

**TOWN OF CLARESHOLM
PROVINCE OF ALBERTA
BYLAW #1510**

A Bylaw of the Town of Claresholm, in the Province of Alberta, respecting water-works, sewers and plumbing in the Town of Claresholm.

WHEREAS the Municipal Government Act, Chapter M-26 and amendments hereto, authorizes a Municipal Council to pass Bylaws pertaining to public utilities;

NOW THEREFORE the Council of the Town of Claresholm in the Province of Alberta duly assembled enacts as follows:

SECTION 1 NAME OF BYLAW

1.1 This Bylaw may be cited as "The Town of Claresholm Water and Sewer Bylaw"

SECTION 2 DEFINITIONS

2.1 In this bylaw:

- a) "Application" is the application made by the consumer to the Town for the supply of utility services.
- b) "Authorized Person" is any person employed by the Town.
- c) "CSA" means Canadian Standards Association.
- d) "Chief Administrative Officer" is the person appointed by Council in accordance with Section 205 of the Municipal Government Act, and is referred to throughout this Bylaw as "CAO".
- e) "Consumer" is any person who has entered into a contract with the Town of Claresholm for utility services, or who is the owner or occupant of any property connected to or provided with a utility.
- f) "Council" is the Council of the Town of Claresholm elected pursuant to the provisions of the Municipal Government Act.
- g) "Curb Stop" is the device on a Water Service Line used to interrupt or discontinue the supply of water.
- h) "Department" is the department of the Town of Claresholm authorized by Council to have control of water and sewer works.
- i) "Enforcement Officer" shall mean a Community Peace Officer, Bylaw Enforcement Officer, RCMP Officer or an inspector appointed by and employed by the Town with respect to the enforcement of bylaws of the Town of Claresholm.
- j) "Superintendent of Public Works" is the person with authority to supervise and have charge of the Water and Sewer Department, subject to the powers delegated to him by the CAO.
- k) "Meter" is a mechanical and/or electronic device used to measure the amount of water consumed on the premises upon which such meters are situated.
- l) "Property Owner" is the assessed owner of the property or building, and is referred to throughout this Bylaw as "Owner".
- m) "Non-Residential Consumer" is any property owner who uses a utility service connected to a building used exclusively for commercial purposes and will include, without limiting the generality of the foregoing, lodges, schools, halls and apartments or residential units beyond a duplex or semi-detached dwelling.
- n) "Plumbing Inspector" is any person with the authority to supervise and inspect work requiring a permit under the Provincial Safety Codes Act and regulations thereto.
- o) "Privy Vault" is that portion of building used for the purposes of holding human feces and urine that is otherwise not connected to a plumbing system.
- p) "Property" is land or buildings or both.
- q) "Residential Consumer" is any property owner who uses a utility service

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connected to a building used exclusively for residential purposes and will include, without limiting the generality of the foregoing, churches and a residence within a duplex or semi-detached dwelling.

- r) "Sanitary Sewer" is the provision of wastewater collection and disposal from Residential Consumers and Non-Residential Consumers.
- s) "Sewer Service Line" is that portion of the sewer line from the collecting street mains to the property line of the land or building being serviced.
- t) "Shut off" is an interruption in or discontinuation of the supply of water.
- u) "Street Main" is that portion of the water and/or sewer system laid down in Town owned land for the purpose of servicing more than one property.
- v) "Storm Sewer" is storm, surface drainage, and groundwater only.
- w) "Tenant" means a person who is entitled to use or occupy premises under the rental agreement.
- x) "Town" is the Town of Claresholm in the Province of Alberta.
- y) "Utility" is and includes, as the context may require, the supply of water and/or the provision of wastewater and storm water collection and disposal.
- z) "Violation Ticket" is a ticket issued pursuant to Part 2 of the Provincial Offenses and Procedures Act, R.S.A. 2000 c, P-34, as amended and Regulations thereunder.
- aa) "Water Service" is the provision of water by the Town to Residential and Non-Residential Consumers.
- ab) "Water Service Line" is that portion of the water line from the distributing street mains to the property line of the land or building being serviced.
- ac) "Waterworks" is all public water treatment systems, street mains and service lines within the Town of Claresholm..

SECTION 3 ADMINISTRATION

- 3.1 The use and control of all public waterworks, public water treatment systems, public sanitary sewers, public storm sewers and of any sewage disposal works connected therewith, must be in accordance with this bylaw.
- 3.2 All waterworks, sanitary sewers, storm sewers, drains and sewage disposal works, belonging to the Town now laid down, constructed or built, or hereinafter laid down, constructed or built, will be under the direct control of the Town.
- 3.3 The CAO is hereby delegated to carry out the provisions of the Waterworks and Sewer Bylaw.

