

- i. frost;
 - ii. heat; or
 - iii. physical damage.
- 6.1.7. The Owner must notify the Town if a Water Meter or Remote Meter Reading Device on that Owner's Property has been damaged.
- 6.1.8. The Owner must notify the Town if conditions exist that may cause damage to a Water Meter or Remote Meter Reading Device, including, but not limited to:
- i. unusual exposure to ambient temperatures below 0.56°C (33°F);
 - ii. unusual exposure to ambient temperatures above 65°C (150°F); or
 - iii. potential exposure to physical damage.
- 6.1.9. Where the Owner of a Premises fails to adhere to Sections 6.1.6.-6.1.8. an Authorized Person may:
- i. shut off the supply of water to the Premises, on forty-eight (48) hours prior notice to the Owner and any Occupant, until necessary repairs have been made to stop the loss of water, or otherwise restore the Water Meter to a condition satisfactory to the Authorized Person; and
 - ii. may prepare an estimate of the volume of water loss and demand payment from the Owner for the estimated amount of water lost as a result of the lack of maintenance and repair.
- 6.1.10. Notwithstanding section 6.1.9.(i.), in the event of an emergency (i.e. a water leak between a Curb Stop Valve and a building), the Town reserves the right to shut off the supply of water.
- 6.1.11. If a Water Meter or Remote Meter Reading Device is lost or damaged through any act or negligence of the Owner or Occupant of a Property, the Owner shall be liable to the Town for the cost of any removal, repair, replacement, or installation. The said charges shall be subject to the same penalties and are collectible by the same procedures as taxes are levied by the Town.
- 6.1.12. On months when actual Water Meter readings are taken, they will be used to determine Water Service charges on the monthly utility bill.
- 6.1.13. If access to a Water Meter or Remote Meter Reading Device cannot be obtained, the Town may send a monthly utility bill with estimated water usage.
- i. Estimated water usage will be based on historical usage for the Property.
- 6.1.14. A Meter Reader may enter the Premises of an Owner/Occupant on a periodic basis for the purpose of reading the water Meter. The frequency of Meter reading shall be monthly.
- 6.1.15. Where a meter reader is unable to access the Premises of an Owner/Occupant, the Meter Reader may leave a card at the Premises advising of the need to conduct a meter reading, and requesting the Owner/Occupant notify the Town of the Water

Meter reading within the time period indicated.

- 6.1.16. In the event that an Owner/Occupant refuses to allow a Meter to be read or fails to provide a Water Meter reading as requested by the Town, for a period in excess of two (2) months, the Town may direct that the water supply to the Premises be shut off, after providing forty-eight (48) hours written notice to the Owner/Occupant.
- 6.1.17. Where a Water Meter is installed without the authority of the Town, or stolen, the Owner of the Premises in which the Meter is located shall be responsible for paying the replacement cost of the Meter, including installation. Where costs pursuant to this section are not paid within sixty (60) days of the date on which the Owner is notified of the amount owing, the costs may be added to the tax roll for the Premises and collected in the same manner as municipal Property taxes pursuant to the MGA.

6.2. *Frozen or Blocked Water Lines*

- 6.2.1. The Town shall assume the full responsibility and costs for any Water Service Line, which may be frozen between the Water Main and the Property line. The Owner of the Property shall be responsible for any costs associated with thawing a Water Service between the Property line and the building. Any costs incurred by the Town in thawing frozen lines on behalf of any Person shall be recoverable and subject to the same penalties as taxes, pursuant to the MGA.
- 6.2.2. The Town shall assume the full responsibility and costs for the Water Service Line connected to the Water Main up to the Property line. The Owner shall assume the full responsibility and costs of the Water Service Line from the Property line into the building. Any costs incurred by the Town to maintain, replace, or repair the Water Service Line from the Property line to the building shall be recoverable and subject to the same penalties as taxes, pursuant to the MGA.

