

**BYLAW 762-R-07-19  
TOWN OF COALDALE  
PROVINCE OF ALBERTA**

**BEING A BYLAW OF THE TOWN OF COALDALE  
TO PROVIDE FOR THE REGULATION OF THE WATER WORKS SYSTEM  
AND TO ESTABLISH WATER RATES SYSTEM.**

**WHEREAS** the Town of Coaldale, being a municipal corporation in the Province of Alberta, finds it beneficial to make provisions for the management and control of the water works system of the Town of Coaldale and to establish water rates system for the residential, commercial, institutional, and industrial users and all other consumers in the Town of Coaldale, and subject to Council approval, to consumers outside the Town boundaries;

**NOW THEREFORE** the Council of the Town of Coaldale enacts as follows:

**1. TITLE**

This Bylaw may be cited as the “Water Services Bylaw” of the Town of Coaldale. Where the terms of this Bylaw conflict with the provisions of any other Bylaw of the Town of Coaldale, this Bylaw shall prevail.

**2. INTERPRETATIONS AND DEFINITIONS**

- 2.1 Unless the context specifically indicates otherwise, the meaning used in this Bylaw shall be as follows:
- 2.1.1 “Account” means an agreement between the Applicant and the Town of Coaldale for the provision of Water Services;
  - 2.1.2 “Application” means the application made by an Applicant to the Town of the supply of Water Services;
  - 2.1.3 “Applicant” means the owner or occupier of a residential dwelling unit or specific property for which water services are requested or provided;
  - 2.1.4 “Backflow” means a situation that may occur within the water system where negative or reduced pressures occur within the water distribution system causing a reversal in the normal direction of flow within the water supply piping within a building or premise;
  - 2.1.5 “Backflow Prevention Device” means a mechanical device specifically designed, constructed, and approved for the control and prevention of backflow and back siphonage;
  - 2.1.6 “Back siphonage” means backflow caused by negative or reduced pressure within the water supply piping within a building or premise;

- 2.1.7 “Chief Administrative Officer” or “CAO” means the person appointed to the position and title of Chief Administrative Officer by the municipal Council of the Town of Coaldale;
- 2.1.8 “Combined Water Service Connection” means a potable water service connection which supplies water for the domestic, commercial, institutional, or industrial use of a consumer and also for as a fire protection system in the same premises;
- 2.1.9 “Cross Connection” means an existing connection or a potential connection between any part of the potable water system and any other environment containing any substances other than potable water, which, under any circumstances, allow such substances to enter the potable water system. Other substances may be gases, liquids, or solids such as chemicals, waste products, steam, water from other sources (potable or non-potable), or any matter which may change the color or add color to the potable water;
- 2.1.10 “Commercial Consumer” means the owner or occupier of a commercial establishment or a dwelling unit containing a commercial establishment other than a house occupation where the property is connected to the water system;
- 2.1.11 “Consumer” means both Commercial and Domestic Consumers and any person, entity, or government, who has property that is connected to the Town’s water system or any Lessee who obtains water from any Town owned hydrant, stand pipe, or water sales station;
- 2.1.12 “Council” means the Council of the Town of Coaldale;
- 2.1.13 “Dwelling Unit” means one or more self-contained rooms designed to be used as a dwelling and that includes sleeping, cooking, living, and sanitary facilities and having an independent entrance either directly from the outside of the building or through a common area within the building;
- 2.1.14 “Designated Officer” means a bylaw enforcement officer, peace officer, police officer or other official appointed by the Town to enforce this Bylaw;
- 2.1.15 “Domestic Customer” means the owner or occupier of a residence containing one or more dwelling units that are connected to the water works system and where the total water consumption is measured by one water meter;
- 2.1.16 “Enforcement Officer” means:
- 2.1.16.1 a Peace Officer as appointed under the *Peace Officer Act*;