SECTION 4 WATERWORKS SERVICE AND SERVICING

- 4.1 No person, without first having obtained written permission from the Town, will make connection with any of the water service lines or street mains. This pertains to new construction only. (*Penalty per Schedule "C"*).
- 4.2 No person will be authorized pursuant to Section 4.1, except licensed plumbers and contractors (with the Town's permission) or authorized employees of the Town.
- 4.3 The person so authorized, in Section 4.1 above, is fully liable for any damage caused while making such connection and will also provide adequate safety provisions during the connection.
- 4.4 Any owner who requires water for construction or other similar purposes will apply for water service by written application to the Town for a development permit. Application for water will be accompanied by a service charge plus a fee, in accordance with Schedule "A" attached hereto. In special circumstances, where the provisions of the Bylaw do not appear equitable to Council, Council, by resolution may alter the water usage fee, as it sees fit, for each particular situation.
- 4.5 All water service lines, laid down in private property, between the property line and the meter, will be constructed of C.S.A. approved material of equal quality to, and compatible with, the service lines in the street between the street main and the property line.
- 4.6 The minimum size of a new water service line is 19.05 mm (5/8 inch) diameter and must have 3/4" Pex fittings.
- 4.7 Water service lines are to be carried a minimum of three feet under the building before the service is elevated.
- 4.8 No connection may be made to the water service line between the property line and

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- the meter. (*Penalty per Schedule "C"*).
- 4.9 Each property will have only one water service line from the main. A duplex, row house style of condominiums or semi-detached dwelling requiring a connection to the Town water supply must have a separate service to each unit from the street line, controlled by a separate curb stop and metered by separate water meters.
 - 4.10 After any construction, reconstruction, alteration, change, or the completion of any work requiring permission from the Town, pursuant to this Bylaw, water will not be turned on to any property until after the whole of any of the above-mentioned work has been done to the satisfaction of the Department. Water must be turned on or off only by an authorized employee of the Town. To turn water on or off requires a minimum of two working days notice to the Public Works Department, by the property owner, except in emergency situations, as determined by the Public Works Department. The cost of this service will be in accordance with Schedule "A" attached hereto.
 - 4.11 In all cases where boilers or pressure pumps are supplied with water, the Town is not liable for any damages which may result to any person or property from shutting off the street main or device, or from failure of the water supply, for any purpose or cause whatsoever, even where no notice is given. All users of steam or hot water boilers or pressure pumps must protect themselves by installing a storage tank, sufficient to provide at least a twelve-hour supply for each steam or hot water boiler. No deduction from a utility bill will be made as a consequence of any damages referred to in this paragraph.
 - 4.12 The Town must be provided access to inspect water meters and connections upon written request, and within twenty-four (24) hours of receipt of the request or immediately in the case of an emergency.
 - 4.13 To maintain an adequate supply of water and adequate water pressure within the Town of Claresholm, the Council may impose restrictions on the use of water.
 - 4.14 If an owner requests a new water service due to the fact the property was not previously serviced or requests a new or larger size service than the standard service line, the Town will provide the installation and the owner will be billed for the full cost of the installation including any pavement and sidewalk repairs required.
 - 4.15 A property shall be considered serviced once it has been connected to the water system. Any further installations necessary due to demolition, excavation, renovations or other works shall be paid entirely by the owner.
 - 4.16 No connection to the water supply will be allowed for properties outside of the Town limits except those presently existing on the pipeline from Willow Creek and those properties at the Claresholm Industrial Airport and these properties must be metered. The meter installation is to be supplied at the owner's expense.
 - 4.17 When a service pipe becomes inadequate to supply the volume of water required at any building or premises and the owner of the property desires a larger service pipe, the said owner of the property shall sign an application form to that effect. Upon payment by the owner of the full cost involved in laying the larger size pipe, public works shall proceed with the work from the main to the property line.
 - 4.18 The Town shall be responsible for the maintenance of the water mains and the connection from the main line to the service line.
 - 4.19 Where the connecting, disconnecting or repairing of the water service line between the property line and the building serviced is done by a person other than the Town, that person shall notify the Superintendent of Public Works who shall cause the line installation to be inspected and approved. The water service shall be left uncovered until it has been inspected and approved.
 - 4.20 The Town will place on each water service pipe a brass cock stop, between the street gutter and the property line, for the purpose of turning the water supply off and on.

SECTION 5 WATER METERS

- 5.1 Any owner requiring a water supply from the waterworks will be required to install a water meter that will be supplied by the Town. The owner is responsible for the total cost of any meter larger than 19.05 mm (5/8 inch). The owner is required to install or change any and all plumbing required for installation of the required meter.
- 5.2 On an existing single water service line to a property there will be only one water meter registering water consumption of all units within the building.