6.3. *Meter Testing & Repairs*

- 6.3.1. If a Remote Meter Reading Device and the Property's Water Meter disagree, the Water Meter shall be deemed to be correct.
- 6.3.2. A Owner/Occupant that has reasonable grounds to believe that a Water Meter is not operating correctly, or is damaged or broken, shall immediately notify the Town of the condition of the Water Meter, its location and the estimated length of time that the Water Meter has been inoperable, damaged or broken.
- 6.3.3. Water Meters may be removed by the Town for the purposes of maintenance and testing on a periodic basis. The Town may require that a Water Meter be tested on site, or that the Water Meter be removed from the Premises for the purpose of testing.
- 6.3.4. All requests for meter testing must be submitted in writing. The Town reserves the right to request a deposit for meter reading testing.
- 6.3.5. If the Water Meter is found to be measuring correctly within 1.5% of the actual amount of flow as determined by the Town, the Owner/Occupant shall forfeit the deposit to cover the testing fee and costs of removal.



- 6.3.6. Where the Water Meter is registering in excess of 1.5% accuracy, the Owner/Occupant shall be refunded their deposit.
- 6.3.7. The Owner requesting a test under this section shall be provided a copy of the test results within ten (10) business days of the Town's receipt of the results.
- 6.3.8. Where, based on a subsequent actual Water Meter reading, the estimated water usage has resulted in an overcharge, the overcharged amount will appear on the monthly utility bill as a credit to the customer.

7. NEW CONSTRUCTION

7.1. *Installation of New Infrastructure*

- 7.1.1. The Owner of a Property where new construction is occurring, and which will subsequently be connected to the Town's Water System, must ensure that:
 - i. a Meter Spacer is placed within 300 mm of the entrance of the water Service Connection into the building;
 - ii. a Control Valve is installed in the water Service Connection, upstream of the Meter Spacer or Water Meter, as close as practicable to the Meter Spacer or Water Meter;
 - iii. if the pressure in the water Service Connection exceeds 760 kPa, a pressure-reducing valve, which reduces the pressure to 760 kPa or less, is installed on the water Service Connection downstream of the Water Meter;
 - iv. if the water Service Connection diameter is 25 mm or greater, a second Control Valve is installed downstream of the Meter Spacer or Water Meter, as close as practicable to the Meter Spacer or Water Meter;
 - v. if the water Service Connection diameter is 50 mm or greater, a bypass line that bypasses the Meter Spacer or Water Meter is installed, in accordance with the *Design Standards*;
 - vi. where it is impossible or impracticable to place a Water Meter or Meter Spacer inside a building, a meter pit or meter vault structure is constructed near the Property line, in accordance with the *Design Standards*; and
 - vii. on water Service Connections that will supply combined water and Fire Water Service Connection, a Control Valve is installed before the Fire Water Service Connection point, and no other valve is placed between that Control Valve and the fire water Service Connection Control Valve.

7.2. *Installation of Water Efficient Plumbing & Mechanical Fixtures*

- 7.2.1. All Building Permits issued for new construction, renovation or basement development projects for residential properties, including multi-unit residential buildings, will be required to have water efficient plumbing fixtures which meet the current building and/or plumbing code requirements for construction as may be required from time to time, in addition to the *Safety Codes Act*.



7.3. *Instituting Water Conservation Measures*

- 7.3.1. All Building and/or plumbing Permits issued for new construction, renovation, or basement development projects for residential properties, including multi-unit residential buildings, may be asked to voluntarily institute the following water conservation measures:
 - i. downspouts to be directed away from the foundation and be incorporated into landscaping plans such that Storm Water is maximized for trees, shrubs and lawns;
 - ii. installation of water-conserving Energy Star certified washers;
 - iii. installation of Energy Star certified dishwashers;
 - iv. underground irrigation systems to be equipped with a high flow shutoff valve;
 - v. minimum 8 inches of topsoil for growth areas;
 - vi. xeriscaping planning and implementation; and/or
 - vii. at least one rain barrel per home.