- 2.1.16.2 a Police Officer as appointed under the *Police Act*;
- 2.1.16.3 a member of the Royal Canadian Mounted Police;
- 2.1.16.4 an approved person by Town Council.
- 2.1.17 “Meter Spacer” means a length of pipe complete with couplings, installed on the internal potable water piping in a building which can be removed for the purpose of installing a water meter in the Town of Coaldale;
- 2.1.18 “Non-Potable Water” means untreated water that is not suitable for human consumption;
- 2.1.19 “Owner” means a person who is registered under the *Land Titles Act* as the owner of a parcel of land and who is recorded as the owner of a property on the Town’s tax assessment roll;
- 2.1.20 “Occupant” means a person who is an owner of a premises who resides or carries on business within a premise or a person who resides in the premises or carries on a business within a premise pursuant to a lease or license;
- 2.1.21 “Potable Water” means water that has been treated to National and Provincial standards and that is suitable for human consumption;
- 2.1.22 “Premises” means any land, building or part of a building that is supplied with water through a service connection to the Town’s water system;
- 2.1.23 “Property” means a sub-divided lot or parcel of land or portions of the same;
- 2.1.24 “Safety Codes Officer” means a qualified person certified by the Provincial Government to perform inspections related to the *Alberta Safety Codes Act* and *Plumbing Code Regulation*.
- 2.1.25 “Service Connection” means the portion of water service that extends from the water main to a customer’s dwelling unit or building for the purpose of providing water services to a customer;
- 2.1.26 “Sewage Collection & Treatment Unit” means the system of sewer collection lines, pumping stations, service connections, valves, fittings, backflow prevention devices and all other equipment required for the collection and treatment of sewage for all consumers and is deemed a public utility within the meaning of the *Municipal Government Act*.

- 2.1.27 “Town” means the Municipal Corporation of the Town of Coaldale, and where the context means, the area contained within the boundaries of the Town of Coaldale;
- 2.1.28 “Utility Invoice” means a customer’s billing statement for Town utilities, including E-bills;
- 2.1.29 “Utility Rates Bylaw” means the water, sewer, solid waste, recycling and Stormwater Rates Bylaw in effect at the time as passed by Council from time to time;
- 2.1.30 “Utility Services” means the utilities provided by the Town in accordance with the *Municipal Government Act*, including, water, sewer, garbage collection, and storm drainage;
- 2.1.31 “Utility Services Account” means the account a consumer sets up with the Town for the main purpose of receiving and paying utility invoices;
- 2.1.32 “Water Main” means the Town’s water pipe in a public roadway, utility right of way or easement granted to the Town, which forms a part of the Water System and which provides water to customer’s through a Service Connection;
- 2.1.33 “Water Meter” means any device approved by the Town that is designed to measure the quantity of water used by the consumer;
- 2.1.34 “Water Service” means that lateral water pipe which connects a Consumer’s premises to the Town water main with the consumer owning that portion of the pipe lying within the boundaries of the consumer’s premises, excluding any pipe lying within the boundaries of any easement or right-of-way area granted to the Town for its water system;
- 2.1.35 “Water Service Valve” or “Curbstop” means the water valve located on the Town owned portion of the water service connection, between the Town water main and the property line of a premises, which is installed for the purpose of enabling the Town to turn the water supply to a premises on or off;
- 2.1.36 “Water Service Charge” means the charge on a customer’s utility bill relating to their water consumption over a billing period and it includes a base rate and consumptive rates;
- 2.1.37 “Water System” or “Water Utility” means the system of raw water pipelines, water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, backflow prevention devices and all other equipment and machinery of whatever kind owned by the Town and which is required to supply and distribute potable water

to all consumers and which is deemed to be a municipal utility service within the meaning of the *Municipal Government Act*.

### **3. MUNICIPAL OFFICIAL AND DELEGATION**

- 3.1 Council hereby delegates to the CAO all those powers stipulated in this Bylaw to be exercised by the Town and all necessary authority to carry out those powers, except those powers which are reserved exclusively for Council under the *Municipal Government Act*, or reserved for other persons pursuant to the provisions of this Bylaw. The CAO may delegate any powers, duties or functions granted under the Bylaw to another employee of the Town.
- 3.2 The CAO delegates power to the Director to establish standards, guidelines and specifications for the design, construction and maintenance of the water system.
- 3.3 The CAO has the power to establish regulations for the general maintenance or management or conduct, of any employee of the Town and of the Bylaw Officers and others employed in connection with the Town's provision of utility services.
- 3.4 The CAO may establish the method by which utility service accounts are paid by consumers and collected from consumers.
- 3.5 The CAO may provide for the rent of fittings, machines, apparatus, meters or other things leased to the consumer.
- 3.6 The CAO has the power to enforce this Bylaw.