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- 5.3 The owner referred to in Section 5.1 above, must do such work entirely at his or her own cost and to the specifications required by the Town within thirty (30) working days of receipt of notice. In the event that the owner fails to implement the required changes within 30 days, the Town may conduct such work as necessary and invoice all applicable costs to the owner.
 - 5.4 All owners will give entry and access to every facility for the introduction, placing, inspection and reading of water meters by the Department. For the purpose of conducting water use surveys, or sampling, leakage flows and pressure tests, or reading water meters, or installing, inspecting, repairing, replacing and removing water meters, backflow prevention devices and related equipment upon any water service connection within or without any house or building as may be required, employees of the Town employed for that purpose, shall have free access at reasonable hours of the day and upon reasonable notice given and request made, or in case of written authority of the CAO given in respect of a special case, without notice, to all parts of every building or other premises in which water is delivered and consumed.
 - 5.5 All owners will protect the meter from interference or injury by frost or otherwise, and are liable for any damage which may occur to the meter. An owner is responsible for the safekeeping of the water meter and any remote reading devices that may be installed with the water meter on the owner's property. Any owners shall protect the water meter and connecting valves and pipes from freezing, excessive heat, overheating of water, external and internal damage of any kind or any other thing which may affect the operation or reading of the water meter and shall pay the cost of repairing or replacing any water meter facilities supplied by the Town that may be damaged from the foregoing cause or any other causes within the owner's control.
 - 5.6 The Town will replace any meter that stops working due to normal wear and tear at no cost to the owner.
 - 5.7 Any person permitting any meter to be damaged by frost or otherwise will be liable for all costs incurred in the repair of the meter in accordance with Schedule "A", attached hereto.
 - 5.8 No person will interfere with, cut or remove the wire seal on a meter. (*Penalty per Schedule "C"*).
 - 5.9 No person will disconnect a meter or do anything which will bypass, or prevent, or impede, the flow of water through the meter, or which may affect the proper operation of the water meter.
 - 5.10 Ownership of all water meters is vested in the Town of Claresholm.
 - 5.11 An owner who claims a meter is not working properly, will deposit with the Town an amount in accordance with Schedule "A", attached hereto. The meter will then be removed from service by the Town and calibrated.
 - 5.12 Should the meter be found to over read the owner will be refunded his/her deposit. Any meter which is found to be calibrated within acceptable limits will be considered adequate, and the owner will:
 - a) forfeit the deposit to the Town; and
 - b) pay all other costs of removal, shipment and testing of the meter.
 - 5.13 Should the meter be found to over read or under read, the water, and sewer where applicable, charged for the preceding two (2) meter reading periods will be adjusted by the same percentage as the meter was found to be in error, providing however, that no rate will be less than the minimum rate normally charged.
 - 5.14 All new water service connections require a water meter be installed.
 - 5.15 All water service connections shall be provided with a water shut off valve placed inside the outer wall of the premises and on the inlet side of the water meter to enable a consumer to shut off the supply of water in case of any emergency, or for the protection of the building, pipes, or fixtures, or to prevent flooding of the premises or in the event the premises are permanently or temporarily vacated. The water shut off valve shall be maintained in good mechanical condition by the owner and easily accessible at all times to ensure that it is operable in case of emergency.
 - 5.16 The maintenance of the waterline from the curb stop to the water meter remains the responsibility of the owner.
 - 5.17 The owner shall make provision and install the water meter. If an inspection indicates the installation has not been carried out properly, the owner shall correct or modify the installation at their expense in order to comply. If the owner does not make the installation in the manner approved by the Town, the Town shall have the right to refuse to supply water to the premises, and such installation shall be at the owner's sole responsibility and expense. The Town shall accept no

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responsibility for such installation and the approval by the Town shall not be an acceptance of responsibility. The Town may in sole judgment, require the owner to indemnify the Town prior to installation.

- 5.18 Water lines that are covered over shall be exposed for meter installation and maintenance by the owner of the property and at the property owner's cost. No person shall relocate, alter or change any existing water meter piping without the written approval of the Town. The owner or his authorized agent may submit plans and specifications for any proposed relocation of water meter piping and, if approved by the Town, the owner shall pay the entire cost, including any costs incurred by the Town, in making such relocation, alteration or change.
- 5.19 No low pressure systems are allowed to be attached to the water piping system in a property. If a system which changes the pressure of the water flow is detected, the removal of such system will be at the expense of the owner and a fine may be levied if warranted by the Superintendent of Public Works per Schedule "C".
- 5.20 A consumer shall notify the Town immediately whenever a water meter is not operating or if any part of it becomes damaged or broken.
- 5.21 If a water meter or remote readout is removed or stolen, the owner of the premises shall pay the cost of replacing the water meter or remote readout including installation. If not paid, the cost may be added to the taxes levied on the property and collected in the same manner as municipal taxes.
- 5.22 The water control valve or curb stop is to be activated ONLY by employees or individuals authorized by the Town of Claresholm.
- 5.23 No intermediate lines are to be attached to the waterline before the water meter. Any intermediate lines found to be attached will be disconnected by the Town at the cost of the owner and the owner will bear the cost of having this line attached properly after the water meter. (ie. sprinkler systems attached to the main water line before the line enters the house).
- 5.24 In the case of a building demolition, when the owner obtains a demolition permit, Town staff will be allowed to enter the premises and remove the water meter and remote readout before the demolition commences. There will be no cost to the owner for this, but if the owner demolishes a building and the Town has not been allowed to remove the water meter and remote readout devices, then a fine will be levied on the owner in an amount not to exceed the cost of the water meter and readout devices.

SECTION 6 REMOTE READING DEVICES

- 6.1 All residential, commercial, industrial and institutional buildings constructed will require a remote reading device supplied by the Town. The location and installation of new construction radio transmitters will be performed by Town employees after the meter has been installed to the Town's specifications. The property owner is to advise the Town when the water meter is installed and is ready for connection to the remote. The cost of this service, "Remote Reader Installation Fee" will be in accordance with Schedule "A" attached hereto. Town employees will also turn on the water at this time.
- 6.2 The owner will be responsible for damage to the remote reading device, which may result from other than normal wear and tear.
- 6.3 Owners requesting the installation of remote reading devices on their premises will be required to comply with Sections 6.1 and 6.2 above and will be responsible for payment to the Town for the remote reading device. It is the responsibility of the property owner to install the necessary wire from the place of the water meter to the place of the remote reading device in an easily accessible location so that the Town can install the remote reader. Property owner is to advise the Town when the water meter is installed and the wire is ready for connection to the remote. The cost of this service will be accordance with Schedule "A" attached hereto. Ownership of the meter and remote reading device and any apparatus thereto remains with the Town.
- 6.4 If the Town is dissatisfied with the location of any remote readout due to alternations to the building, the Town may require that the remote readout be relocated to a more suitable or convenient location. All costs associated with relocating the remote readout including Town costs shall be paid by the owner.

