

Municipal District of Big Lakes

BYLAW 09-2008

A BYLAW OF THE MUNICIPAL DISTRICT OF BIG LAKES, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE ADMINISTRATION OF THE WATER/SEWER SYSTEM WITHIN THE MUNICIPAL DISTRICT OF BIG LAKES.

WHEREAS the Municipal District of Big Lakes has installed water distribution and sewage collection systems within the municipality; and

WHEREAS section 7(g) of the Municipal Government Act, Chapter 26, R.S.A. 2000, and amendments thereto, authorizes the Council of a municipality to pass bylaws pertaining to public utilities; and

WHEREAS the Council of the Municipal District of Big Lakes deems it appropriate to establish a bylaw for the administration of the water works system;

NOW THEREFORE the Council of the Municipal District of Big Lakes, duly assembled does hereby enact as follows:

General Provisions:

1. This bylaw shall be cited as the "Water/Sewer Services Bylaw".
2. For the purposes of this bylaw, "water works system" shall refer to both the water distribution and the sewage collection systems.
3. The Public Works Superintendent shall, subject to the control of Council, have charge of all the various properties and works required for the supply of water and collection of sewage within the Municipal District of Big Lakes.

Interruptions for Emergency Repair without notice:

4. The Public Works Superintendent is hereby authorized to:

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- a. Order that the water works system is shut off without notice for such length of time as may be necessary to permit the construction or repairs to the water works system.
 - b. In cases of fire or conflagration, to shut off the water works system without notice in any part of the Municipal District as may be required. No consumer or consumers shall have a claim against the Municipal District for non-supply of water, whether it be caused by water stoppage pursuant to this section or by frozen mains, breakdown of machinery, power interruptions or other mechanical failures or malfunction, unless such non-supply of water is shown to be directly due to the negligence of the Municipal District or its employees.

Interruptions of Service due to Routine Maintenance

5. During planned water system maintenance and/or water hookups, public notification shall be provided via local media.

Unauthorized Use of Water

6. No owner shall, without the written consent of the Municipal District of Big Lakes, lend, sell or dispose of the water supplied by the water works system, or give away or permit the same to be taken or carried away or used or apply it to the use or benefit of others or to any other than his, her or their own use or shall increase the supply of water beyond that agreed for with the Municipal District.
7. No owner or other person shall do or allow to be done any act or thing that results in an environmentally inappropriate use or flow of water from the Municipal District's water works system, irrespective of whether the owner or other person is responsible to pay for the water that is used or allowed to flow in an environmentally inappropriate manner.
8. Where an un-metered fire line is provided, no water shall be taken from said line for any reason other than fire protection or testing of the fire protection system.

Hydrants, Valves, and Meters:

9. No person shall open, close or interfere with any hydrant or valve of the water works system without permission of the Public Works Superintendent.
10. No person shall tamper or permit any other person to tamper with or bypass a water meter connected to the waterworks system.

Service Connections:

11. Normally, only one service connection per lot shall be permitted, unless a municipally adopted Area Structure Plan indicates otherwise.
12. For lots other than single family residences, the Public Works Superintendent may authorize more than one service connection.
13. The size and service shall be approved by the Public Works Department.
14. Service connections shall not be extended from one separately titled lot to another separately titled lot.

Application for New Service Connections

15. Any person requiring water service from the water works system shall apply to the Public Works Department and request permission to connect to said system. The owner or his authorized agent at the time of making the application for a water service connection shall provide the Municipal District, in advance, a deposit in accordance with the municipality's Schedule of Fees Bylaw.
16. Any owner connecting to the water system shall request, prior to the burial of any underground works, request that the Municipal District inspect the work. The work site shall not be backfilled until such time as the public works department has indicated that backfilling may proceed.
17. Deposits made pursuant to section 12 shall only be reimbursed following an inspection of the installation by the Public Works Department. Once the public works department has inspected the installation, deposits shall be refunded as follows:
 - a. If work has been completed to the satisfaction of the Public Works Superintendent, 100% of the deposit shall be refunded.
 - b. If deficiencies in the work are found, the Municipal District shall deduct the estimated value of the remedial work required from the deposit. Any remaining funds shall be refunded.
18. In the event that deficiencies identified by the public works department pursuant to an inspection made under section 13 are estimated to exceed the value of the deposit, the owner shall be responsible for the cost of remedial actions exceeding the deposit amount.

19. Any person wishing to connect to the water works system shall provide the Municipal District with a statement signed by the property owner, or their authorized agent, stating the acceptance of the following:
- a. That all water must be metered;
 - b. That the Owner is fully responsible for all service charges associated with the utility account;
 - c. The Owner must inform the Municipal District of any service changes (i.e. address or name changes);
 - d. The Owner is responsible for obtaining all required easements;
 - e. The Owner is responsible for protecting any pertinences, including water meters from tampering or freezing;
 - f. The Owner is responsible for ensuring all Municipal District standards regarding materials and installations are met;
 - g. That the Owner is responsible for providing the Municipal District with “as-built” information with respect to the installation within 30 days of installation.