8. WATER RESTRICTIONS

- 8.1. Where the CAO determines that there is a water shortage, the CAO may declare that water restrictions are in effect and shall provide notice to the public of such restrictions.
- 8.2. Where water restrictions have been declared in effect pursuant to this Bylaw, no Person shall:
 - 8.2.1. wash any vehicle;
 - 8.2.2. wash the exterior of any house or other building; or
 - 8.2.3. water any lawn or garden; or
 - 8.2.4. as otherwise determined by the Town,except in accordance with a watering schedule as adopted by resolution of Council.
- 8.3. Where water restrictions have been declared in effect pursuant to this Bylaw, no Owner/Occupant or any other Person shall use water in excess of such limits for the duration of the time period in which the water restrictions are in effect.
- 8.4. The Town may discontinue the provision of Water Service to an Owner/Occupant, where the Town has reasonable grounds to believe that the Owner/Occupant or the Occupant of a Dwelling Unit or Premises for which an Owner/Occupant has an Account for Water services, has violated the water restrictions in force.

9. HYDRANTS

9.1. *General Provisions*

- 9.1.1. No Person shall take water from a hydrant except:



- i. with written permission from the Town, and under such conditions as are set out in this Bylaw and by the Town;
 - ii. for firefighting purposes; or
 - iii. in an emergency.
- 9.1.2. No Person shall perform a hydrant flow test except with written permission from the Town, and under such conditions as are set out in this Bylaw and by the Town.
- 9.1.3. Except as here-in-after provided, no Persons other than Authorized Persons of the Town shall open, close, operate or interfere with any valve or hydrant to draw water for any purpose including but not limited to: watering lawns, Personal outdoor rinks, water fill stations, Personal pools/hot tubs, fishponds or fountains.
- 9.1.4. The Chief of the Town Fire Department, his deputy, officers, and members of that Department, are authorized to use the hydrants for the purpose of extinguishing fires, or for making trial testing of hose pipe, or for fire protection.
- 9.1.5. No Person shall, in any manner, obstruct the free access to any hydrant, valve or curb stop.
- 9.1.6. No person shall tamper with, alter, and/or damage any fire hydrant and/or flow device (hose) used in the fighting of fires.

9.2. *Private Hydrants*

- 9.2.1. The Owner of a Property may install a private hydrant on that Property.
- 9.2.2. A hydrant installed under this section may only be installed with written permission from the Town, and under such conditions as are set out in this Bylaw and by the Town.
- 9.2.3. The installation of a private hydrant shall be the sole responsibility of the Owner of the Property. All water provided must pass through a Water Meter.
- 9.2.4. The CAO shall cause to have inspections and maintenance performed on private hydrants at the rates listed in the Master, Rates, Fees and Charges Bylaw.
- 9.2.5. Despite subsection 9.2.4., the CAO shall not cause to have performed inspections and maintenance on private hydrants on industrial lands.

10. DISCONNECTING WATER SERVICE

- 10.1. A Property Owner who wishes to disconnect from the Town's Water System or from an alternate water source must, at the Owner's expense:
- 10.1.1. apply to the Town in writing for authority to disconnect;
 - 10.1.2. remove the connection;
 - 10.1.3. fill and cap both ends of the abandoned connection;
 - 10.1.4. submit as-built drawings of the completed abandoned connection to the Town; and