SECTION 7

WATER HYDRANTS AND VALVES

- 7.1. Except as hereinafter provided, no persons other than those authorized by the Town will open or close or operate or interfere with any valve, hydrant or fire plug, or draw water there from. *(Penalty per Schedule "C")*.
- 7.2. The Chief of the Town Fire Department, his assistants and officers, and members of the Fire Department, are authorized to use the hydrants or fire plugs for the purpose of extinguishing fires, for making trial testing of hose pipe, or for fire protection, but all such uses will be under the direction and supervision of the Chief or his duly authorized assistants. In no event will any inexperienced or incompetent persons be permitted to manipulate or control in any way any hydrant or plug.
- 7.3. No person will in any manner obstruct the free access to any hydrant or valve or curb stop. *(Penalty per Schedule "C")*.
- 7.4. No vehicle, building, rubbish, or any matter which may cause obstruction, referred to in Section 7.3 above, will be placed nearer to a hydrant than the property line of the street in which the hydrant is located, nor within 4.57 meters (15 feet) of the hydrant in a direction parallel with the property line. *(Penalty per Schedule "C")*.
- 7.5. No person will interfere with, damage or make inaccessible any curb stop due to the construction of sidewalks, pathways, driveways, or any similar construction. The owner will be required to pay all costs, in addition to the penalties in this Bylaw, involved in repair of or changes to a curb stop due to inaccessibility to or damage to the curb stop by the owner. This applies to all new or existing curb stops or main valves. *(Penalty per Schedule "C")*.
- 7.6. External spigots/hydrants on a property will be charged a monthly fee per Schedule A. If the property owner wishes to remove the spigot and have the waterline capped off they can do it at their own expense. Once the Superintendent of Public Works has inspected the removal of the outdoor spigot he will write up an order for the Utilities Administrator to discontinue the charge on the property owner's bi monthly invoice.
- 7.7. No person other than authorized Town staff are to operate curb stops. Certified Licensed Plumbers with water keys are to operate curb stops only under emergency situations, and are to notify Town staff of said action immediately. *(Penalty per Schedule "C")*.

SECTION 8

THAWING OF WATER SERVICE

- 8.1. The cost of thawing a frozen water service will be paid as follows:
 - a) By the Consumer, if the water service between the property line and the building is frozen, as determined by the Superintendent of Public Works;
 - b) By the Consumer if the water service is frozen between the street main and the property line as a result of the negligence of the Consumer, as determined by the Superintendent of Public Works;
 - c) By the Town if the water service between the street main and the property line is frozen for any other reason, as determined by the Superintendent of Public Works.
- 8.2. If the Superintendent of Public Works is of the opinion that the water service between the property line and the building has frozen without any negligence on the part of the Consumer, or any other person for whose negligence the consumer is responsible, the Superintendent of Public Works may waive the cost of one thawing during any one season which will be deemed to run from November 15th to May 15th.
- 8.3. The Town will not thaw a water service, pursuant to Section 8.1.1 and 8.1.2, unless the consumer signs an acknowledgment recognizing that thawing may be inherently dangerous or harmful to property including the water service or plumbing system and may cause damage to the electrical system or may cause the outbreak of fire and waives any claim against the Town for any such damage whatsoever except damage caused by the negligence of the Town.

SECTION 9 TERMINATION

- 9.1 The water service, pursuant to this Bylaw, may be shut off by the Department at the curb stop at the request of the owner.
- 9.2 The supply of water to any Residential and Non-Residential Consumer may be shut off for any or all of the following reasons:
 - a) Repair;
 - b) Lack of water supply;
 - c) Non-payment of utility accounts rendered for any reason;
 - d) Defective piping;
 - e) Failure to comply with water rationing; and
 - f) For any reason which the CAO, Superintendent of Public Works or Council considers sufficient.
- 9. The rates charged by the Town for work undertaken pursuant to Sections 9.1 and 9.2 will be in accordance with Schedule "A", attached hereto. These rates will also apply when the owner requests and the Town agrees that the water service be reconnected.
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SECTION 10 WELLS AND OTHER SOURCES OF WATER SUPPLY

- 10.1 The Town of Claresholm will permit a well or other source of water, for outside watering purposes only, with proof of License from Alberta Environment. Such application will be accompanied by the payment of a fee in accordance with Schedule "A", attached hereto. This water source will not, in any way, be connected to the water distribution system provided by the Town.
- 10.2 Any such permission as referred to in Section 10.1 above, may be withdrawn by order of the Town at any time without notice. No person will use a well or other source of water supply after permission for use of it has been withdrawn.
- 10.3 If the use of any such well or other source of supply of water is continued contrary to the provisions of this Bylaw forty-eight (48) hours after notice to discontinue this use of same has been given by the CAO or her/his representative, to the owner or occupier of the premises on which it is situated, such well or other source of supply of water may be declared to be a nuisance and dangerous to the public health or safety, and will be removed, filled up or otherwise abated. All costs related to such removal or abatement will be the responsibility of the owner.
- 10.4 No permission granted under this Section will give or be construed to give the holder of such permission the right to sell or distribute water within the Town of Claresholm.
- 10.5 Requests for cisterns or holding tanks will be considered on an individual basis upon written application to the Town.