### **4. TOWN'S DUTY TO SUPPLY WATER SERVICES**

- 4.1 The Town has constructed, operated, and maintained a system of water works as a municipal public utility and when it is able to do so, must supply water services to a property or premises, at the request of the owner of the property or premises, or an occupant of the property or premises, who is not the owner. The Town's supply of water services to a property or premises is subject to any terms, costs, or charges established by Council.
- 4.2 No person shall use a source of water supply, or a system of water works or services other than the Town's water services, without the Town's express, prior written consent on such terms and conditions as the Town deems necessary including, but not limited to setting a time limit on which the alternate supply may be used.
- 4.3 Council may issue such orders necessary to control or restrict water consumption in the Town in the event that contamination, pollution, fire, drought, or other natural or man-made disasters should have a detrimental effect on the Town's ability to supply potable water to its consumers.

## **5. ALTERNATIVE WATER SUPPLY**

- 5.1 No owner or occupant of a premises abutting any public roadway, easement or utility right of way containing a water main shall use any alternate source of water supply other than the water system without the prior written consent of the Town.
- 5.2 The CAO may consent to the use of an alternate source of water supply subject to such terms and conditions as deemed necessary and notwithstanding the generality of the foregoing, may limit the period of time for which an alternate supply of water may be used.
- 5.3 No person who has been given permission to use an alternative source of water supply shall allow that source to be connected either directly or indirectly to the water system, or allow any cross connection to occur between the alternate source of water supply and the water system.
- 5.4 Nothing in this Bylaw prohibits or require the consent of the CAO, allowing a person to collect rainwater and using collected rainwater for the limited purpose of outdoor use, so long as such a rainwater collection system is not connected to the water system in any way.

## **6. CONSUMER RESPONSIBILITIES**

### **6.1 Alterations to Water & Sewer Systems**

- 6.1.1 No person may maintain, repair, replace or upgrade the Town's water and sewer systems without being contracted by the Town to do so.
- 6.1.2 No person may connect to or extend the Town's water and sewer systems without first obtaining the approval and permission from the Town and any appropriate Provincial government department.
- 6.1.3 All persons engaged in maintaining, repairing, replacing, upgrading, or extending the Town's water and sewer systems must be Town employees or qualified, experienced municipal water and sewer contractors.

### **6.2 Application for Services**

- 6.2.1 A person requesting a water service connection shall apply to the Town for a utility account by completing an application and providing such information that the Town may require.
- 6.2.2 The Town may establish procedures for the creation of a contract for utility services by telephone, fax, internet, or other electronic means, or by written contract signed by the applicant.
- 6.2.3 The establishment of a utility service account creates an agreement between the consumer and the Town, of which the

provision of the application and the terms of the Bylaw shall form a part.

- 6.2.4 It is the property owner's responsibility to set up a utility service account for utility services from the Town. The utility service account must be in the name of the property owner in the case of all rental and revenue properties.

### 6.3 Conditions of Service on Application

- 6.3.1 Upon receipt of a utility services account application and all information the Town requires to provide utility services, the Town will advise the consumer whether and on what terms the Town is prepared to supply utility services to the consumer, and the type and character of the connections it is prepared to approve for the consumer and any conditions, that must be satisfied as a condition for the supply of utility services.

- 6.3.2 The Town is not obligated to supply utility services until the consumer has provided the Town with access to the premises to which the utilities are to be provided, so to enable the Town to inspect the physical connections for such utility and to obtain an initial meter reading, if required.

- 6.3.3 No new utility services account will be opened for anyone who is indebted to the Town for a former utility services account unless satisfactory arrangements for payment of the outstanding amount has been made.

### 6.4 New Services

- 6.4.1 The Town shall install that portion of the water and/or sewer service connection that is on Town property and which runs from the Town water and/or sewer main to the property line of the street, lane, or boundary of an easement or right-of-way granted to the Town for its utility system. The owner of a property is responsible for all costs related to servicing a property and as such the owner shall be charged connection and installation fees for all new service connections. The owner is required to pay the fees in full, in advance, before installation of service connections can take place, as set out in other Town Bylaws.