- 10.1.5. comply with any other requirements set out by the Town.
- 10.2. The Town may disconnect or shut off the water supply to a Property if:
 - 10.2.1. the Owner fails to open an Account;
 - 10.2.2. the CAO believes an emergency exists;
 - 10.2.3. the Property’s Facilities are unsafe, defective, leak excessively, or cause contamination or deterioration of the Water System;
 - 10.2.4. the Owner of the Property fails to comply with an imposed water restriction;
 - 10.2.5. the Owner of the Property fails or refuses to rectify a water wasting problem;
 - 10.2.6. the Water System requires repair or maintenance;
 - 10.2.7. any Appurtenance on private Property carries the potential to harm, cause over-pressure to, or otherwise creates potential to damage the Town’s Water System in any way;
 - 10.2.8. the Property Owner fails to provide the Town adequate access to the Water System on the Property for the purpose of performing Water Meter readings or inspections; or
 - 10.2.9. in the opinion of the CAO, it is reasonable to do so.
- 10.3. An Owner/Occupant who wishes to discontinue receiving water from the Town as a result of the Owner’s or Occupant’s intention to vacate the Premises, shall provide the Town with notice of two (2) business days prior to the date of discontinuance of service.
- 10.4. An Owner/Occupant who fails to provide notice pursuant to section 10.3. above, shall be liable for those charges in relation to the provision of water to the Premises, notwithstanding that the Owner/Occupant no longer occupies the Premises that accrue up to the date that notice is provided by the Owner/Occupant pursuant to section 10.3.
- 10.5. Upon notice of a sale of Property, the final utility amount owing will automatically be transferred to the respective tax roll.
- 10.6. The Property Owner will be required to pay the flat rate fees associated with water as determined from time to time by the Town.

Part III: WASTEWATER

11. PROVISION OF SERVICE

11.1. Terms of Service

- 11.1.1. All work performed on any portion of the Wastewater System, pursuant to the terms of this Bylaw by an Owner/Occupant shall be performed in accordance with the required standards set out in the *Plumbing Code, Building Code* and any other applicable Code under the *Safety Codes Act*.
- 11.1.2. The Owner shall be made responsible for the installation and construction costs of

the wastewater service connection from the Town's wastewater main line to the Premises.

- 11.1.3. The Owner shall be responsible for the continued maintenance and repair of the Wastewater Service Connection between the property line and premises, thereafter.
- 11.1.4. The Town shall, at all times, remain the Owner of that portion of the Wastewater Service Connection between the Town's main line and the Property line of the road or boundary of an easement granted to the Town for its Wastewater System, notwithstanding that the Town's portion of the Service Connection may have been constructed by, or its construction funded by, an applicant for a subdivision or development approval.
- 11.1.5. To prevent or reduce flooding, an Owner shall install a suitable gate valve or other mechanical device approved by the Town, for the purpose of preventing Backflow into the Premises.
- 11.1.6. Should any Person claim that any Wastewater Service Line is plugging, or is plugged, because it is not laid according to good practice, the said Person shall deposit with the Town the cost as specified in the Master Rates, Fees and Charges Bylaw. The CAO will then be authorized to open the said Wastewater Service Line by any method they consider necessary and observe if there is/are plugging occurring and cause of such plugging.
- 11.1.7. Should the said Wastewater Service Line be found properly laid according to good work practices, the said Person shall forfeit the said deposit and shall be liable to pay all costs incurred by the Town in opening the said Wastewater Service Line. The said costs so incurred shall be subject to the same penalties and are collectible by the same procedure as taxes levied by the Town.
- 11.1.8. The Owner of any Premises connected to a Street Main by a Wastewater Service Line shall be required to keep the said Wastewater Service Line in operating condition at all times, and they shall be fully responsible for the operation of the said Wastewater Service Line from the Premises to the property line.
- 11.1.9. The owner shall be responsible for clearing all blockages, including tree roots, in wastewater service line from the building to the property line.
- 11.1.10. The Town may revoke or cancel any permit that may have been granted to connect with the Town Wastewater System if the Town finds that any of the work is not being done in accordance with the provisions of this Bylaw. The Person making such connections, or their successors in interest, shall have no right to demand or claim any damages in consequence of such permits being revoked or canceled.