SECTION 11 SANITARY SEWER SERVICE AND SERVICING

- 11.1 No person will throw, deposit or leave in or upon any Town sewer grate, trap, basin, manhole or other riser, or any other related surface opening, any material whatsoever, except feces, urine, necessary toilet tissue, wastewater and slops, properly discharged through a house sewer into a Town sewer. (*Penalty per Schedule "C"*).
- 11.2 No person, without first having obtained applicable provincial permits as well as permission from the Town, will make connection with any of the public sewer lines or mains. The person so authorized will be fully liable for any damage caused while making such connection and will also provide adequate safety provisions during the connection. (*Penalty per Schedule "C"*).
- 11.3 All sewer service lines, laid down in private property, between the property line and the buildings being serviced, will be constructed of Town approved material of equal quality to the sewer service line in the street between the street main and the property line.
- 11.4 The minimum size of a new sewer service line is 100mm (4 inch) diameter.11.5. Connection of a sewer service line will commence at the street main, working from there towards the building, thereby ensuring proper grade level.
- 11.5 Connection of a sewer service line will commence at the street main, working from there towards the building, thereby ensuring proper grade level.
- 11.6 Sewer service lines are to be carried a minimum of .91 metres (3.0 feet) under the building before the service is elevated.
- 11.7 Each property will have only one sewer service line from the main. A duplex or

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- semi-detached dwelling requiring a connection to the Town sanitary sewer service must have a separate sewer service line to each unit from the street main.
- 11.8 No person will permit to be discharged into any sewer any liquid or substance which would prejudicially affect the sewers or impede the carriage of permitted wastes, nor introduce any substance whatsoever which is not approved as acceptable for treatment in the Town Sewage Lagoons, including without limiting the generality of the foregoing: (*Penalty per Schedule "C"*).
- a) trade waste,
 - b) water steam,
 - c) condensing water,
 - d) heated water, or
 - e) other liquids of a higher temperature than eighty (80) degrees Celsius, or
 - f) any combinations of the above.
- 11.9 No person will make or cause to be made any connection with any Town sewer or house drain, or appurtenance thereof for the purpose of conveying or which may convey, into the same, any flammable or explosive material, storm water from roof drainage cistern, sump pump or tank overflow, condensing or cooling water.
- 11.10 No person will discharge the contents of any privy vault, manure pit or cesspool, directly or indirectly, into any Town sewer or house drain connected, therewith. (*Penalty per Schedule "C"*).
- 11.11 No person, except duly authorized employees of the Town, will turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any Town sewer. (*Penalty per Schedule "C"*).
- 11.12 No person, except duly authorized employees of the Town, will cut, break, pierce, or tap any Town sewer or appurtenance thereof, or introduce any pipe, conduit or tube, through or into any Town sewer. (*Penalty per Schedule "C"*).
- 11.13 No person will interfere with the free discharge of any Town sewer, or part thereof, or do any act or thing, which may impede, obstruct the flow of or clog up any Town sewer or appurtenance thereof.
- 11.14 The Superintendent of Public Works or Plumbing Inspector has the right at reasonable times to enter houses or other places which have been connected with Town sewers, and entrance must be given him to ascertain whether or not any improper substance or liquid is being discharged into the sewers. The Superintendent of Public Works or Plumbing Inspector has the power to stop or prevent from discharging into the sewer system any private sewer or drain through which substances are discharged that are liable to injure the sewers or obstruct the flow of sewage.
- 11.15 No waste or discharge resulting from any trade, industrial or manufacturing process will be directly discharged to any Town sewer without such previous treatment as will be prescribed by the Town or applicable legislation and regulations thereto for each such case. The necessary treatment works so prescribed will be completely installed by the owner at his expense, prior to the construction of the sewer connection and thereafter will be continuously maintained and operated by the owner.
- 11.16 Grease traps of sufficient size and approved design must be placed on the waste pipes from all hotels, restaurants, laundries and such other places as the Town, may direct.
- 11.17 Where it is deemed expedient to prevent or reduce the flooding of basements or cellars connected to the municipal sewage system, the Town may require the owner to install and operate a suitable backwater valve or other mechanical device for the purpose of cutting off or controlling the connection between the sewage system and the cellar or basement. Where the installation of said valve is required at the time of connection to the Town sewer system, the cost of installation is the responsibility of the owner.
- 11.18 All applications for connections to the Town sewers must be made in writing. The application must be filed in the Town office and must be signed by the owner of the property to be drained, or by his authorized agent. No drain or private sewer will be connected to the Town sewer until the owner has obtained a plumbing permit. Connection must be as per current Town standards.
- 11.19 The Town or any of its employees will not be liable for any damage whatsoever in nature caused either directly or indirectly by such sewer connection. The owner will be responsible for backfill, surface replacement, safety, and, without limiting the generality of the foregoing, matters of like nature.
- 11.20 The Town may revoke or cancel permission that may have been granted to connect with the Town sewers if it finds that any of the work is not being done in

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accordance with the provisions of this Bylaw. The owner making such connection, will have no right to demand or claim any damages in consequence of such permission being revoked or canceled.

11.21 The Town will clean a plugged sewer service line, if possible, in the case of an emergency or when the request is on the recommendation of a Certified Licensed Plumber. Should the Town be requested to clean any plugged sewer service line, the owner making such request is liable for all costs incurred by the Town in cleaning the plugged sewer. The rates for this service will be charged by the Town in accordance with Schedule "B", attached hereto.