- 6.4.2 The Town is the owner of the water service connections within any street, lane, easement or Town property. No person(s) shall make connections to any of the service lines or water mains without first having obtained a permit to do so from the Town.

### 6.5 Replacements and Relocation

6.5.1 Any owner who desires to have an existing water service connection within any street, lane, easement or Town property replaced with a connection of a different size or relocated to a different location, shall apply to the Town in writing for approval and the Town may authorize the work to be carried out by the Town or its agents subject to payment in advance, of the cost of the project as determined by the Town.

#### 6.6 Protecting Service Connection

6.6.1 The consumer of a premises is responsible for ensuring the safekeeping of the water meter and any remote reading device that may be installed with the water meter on the premises.

6.6.2 The consumer of a premises is responsible for protecting the water meter and connecting valves and pipes from freezing, excessive heat, over heating of water, and external and internal damage of any kind or any other thing which may affect the operation or reading of the water meter, at the consumer's expense.

#### 6.7 Responsibility for Water Consumption

6.7.1 The owner of a property shall be responsible for all water consumed on a premise, whether the water consumption was registered by the water meter or consumed by accidental or illegal means.

#### 6.8 Waste of Water, Leaks, and Defects

6.8.1 No person shall waste any water supplied by the Town in any way, whether by improper, leaky, frozen, or broken service pipes, fixtures or taps, or by excessive use of water when yard watering, car washing, cleaning, or other uses.

6.8.2 Where water has been shut off to a consumer's premises for water wastage, leaks, or defects in the consumer's portion of the water service connection, or in other water pipes on the property, or in the interior plumbing system within the consumer's premises, the Town may refuse to turn the water on again until the consumer has delivered proof that the necessary repairs have been made and has paid the specified turn on fee.

#### 6.9 Protection of Water Service Valves

6.9.1 No person shall interfere with, damage, or make inaccessible any water service valve or its casing due to the construction of walks, driveways, landscaping, or in any other way. The property shall make every effort to protect the water service valve servicing his or her property from damage.



- 6.9.2 The consumer is responsible for contacting the Town in the event of damage to the service valve. Pursuant to the *Municipal Government Act*, the Town is not responsible for any damage caused to the premises when making repairs to the service valve.
- 6.9.3 At the time of issuance of a permit to commence construction of a building or other improvement on a property, the property owner shall pay a damage deposit to the Town as set forth in the Utility Rates Bylaw, which may be refundable upon completion of landscaping and after an inspection by the Town determines that the water service valve has not been damaged in any way.
- 6.9.4 If the water service valve has been damaged, the Town may retain the damage deposit and recover the difference in the amount of the damage deposit and the actual cost incurred to repair the water service valve.
- 6.9.5 Where damage occurs to a service valve, the consumer shall be responsible for all costs associated with the repair of the water service valve. The consumer shall ensure that the Town has access to the service valve in order to assess the damage and make any necessary repairs.
- 6.9.6 The Town may require the consumer to provide a damage deposit to the Town as set forth in the Utility Rates Bylaw, prior to commencing any repairs, which may be refundable upon completion of landscaping and after an inspection by the Town. Where the Town does not request a damage deposit for repairs to the service valve, the Town shall provide an invoice to the consumer for all costs associated with the repairs. Should the consumer fail to pay the invoice on the date specified in the invoice, the Town may add the costs of the repair to the taxes levied on the property and it may be collected in the same manner as municipal taxes.

#### 6.10 Boosting Devices

- 6.10.1 No person shall use any devices for the purpose of increasing water pressure on any water service connection on the upstream side of a water meter or water shut-off valve.

#### 6.11 Fire Protection & Branch Supply Lines, Outlets, or Fixtures

- 6.11.1 No person shall install branch supply line, outlets or fixtures on the upstream side of a water meter or shut-off valve, except for fire protection purposes. Any branch supply line, outlet or fixture installed on the upstream side of the water meter or water shut-off valve for fire protection shall only be installed with written permission from the Town.

6.11.2 No person or persons shall use water from a water service connection, that supplies water to private fire hydrants, for any purpose other than fire protection, unless the water service connection is connected to a water meter supplied and installed by the Town.