11.2. *Connecting to the Town's Wastewater System*

- 11.2.1. All Premises within the Town shall be required to connect to the Wastewater System, unless an alternative means of wastewater disposal has been approved by the Town, in writing.
- 11.2.2. Upon receipt of a completed written application and the payment of the connection



fee and Utility Deposit, if required, as set out in the Master Rates, Fees and Charges Bylaw, the Town, where the main line is adjacent to the Premises subject to the application, shall provide Wastewater Services to the parcel.

- 11.2.3. All Properties which have access to the Town's Wastewater System, but are not connected, shall not be required to pay the flat rate amount as established by Council.
- 11.2.4. A vacant property that does not have an improvement on the property shall not be charged the flat rate amount as established by Council.
- 11.2.5. A property that has an improvement located on the property shall be required to pay the flat rate amount as established by Council.
- 11.2.6. A private wastewater connection cannot be made to the Town's Wastewater Service Line until approval is granted by the Town. Permission can be obtained only after the Owner or his agent has entered into an agreement with the Town that establishes standards for construction practices and materials. A cost as stated in the Master Rates, Fees and Charges Bylaw to recover the cost of processing and reviewing each agreement.
- 11.2.7. No Person other than Authorized Persons by the Town shall make any connection to or shall cut or otherwise tamper in any way with the Town Wastewater System.

12. USE AND PROTECTION OF WASTEWATER SYSTEM

12.1. Prohibitions

- 12.1.1. No Person shall throw, deposit or leave in/or upon any Town wastewater, or any trap, basin, grating, manhole, or other Appurtenance of any Town wastewater, any offal, garbage, litter, manure, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, rags, cinders, ashes or refuse matter of any kind, except feces, urine, the necessary toilet paper, and wastewater properly discharged through a sewer into the Town's Wastewater System.
- 12.1.2. No Person shall permit to be discharged into the Town's Wastewater System any liquid or liquids which would prejudicially affect the Wastewater System, or the disposal of the wastewater.
- 12.1.3. No Person shall permit to be discharged into the Town's Wastewater System:
 - i. any matter of substance by which the free flow of the wastewater may be interfered with;
 - ii. any chemical refuse or trade waste;
 - iii. any waste stream, condensing water, heated water, or other liquids of a higher temperature than seventy-seven (77) degrees Celsius;
 - iv. Any grease used for cooking or other means; or
 - v. Any oil, fuel, gasoline or other hydrocarbon substance or residue from the washing of equipment and/or vehicles.



- 12.1.4. No Person shall make, or cause to be made, any connection with any Town Wastewater Service Line, or 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.

12.2. Drainage of Weeping Tile

- 12.2.1. Storm Water pumps must discharge to the surface of a property that is appropriately sloped as not to damage or harm adjacent Property, public or private, and not into the Wastewater System.
- 12.2.2. The storm water pump shall be installed by the Owner in such a manner as to comply with all Town bylaws and policies and other applicable regulatory authorities and without causing excessive ponding or icing on public or private Property.
- 12.2.3. The Owner shall be solely responsible for ensuring the storm water discharge system is properly designed, installed and operated according to current plumbing and/or building codes.
- 12.2.4. No Person shall turn, lift, remove, raise, or tamper with the cover of any manhole, ventilator, or other Appurtenance of the Town Wastewater Service Line, except duly Authorized Persons of the Town.
- 12.2.5. No Person shall cut, break, pierce, or tap into the Town Wastewater Service Line or Appurtenance thereof, or introduce any pipe, tube, trough, or conduit into the Town Wastewater Service Line, except duly Authorized Persons of the Town.
- 12.2.6. No Person shall interfere with the free discharge of the Town Wastewater Service Line, or part thereof, or do any act which may impede or obstruct the flow of the Town Wastewater Service Line, or Appurtenance thereof.
- 12.2.7. An Authorized Person shall have the right, at all reasonable times, to enter houses or other places which have related to the Town Wastewater Service Line, and Facilities must be given to him/her to ascertain whether or not any improper material or liquid is being discharged into the Wastewater Service Line. He/she shall be authorized to stop or prevent from discharging into the wastewater System, any private wastewater which is liable to injure the wastewater system or obstruct the flow of sewage.