- a) Should any owner claim that any sewer service line between the street main and the property line is plugged because it is not laid according to good practice, the said owner will deposit with the Town an amount in accordance with Schedule "B" attached hereto.
- b) Should the sewer service line between the street main and the property line be found properly laid according to good work practices, the owner will forfeit the deposit. The owner is liable for all costs incurred by the Town in opening the sewer service line. The Superintendent of Public Works is then authorized to open the sewer service line by any method he considers necessary.
- c) Should the sewer service line between the street main and the property line be found not properly laid according to good work practices, the deposit will be refunded to the owner. The Town will then repair the sewer service line at no cost to the owner.
- d) Owners requesting that the Town camera their sanitary sewer service line, will deposit with the Town an amount in accordance with Schedule "A", attached hereto. The owner is liable for all costs incurred by the Town in the use of the camera, and if necessary, costs incurred by the Town in clearing of the sewer line. If it is determined with the use of the camera that the sanitary sewer service line is damaged, the property owner is responsible for the repair of this sanitary sewer line to the property line from the premises on the property.

11.22 The owner of any premises connected to a street main by a sewer service line, will be required to keep the said sewer service line, from the premises to the main, in operational condition at all times, and is fully responsible for the operation of the said sewer service line.

11.23 No septic systems are allowed in corporate limits, except in designated areas.

11.24 Septic systems that are allowed must adhere to provincial standards. The premises owner must have a private sewage disposal permit. Septic systems will only be considered if NO municipal sewer is available.

SECTION 12 STORM SEWER SERVICE

12.1 No person will discharge or cause to be discharged any storm water or natural water to any sewer except a storm sewer or to a natural outlet approved by the Town. (*Penalty per Schedule "C"*).

12.2 Weeping tile must be installed below all basement footings and must drain to an approved sump as per CSA standards and Alberta Safety Codes or to the municipal storm sewer system.

12.3 Sumps must be installed as per CSA standards and Alberta Safety Codes and are not to be connected into the Town's sanitary sewer system.

12.4 Discharge from the sump pump may be through a garden hose to a surface sprinkler for the summer months. Discharge to a "dry pit" during late fall and winter may be done using a buried line controlled by a two-way valve.

12.5 Down spouts must be installed on all buildings and discharged a minimum of 1.81 metres (6.0 feet) away from the building.

12.6. No roof drains will be connected to weeping tiles or municipal storm sewer or sanitary sewer systems. At the time the Superintendent of Public Works determines a property has a connection of this type, the property owner will be notified they are in violation of the bylaw and that the matter must be rectified within a specified timeline or the penalties set out in Schedule "C" will be levied.

SECTION 13 UTILITY BILLING

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- 13.1 Residential water and sewer utility accounts will be issued bimonthly as follows: February, April, June, August, October and December. Commercial water and sewer utility accounts will be issued monthly.
- 13.2 Every person, firm or corporation being the owner of property which is served directly or indirectly by a connection with the waterworks and/or the sewer system of the said Town of Claresholm, will pay monthly or bimonthly to the said Town, the regular rates set out in Schedules "A", "B" & "D", attached hereto.
- 13.3 The monthly or bimonthly Utility bill will addressed to the name of the property owner, as per Land Titles notification.
- 13.4 Any owner desiring to have a copy of the Town utility billing forwarded to a tenant at the tenant's mailing address may direct the Town to do so by making application at the Town Office on the printed forms furnished by the Town. The application must be signed by both the property owner and the tenant. The property owner is ultimately responsible for any outstanding charges, arrears and penalties from utility billings.
- 13.5 Reading of water meters will be on or between the twenty-fourth and twenty-seventh day of the last month in each billing period.
- 13.6 Any Residential or Non-Residential Consumer may elect to pay his monthly or bimonthly utility bill charges at any financial institution in the Town of Claresholm or online where available. Any bank charges are the responsibility of the Residential or Non-Residential Consumer.
- 13.7 When water service is inactive, the basic sewer and garbage rates will also be deemed inactive.
- 13.8 The CAO will have the right to determine whether a service will be classified Residential or Non-Residential.
- 13.9 The owner is responsible to ensure the payment is received in the Town's bank account by the due date. Owners must consider the bank's timing to process a payment. If a payment is received after the due date the responsibility for the late payment fee falls to the owner. Allowances for bank processing time of electronic funds transfer (EFT) are the responsibility of the property owner.

SECTION 14 OFFENSES AND PENALTIES

- 14.1 Unpaid utility bills for amounts payable to the Town under this bylaw will be subject to penalties in accordance with the current Utilities Penalties Bylaw, and amendments thereto.
- 14.2 Any rates, costs or charges in arrears for water service supplied by the Town to any property may be added to the taxes assessed against the real property to which the water or other services have been supplied, and may be collected in any of the ways provided by the collection of taxes, including tax recovery.
- 14.3 In addition to the methods outlined in Section 14.2 above for the recovery of outstanding rates, costs or charges, the Department may discontinue service to any property where any charges for water and/or sewer service or work remains outstanding for a period of more than sixty (60) days.
- 14.4 Any person who contravenes any provision of this Bylaw is guilty of an offence and liable, upon summary conviction, to a fine not exceeding Two Thousand Dollars (\$2,000.00).