#### 6.12 Seals

6.12.1 No person shall tamper with, break or remove any seal installed by the Town on any valve or flagged outlet on water service connections or water metering facilities except in the case of an emergency.

#### 6.13 Broken Seals

6.13.1 In the event a person breaks a seal on a valve in order to obtain a supply of water for emergency purposes, that person shall notify the Town within twenty-four (24) hours.

#### 6.14 Unobstructed Access to Meter & Remote Readout

6.14.1 The owner of the property or a consumer shall ensure that the Town has clear unobstructed access to the water meter and remote readout.

#### 6.15 Relocation of Water Meter Piping

6.15.1 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.

#### 6.16 Protection and Maintenance of Meters and Service Pipes

6.16.1 The owner of a property is responsible for the safe-keeping of the water meter, and any remote reading devices that may be installed with the water meter on the owner's property. Property 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 and installed by the Town that may be damaged from the foregoing cause, or any other causes within the owner's control.

#### 6.17 Notification of Malfunction

6.17.1 A consumer shall notify the Town immediately whenever a water meter or remote readout devices is not operating or if any part of it becomes damaged or broken.

#### 6.18 Removed or Stolen Meter

6.18.1 If a water meter or remote readout is removed or stolen, the owner of the premises shall pay the cost of replacing any such measuring device, including installation.

6.18.2 If a property owner fails or refuses to pay the cost of replacing any such measuring device the cost may be added to the taxes levied on the property and collected in the same manner as municipal taxes.

### 7. INSTALLATION AND OPERATION OF METERS

#### 7.1 Meter Valves

7.1.1 Only qualified, experienced contractors authorized by the Town, shall turn on or off a water service valve or any other main valve or valves in the water system.

7.1.2 All buildings constructed after December 31, 1997, which are connected to a water service shall be provided with water shut off valves placed on the outlet and inlet sides of the water meter to permit the meter to be isolated for safe removal and to enable a consumer to shut off the supply of water in case of any emergency, when making repairs, or to prevent flooding of the premises or in the event the premises are permanently or temporarily vacated. The water shut off valves 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.

7.1.3 The water shut-off valves and meter shall be located immediately inside the outer wall of the premises where the water service enters the building.

#### 7.2 Supply and Ownership of Water Meters and Remote Read-outs

7.2.1 All water meters and remote read outs shall be supplied, maintained, repaired, tested and replaced by the Town. The Town may from time to time or at any time authorize an individual, firm or corporation to install, maintain, repair, and replace water meters.

7.2.2 All water meters supplied by the Town, are owned by the Town and are Town property.

7.2.3 The owner of a property shall pay the additional cost for supplying and installing water meters, where installation as approved by the

Town requires a fire service type water meter or other special type of water meter. Notwithstanding the payment of such additional costs, the water meter shall remain the property of the Town.

### 7.3 Individual Meters and Remote Readout

- 7.3.1 Each premises or individual building unit shall have separate or shared water meter(s) which may have a remote readout device attached as a component of the water meter.
- 7.3.2 The wire connecting the remote readout to the meter is to be three wire (3), minimum of 19-gauge bell wire.
- 7.3.3 On all existing buildings being retrofitted with new meters and readouts the property owner shall be responsible for installing the wire and interconnecting the meter and remote readout.
- 7.3.4 On all new construction the electrical contractor shall be responsible for installing the wire and interconnecting the meter and remote readout.

### 7.4 Access to Premises

- 7.4.1 Employees of the Town, Safety Codes Officers, and other designated contractors or persons shall have clear and unobstructed access at all reasonable hours of the day having given reasonable notice, or in the case of special circumstances, without notice by written authority of the CAO, to all parts of every building or other premises in which water is delivered and consumed, for the purpose of conducting water use surveys, sampling, leakage, flow and pressure tests, reading water meters, remote readouts, or installing, inspecting, repairing, replacing and removing water meters, remote readouts, backflow prevention devices and related equipment upon any water service connection.