12.3. Industrial or Trade Wastes

- 12.3.1. No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged to any Town Wastewater System without approval of the Town. As a condition of such approval, the Town may require such pre-treatment of the effluent as is deemed necessary. The pre-treatment Facilities required shall be completely installed by the applicant, at their expense, prior to the construction of the wastewater connection, and thereafter shall be continuously



maintained and operated by the applicant.

- 12.3.2. The Owner or Person responsible for the existence or accumulation of hazardous waste or an agent of the Owner or responsible Person shall cause the hazardous waste to be transported to a disposal site and disposed of as prescribed by the Executive Officer of the Local Board of Health and in a special disposal area designated by the Province of Alberta.

12.4. Grease Traps

- 12.4.1. Grease traps of sufficient size and approved design shall be placed on the waste pipes from all hotels, restaurants, laundries, and such other places where the commercial use of grease and oils may be prevalent as the Town may direct. Such traps shall be installed prior to any connection to the Town Wastewater System.

12.5. Storm Water

- 12.5.1. No Person shall, without the Town's written consent, release matter of any kind listed below into or in land drainage works, private bench drains, or connections to any Storm Water System:
- i. matter which because of its: type, temperature, quantity or quality may:
 - a. interfere with the proper operation of the Storm Water System;
 - b. result in a hazard to any Person, animal, Property or vegetation;
 - c. impair the quality of the water in any well, lake, river, pond, stream, reservoir or other water or water course; or
 - d. result in the contravention of any Federal, Provincial, or Municipal legislation including any approval, requirement, direction, or other order issued by Alberta Environment or other enforcing agency with respect to the Storm Water System or its discharge;
 - ii. matter containing more than fifty (50) milligrams per liter of suspended solids;
 - iii. matter containing dyes or colouring material or which upon reaction with other matter will discolour the water in the Storm Water System;
 - iv. matter containing solvent, extractable matter of vegetable origin or mineral or synthetic origin which causes a visible film, sheen or discoloration on the water surface;
 - v. any matter which by itself or in combination with other substances is capable of causing or contributing to any explosion or supporting combustion; or
 - vi. matter that is sewage or considered wastewater.
- 12.5.2. Any Person who releases, or causes or permits the release, into any Storm Water System any matter contrary to Section 12.5.1. shall:



- i. notify the Town immediately upon becoming aware of the release;
- ii. provide the Town with information respecting the release, to the satisfaction of the Town; and
- iii. be liable for all costs incurred by the Town respecting the release for containment, sampling, testing, removal, clean-up, disposal and any other related activity.

Part IV: ADMINISTRATION AND UTILITY CHARGES

13. FEES AND CHARGES

- 13.1. The rates as stated in the Master Rates, Fees and Charges Bylaw shall apply for water and, wastewater service from the Town.
- 13.2. A utility bill showing actual or estimated amounts for all service charges to the user shall be prepared and delivered monthly. Water and wastewater service charges, and any other charges authorized by a bylaw of the Town, may be combined on a single user bill, but each charge shall be shown separately.
- 13.3. A customer may make application to the Town to have bills paid by pre-authorized debit. Payments being rejected by the bank are considered NSF and are subject to the same penalties as NSF cheques in the Master Rates, Fees and Charges Bylaw.
- 13.4. Non-receipt of a utility bill will not exempt the Owner or the Occupant from payment for the service received.
- 13.5. In the case of non-use of services, each customer shall continue to pay the flat rates as specified in the Master Rates, Fees and Charges Bylaw.
- 13.6. Where the calculation of a utility billing is based on the consumption of water the quantity used shall be determined from the present and previous 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 service.
- 13.7. Requests for reduction or waivers of rates or charges must be made in writing to the Town.