SECTION 15 POWERS OF A PEACE OFFICER

- 15.1 Where a Peace Officer has reasonable grounds to believe a person has committed a breach of any of the sections of this bylaw listed in Schedule "C" hereunto annexed and made part of this bylaw, he may serve upon such person(s) a Violation Ticket allowing the payment of a penalty to The Town of Claresholm which shall be accepted by the Town of Claresholm in lieu of prosecution for the offense.
- 15.2 A Provincial Violation Ticket may be:
 - a) Personally served; or
 - b) Attached to any property entrance in respect of which any offense is alleged to have been committed; or
 - c) Mailed to the address of the registered owner of the property.
- 15.3 Penalties as per Schedule "C" may be accepted in lieu of prosecution for a contravention of this Bylaw.
Upon payment in accordance with the terms specified in the Provincial Violation Ticket, an official receipt for the payment shall be issued and, pursuant to the

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provisions of Subsections 15.5. and 15.6., such payment shall be accepted in lieu of prosecution.

- 15.4 If after the date of expiration for payment of a Provincial Violation Ticket, a person tenders payment therefore in accordance to Subsection 15.3, such payment shall be accepted in lieu of prosecution provided that payment is tendered three days preceding the appearance date specified in any violation ticket subsequently issued for the same offense.
- 15.5 If the person upon whom the Provincial Violation Ticket is served fails to pay the required sum within the time specified, the Provisions of this Section for acceptance of payment in lieu of prosecution do not apply.
- 15.6 Nothing in this Section shall:
 - a) Prevent any person from exercising his right to defend any charge of committing a breach of any of the Sections referred to in Schedule "C" to this Bylaw;
 - b) Prevent any Peace Officer, in lieu of serving a Provincial Violation Ticket, or any other person from laying information or a complaint against any other person for committing a breach of any of the Sections listed in the said Schedules; or
 - c) Prevent any person from exercising any legal right such person may have to lay information or complaint against any other person (whether such other person has made a payment under the provisions of this Bylaw or not) for a breach of any of the Sections listed in the said Schedules.
- 15.7 A person other than the owner or tenant of a property shall not remove any Provincial Violation Ticket or notice placed on or affixed to the property by a Peace Officer in the course of his duties.
- 15.8 No person other than a Peace Officer or another person authorized by the Town of Claresholm or by this Bylaw shall place a Provincial Violation Ticket on any property.

SECTION 16 LIABILITY FOR DAMAGES

- 16.1 The Town is not liable for damages:
 - a) caused by the breaking of any water service main, water service pipe or attachment,
 - b) caused by the breaking, plugging or stoppage of any sanitary sewer main, or storm sewer main,
 - c) caused by the interference with the supply of any water service necessary in connection with the repair or proper maintenance of the water service,
 - d) caused by the interference with the supply of any sewer service necessary in connection with the repair or proper maintenance of sewers,
 - e) generally for any accident due to the operation of the water works system or the sewerage disposal system of the Town unless such an accident is shown to be directly due to negligence on the Town or its employees.

SECTION 17 REPEALED

17.1 Bylaws #1412 and 1413 are hereby repealed.


SECTION 18 PASSAGE OF BYLAW

18.1 This Bylaw shall come into effect upon passage of 3rd Reading.

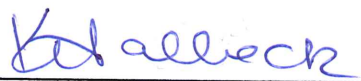
READ a first time in Council this **12th** day of **May** 2008 A.D.

READ a second time in Council this **26th** day of **May** 2008 A.D.

READ a third time in Council and finally passed this **26th** day of **May** 2008 A.D.



Rob Steel, Mayor



Kris Holbeck, CAO

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**TOWN OF CLARESHOLM
BYLAW NO. 1510
SCHEDULE "A"
WATER RATES AND COSTS**

Section	Description	Rates
4.4	Service charge for application for water used during construction	Initial turn on free
4.4	Monthly charge for residential water used during construction	Basic residential rate
4.4	Monthly charge for commercial/industrial water used during construction.	Case by Case basis.
5.5	Minimum repair costs for a damaged meter	\$55.00
5.9	Deposit for meters requested by owners to be removed and calibrated	\$110.00
6.1	Charge for provision and installation of remote reading device	\$55.00
6.3	Charge for provision and installation of remote reading device	\$55.00
4.10, 9.3	Water services disconnected during regular working hours	\$25.00
4.10, 9.3	Water services reconnected during regular working hours	\$25.00
4.10, 9.3	Water services disconnected after working hours or on weekends or holidays	\$100.00
4.10, 9.3	Water services reconnected after working hours or on weekends or holidays	\$100.00
7.6	Monthly charge for external spigot.	\$6.00
10.2	Application fee for permission to use a private well	\$50.00
13.2	Monthly charge for metered residential water consumers	\$30 up to 25 cubic meters, over 25 cubic meters .80 per cubic meter
13.2	Monthly charge for non-residential water consumers	Per Schedule D
13.2	Monthly charge for residential unmetered water consumers	\$250.00

TOWN OF CLARESHOLM
Bylaw No. 1510
SCHEDULE "B"
SEWER RATES & COSTS

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Section	Description	Rates
11.21	Cleaning any plugged sewer service line during regular working hours	\$55.00 per hour or any portion thereof
11.21	Cleaning any plugged sewer service line after regular working hours or on weekends or holidays	\$110.00 per hour or any portion thereof
11.21.1	Deposit for sewer service lines requested to be opened	\$150.00
11.21.4	Deposit for use of camera for sanitary sewer line	\$110.00
11.21.4	Cameraing sewer lines.	Cost of equipment and man hours necessary
13.2	Monthly sewer charge for all non-residential consumers	Per attached spreadsheet "Schedule D"
13.2	Monthly sewer charge for residential consumers	\$10.90