### 7.5 Meter Reading

- 7.5.1 Each water meter shall be read at such times or intervals as the Town may designate. As described in the previous section, the meter reader shall have the right to enter such portions of all premises within the Town as may be required for the purpose of performing his or her meter reading duties at all reasonable times.
- 7.5.2 In the event that the Town is unable to read the water meter due to the inaccessibility of the water meter, or for any other reason, the Town shall estimate and establish the charges based on:

- 7.5.2.1 The average consumption of the previous three (3) billing periods;

7.5.2.2 The minimum rate for water supplied to that premises, which ever amount is greater.

7.5.2.3 Payment of an estimated amount shall not excuse the consumer from liability for payment of a greater amount which may be owing after a meter is read.

7.5.3 If the Town is unable to access a meter for reading for two (2) consecutive billing periods, then the Town may order the property owner to have a remote readout device installed and connected to the water meter. In the event the property owner fails or refused to comply with any such order the Town may shut off the water service to the property after having given the owner and occupants twenty-four (24) hours' notice.

## 7.6 Equipment Maintenance

7.6.1 Utilities Department employees may set or alter the position of any water meter, remote readout, or backflow prevention device, or any pipe, valve, or fitting forming part of the water system for the purposes of protecting, testing, or regulating the use of any water meter, backflow protection device, or other equipment forming part of the water system.

## 7.7 Cost Recovery

7.7.1 The Town may charge for and recover from the owner of a property the cost of supplying, installing, altering, repairing, relocating, or removing a water meter or remote read out. Any such charges may be collected in the same manner as the water rates.

## 7.8 Installation of Water Meters

7.8.1 The water meter(s) shall be installed on the water service(s) within a building as soon as it is possible to do so without freezing the water meter.

7.8.2 The owner of a property shall make provisions for the installation of water meters in a horizontal position, in accordance with the City of Lethbridge standard specifications for the water system.

7.8.3 The owner of a property shall furnish all meters located within the owner's premises with a permanent support adequate to prevent the weight of the meter from damaging the building's internal water supply piping.

7.8.4 If an inspection of a newly installed meter or remote readout indicates the installation does not comply with the Town standards and the approved mechanical drawings, or has not been carried out, then owner of the property shall correct or modify the

installation at their expense in order to comply with the standards and the approved drawings.

7.8.5 If a property owner wishes to have installed other metering, piping, or valving arrangements, the property owner shall apply to the Town for approval in writing prior to installation.

7.8.5.1 Any such installation shall be at the owner's sole responsibility and expense.

7.8.5.2 The Town shall accept no responsibility for such installation and the approval by the Town shall not be an acceptance of responsibility. The Town may in its sole discretion, require the owner to indemnify the Town prior to installation of other metering, piping, or valve arrangement.

7.8.6 If the owner of a property 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.

#### 7.9 Size, Type and Number of Meters

7.9.1 The Town shall determine the size, type, and number of water meters to be supplied by the Town and installed by the owner of the property. Where the water supplied through a water meter is for fire protection purposes, or for combined fire protection / potable water use or other uses, then the water meter shall be of a fire service type, supplied by the Town.

#### 7.10 Multiple Meters

7.10.1 Properties or premises, that have multi-residential dwelling units in a building that has a single water service connection, each individual dwelling unit may be individually metered or have shared meters among individual dwelling units, and all water meters shall be installed adjacent to each other, as close as possible to the place where the water service connection enters the building.

7.10.2 Each meter shall be equipped with a remote readout.

#### 7.11 Building Alteration and Relocations

7.11.1 If the Town is dissatisfied with the location of any water meter due to alterations to a building, the Town may require that the water meter be relocated to a more suitable or convenient location near the point of entry of the water service connection. All costs associated with relocating the water meter, including any Town costs, shall be paid for by the owner of the property.

#### 7.12 Meter Enclosure

7.12.1 All water meters are to be located within the primary building that is supplied by a water service connection.

7.12.2 Where a water meter cannot be installed in a building, it is the property owner's responsibility to provide a building, or vault, to house the water meter on the owner's property at the owner's expense and in accordance with the Town of Coaldale Standard Specifications for the water system.

7.12.2.1 Any such building or vault is to be insulated and heated during the freezing months.

7.12.2.2 The property owner shall maintain and repair the meter building and/or vault at the owner's expense. If the owner, after receiving written notice from the Town, neglects to repair or improve his meter building or vault, the Town may either authorize the necessary repairs to be carried out, and charge the owner for the costs incurred, or to shut off the supply of water until the repairs are carried out to the Town's satisfaction.