14. NON-PAYMENT

- 14.1. All utility bills will be due and payable as specified on the bill and payments may be made as specified on the utility bill or as otherwise specified or permitted by the CAO.
- 14.2. A one and a half percent (1.5%) penalty shall be applied to any account which remains unpaid at the end of the month for which the account was rendered on the balance and that similar accumulated penalty shall be added for each month the account remains unpaid.
- 14.3. Service may be disconnected to the Property after three (3) months in arrears.
- 14.4. Where it has become necessary to discontinue service for non-payment of an Account, reconnection will not be made until all arrears and penalties have been paid in full and the reconnection costs as specified in the Master Rates, Fees and Charges Bylaw have been paid in advance. The Account will only be opened in the name of the Owner, even if the Account



that was disconnected was in the name of an Occupant.

- 14.5. In the case of default payment for Water Services, the Town may enforce payment of the utility Account pursuant to the provisions of the MGA, as amended or repealed and replaced from time to time, including but not limited to, adding the costs to the tax roll for the Property for which the utility Account relates.

Part V: OFFENCES AND ENFORCEMENT

15. OFFENCES

- 15.1. If any Person fails to comply with or contravenes a provision in this Bylaw, the CAO or an Enforcement Officer may issue any order under the MGA requiring the Person to remedy the contravention.
- 15.2. A Person contravening any provision of this Bylaw shall not be subject to imprisonment as a penalty for that offence.
- 15.3. Nothing in this Bylaw will be construed as curtailing or abridging the right of the Town to obtain compensation for, or to maintain an action for, loss of or damage to Property from or against the Person or Persons responsible.

16. WRITTEN NOTICE

- 16.1. An Enforcement Officer is hereby authorized to issue a written notice to any Person who the CAO or Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 16.2. The written notice may be issued either personally or by mailing a copy to the last known address of the Person who has contravened the provision of this Bylaw.
- 16.3. The written notice shall be in a form approved by the CAO.
- 16.4. No more than one written notice may be issued to a Person each day for the same offence.

17. VIOLATION TICKET

- 17.1. In those cases where a written notice has been issued, and the Owner/Occupant has not rectified the offence, an Enforcement Officer is authorized to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*, as amended or repealed and replaced from time to time, to any Person who the Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 17.2. Where a Violation Ticket has been issued to a Person pursuant to this Bylaw that Person may plead guilty to the offence by submitting to the Clerk of the Provincial Court, prior to the appearance date specified on the Violation Ticket, the specified penalty set out on the Violation Ticket.
- 17.3. A Person who has been issued a Violation Ticket pursuant to this Bylaw and has paid it to the Town prior to the date specified on that Violation Ticket shall not be liable to prosecution for the subject contravention.



17.4. Nothing in this Bylaw shall prevent a Enforcement Officer from issuing a summons for a mandatory court appearance of any Person who the Enforcement Officer has reason to believe is committing, or has committed, a breach of any provision of this Bylaw.

Part VI: SEVERABILITY, REPEAL AND ENACTMENT

18. SEVERABILITY

18.1. Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

18.2. Should any section or part of this Bylaw be found to be improperly enacted or ultra vires, for any reason, then such section or part shall be regarded as being severable from the Bylaw and the Bylaw remaining after such severance shall be effective and enforceable.


19. REPEALS

19.1. Bylaw No. 1037-91 – Town of Three Hills Water and Wastewater Utilities Bylaw and Bylaw No. 1279-06 – Water Conservation Bylaw are hereby repealed.

20. ENACTMENT

20.1. This Bylaw shall come into force and effect on the final date of passing thereof.

**READ A FIRST TIME THIS 14th DAY OF September 2020.
READ A SECOND TIME THIS 9th DAY OF November 2020.
READ A THIRD TIME THIS 14th DAY OF December 2020.**



(CHIEF ELECTED OFFICIAL)



(CHIEF ADMINISTRATIVE OFFICER)