20. Any person connecting to municipal waterworks shall provide a one (1) year warranty period on all components of the connection. Any defects found during the warranty period shall be the responsibility of the persons connecting to the waterworks.

21. In being connected to the waterworks system, the applicant does hereby agree that authorized employees of the Municipal District of Big Lakes shall have unfettered access to the curb stop.

22. In being connected to the waterworks system, any person does hereby agree that authorized employees of the Municipal District of Big Lakes shall have access to the water meter providing that reasonable notice of not less than 24 hours is provided.

Construction and Maintenance of Private Sewer

23. On any new private sewage service where the service length is in excess of 20m the owner of the premises shall install a suitable and easily accessible flow monitoring point.

24. the Owner shall be responsible for, at his/her own expense, the removal of any blockage within a private sewer service to the sewer main caused by matter released from the premises or by roots from trees on the premise.
25. The Municipal District of Big Lakes shall be responsible for repairs caused by collapse or other structural failure of the sewer service pipe outside of private property.

Protection of Meters

26. A consumer is responsible for the safekeeping of the water meter and any remote reading device that may be installed with the water meter on the consumer's property. A consumer shall protect the water meter and connecting valves and pipes from freezing, excessive heat, overheating water, external or internal damage of any kind or any other thing which may affect the operation or reading of the meter and shall pay the cost of repairing or replacing any water metering device that may be damaged from the foregoing causes or any other causes within the consumers control.

Establishment of Accounts:

27. Any individual, firm, or corporation utilizing the municipal waterworks system shall establish an account with the Municipal District of Big Lakes.
28. When establishing an account any person, firm, or corporation shall:
 - a. Enter into an agreement which shall clearly indicate the responsibilities of the account holder; and
 - b. Provide any deposit as required pursuant to the Municipal District of Big Lakes' *Schedule of Fees Bylaw*; and
 - c. Provide payment, in full, of any previously unpaid balances relating to any previous utility accounts bearing the name of the person, firm, or corporation.

Billing of Accounts

29. Consumer accounts shall be forwarded on a regular basis which shall not be less frequent than once every two (2) months.

30. Each billing shall carry a sewer charge which shall be equal to 50% of the water billing.
31. The accounts shall be due and payable on the date indicated on the utility bill. Failure to receive a utility bill does not does not release the consumer from liability for the account charges.

Delinquent Accounts

32. In the event that an account remains unpaid for a period of fifteen (15) calendar days after the date payment was due, a 2% penalty shall be assessed on the sixteenth calendar day.
33. Should an account remain delinquent, the Municipal District of Big Lakes administration shall cause a letter of disconnection to be mailed by the thirtieth (30th) calendar day. Such letter shall indicate that water services shall be discontinued on the fortieth (40th) calendar day from the date payment was initially due.
34. Municipal District of Big Lakes administration shall cause the water service to be disconnected to any delinquent account on the fortieth (40th) calendar day from the date payment was initially due.

Reconnection of Service

35. Municipal District of Big Lakes' administration shall maintain a record of all individuals who have had water services disconnected pursuant to section 22.
36. Should an individual whose service has been disconnected pursuant to section 22 wish to have service restored, the consumer shall remit to the Municipal District of Big Lakes payment matching the amount owing on the disconnected account plus a one hundred dollar (\$100.00) reconnection service fee.
37. Payment indicated in section 24 shall be made in full prior to service being reconnected.

Service to individuals other than Property Owner

38. Subject to section 29, the Municipal District of Big Lakes will, upon receipt of written authorization from the land owner, provide water/sewer services to individuals who occupy a parcel of land but are not the owners of said land.
39. In the event that water service to a parcel has been disconnected of land pursuant to section 24 of this bylaw on multiple occasions, the Municipal District of Big Lakes may refuse to reestablish an account in the name of any person other than the registered property owner.

Read a first time, this 27th day of February, 2008.

Read a second time, this 12th day of March, 2008.

Read a third and final time, this 12th day of March, 2008.



Reeve



Chief Administrative Officer

2008.04.30

Date of Final Signature

SCHEDULE "A"

SCHEDULE OF PENALTY AMOUNTS

SECTION	PENALTY
6	\$500.00 for 1 st Offence
6	\$1000.00 for 2 nd and Subsequent
7	\$500.00 for 1 st Offence
7	\$1000.00 for 2 nd and Subsequent
8	\$500.00 for 1 st Offence
8	\$1000.00 for 2 nd and Subsequent
9	\$500.00 for 1 st Offence
9	\$1000.00 for 2 nd and Subsequent
10	\$500.00 for 1 st Offence
10	\$1000.00 for 2 nd and Subsequent
15 (proceeding without approval)	\$2500.00
16 (Failure to obtain inspection)	\$500.00