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**TOWN OF CLARESHOLM
Bylaw No. 1510
SCHEDULE "C"**

(\$500.00 Penalty First Offense, \$1,000.00 Penalty Subsequent Offenses)

- S.5.8 No person will interfere with, cut or remove the wire seal on a meter.
- S.7.3 No person will in any manner obstruct the free access to any hydrant or valve or curb stop.
- S.7.4 No vehicle, building, rubbish, or any matter which may cause obstruction, referred to in Section 7.3 above, will be placed nearer to a hydrant than the property line of the street in which the hydrant is located, nor within 49.21 meters (15 feet) of the hydrant in a direction parallel with the property line.
- S.7.5 No person will interfere with, damage or make inaccessible any curb stop due to the construction of sidewalks, pathways, driveways, or any similar construction.
- S.7.7 No person other than authorized Town staff are to operate curb stops.
- S.11.1 No person will throw, deposit or leave in or upon any Town sewer or any trap, basin, grating manhole, or other appurtenance of any Town sewer, any butcher's offal, garbage, litter, manure, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, rags, cinders, ashes or refuse or matter of any kind, except feces, urine, the necessary toilet tissue, wastewater, and slops properly discharged through a house sewer into a Town sewer.
- S.11.11 No person, except duly authorized employees of the Town, will turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any Town sewer.
- S.12.1 No person will discharge or cause to be discharged any storm water or natural water to any sewer except a storm sewer or to a natural outlet approved by the Town.
- S.12.6 No roof drains will be connected to weeping tiles. No sump pumps will be connected to the Town sanitary sewer system.

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TOWN OF CLARESHOLM
Bylaw No. 1510
SCHEDULE "C"
(\$1,000.00 Penalty, \$2,000.00 Penalty Subsequent Offenses)

- S.4.1 No person, without first having obtained written permission from the Town, will make connection with any of the water service lines or street mains.
- S.4.8 No connection may be made to the water service line between the property line and the meter without prior written approval by the Town.
- S.5.18 No person shall attach a low pressure system to the water piping system in a property.
- S.7.1 Except as hereinafter provided, no persons other than those authorized by the Town will open or close or operate or interfere with any valve, hydrant or fire plug, curb stop or draw water therefore.
- S.10.1 No well or other source of water except the Town waterworks will be used in the Town of Claresholm without written permission from the Town.
- S.11.2 No person, without first having obtained applicable provincial permits as well as permission from the Town, will make connection with any of the public sewer lines or mains. The person so authorized will be fully liable for any damage caused while making such connection and will also provide adequate safety provisions during the connection.
- S.11.8 No person will permit to be discharged into any sewer any liquid or substance which would prejudicially affect the sewers, including without limiting the generality of the foregoing: trade waste, water steam, condensing water, heated water, or other liquids of a higher temperature than eighty (80) degrees Celsius, or any combinations of the above.
- S.11.10 No person will discharge the contents of any privy vault, manure pit or cesspool, directly or indirectly, into any Town sewer or house drain.
- S.11.12 No person, except duly authorized employees of the Town, will cut, break, pierce, or tap any Town sewer or appurtenance thereof, or introduce any pipe, conduit or tube, through or into any Town sewer.

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TOWN OF CLARESHOLM
Bylaw No. 1510
SCHEDULE "D"
COMMERCIAL AND INDUSTRIAL WATER RATE TABLE

PIPE SIZE	BASIC GALLONS	MONTHLY RATE
½", 5/8", ¾"	5,000	26.06
1 INCH	20,000	48.13
1-1/4 INCH	30,000	65.82
1 – ½ INCH	30,000	89.89
2 INCH	50,000	142.52
3 INCH	125,000	503.00
4 INCH	250,000	703.34
6 INCH	500,000	2908.31

OVER BASIC GALLONS	RUNNING TOTAL
25,000 – \$1.44/M = 36.00	
25,000 – \$1.55/M = 38.75	74.75
25,000 - \$1.67/M = 41.75	116.50
25,000 - \$1.79/M = 44.75	161.25
25,000 – \$1.90/M = 47.50	208.75
25,000 – \$2.02/M = 50.50	259.25
25,000 – \$2.13/M = 53.25	312.50
25,000 – \$2.25/M = 56.25	368.75
25,000 – \$2.36/M = 59.00	427.75
25,000 – \$2.48/M =62.00	489.75
THEREAFTER	2.59/M

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TOWN OF CLARESHOLM
Bylaw No. 1510
SCHEDULE "D"
COMMERCIAL AND INDUSTRIAL SEWER RATE TABLE

BASIC METERED	MONTHLY CHARGE	RATE PER 1,000 GALLONS
5,000	13.55	Minimum Rate
10,000	17.20	.73
15,000	21.50	.86
20,000	26.45	.99
25,000	32.05	1.12
30,000	38.30	1.25
35,000	45.25	1.39
40,000	52.85	1.52
45,000	61.10	1.65
50,000	70.00	1.78
55,000	79.55	1.91
OVER 55,000		2.05