7.13 Remote readout devices shall be located:

7.13.1 At a convenient location on the front of all newly constructed buildings;

7.13.2 If possible, at a convenient location on the front of all existing buildings, or alternatively, near the power meter.

7.14 Relocation of Water Meter Remote Readout

7.14.1 If the Town is dissatisfied with the location of any remote readout for any reason, 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.

7.15 Meter Spacers

7.15.1 Where the use of a water meter is mandatory under this Bylaw, no person shall use a meter spacer in place of a meter except for the testing of a new plumbing system or a water meter.

7.16 Temporary and Seasonal Water Service Connections

7.16.1 Unless otherwise approved by the Town, all water supplied through temporary and seasonal water service connections shall be metered. In addition to the charge for the water supplied to the premises the owner of a property shall:

- 7.16.1.1 Pay the cost of installing and removing the meter in the spring and fall, and for the installation and each removal of the water meter for any other purpose as described elsewhere in this Bylaw.
- 7.16.1.2 Pay the cost of any damage to the water meter and related metering facilities from causes within the owner's control; and
- 7.16.1.3 Pay the fees as set out in the Utility Rates Bylaw, for meter rentals or portable meter rentals.

#### 7.17 Accuracy of Meters

7.17.1 If any water meter has, in the opinion of the Town, failed to accurately register the flow of water through the meter since the last reading, the water charge shall be adjusted to the greater of the:

7.17.1.1 The amount of water recorded by the meter; or

7.17.1.2 The minimum rate for water supplied to the premises, or

7.17.1.3 The average consumption of the previous three (3) billing periods.

7.17.2 If a consumer is in doubt as to the accuracy of the meter installed in his or her premises, the consumer may request that the Town test the water meter to verify its accuracy.

7.17.2.1 If the water meter is found to be measuring within five (5) percent of the meter manufacturer's specified accuracy, the consumer shall pay a fee as set out by the Town.

7.17.2.2 If the water meter is found to be measuring in excess of five (5) percent of the meter manufacturer's specified accuracy, the consumer will not be charged any fee.

#### 7.18 Maintenance and Testing

7.18.1 Water meters may be removed by the Town for maintenance and testing on a periodic basis. The Town may test a water meter on site or remove and test the meter at the Town's facility.



## **8. DISCONTINUANCE OF WATER**

### **8.1 Discontinuance of Water Use**

- 8.1.1 Any owner and/or consumer vacating a property or premises that has been supplied with water, or who wishes to discontinue the use of the water supply, must give notice in writing to the Town requesting that the Town shut off the water supply.
- 8.1.2 If notice pursuant to Subsection 8.1.1, is not given the owner will be liable for the accruing rates, and for all damages suffered or sustained by the Town caused by failure to give notice.
- 8.1.3 Notwithstanding Subsections 8.1.1 and 8.1.2 above, the fact that a premises or property is vacant, is not reason for non-payment of the utility rates.
- 8.1.4 Where any owner, occupant, or consumer discontinues the use of the water supplied by the Town, or the Town refuses to continue to supply water, the Town may at all reasonable times enter the subject premises that was supplied with water for the purpose of removing any fittings, machines, apparatus, meters, pipes, remote readouts or other things that are the property of the Town and are located in, or upon, such premises.

### **8.2 Moving or Demolishing Buildings**

- 8.2.1 When a building that is connected to the Town water system is to be moved from its existing location or when the water service lines are to be permanently disconnected from any building for any cause, the owner of the land on which the building is situated shall pay to the Town a disconnect fee as defined in the Utility Rate Bylaw.
- 8.2.2 The owner of the land from which a building connected to the Town water system is to be removed, shall pay to the Town the appropriate charge before a permit for demolition or moving the building is issued pursuant to other Town Bylaws.

### **8.3 Emergency Water Shut Off**

- 8.3.1 In the event of an emergency, the Town may shut off the water, without prior notice.

## **9. FIRE HYDRANTS**

### **9.1 Ownership and Use of Town Fire Hydrants**

- 9.1.1 All fire hydrants, except fire hydrants situated on private property are the property of the Town.

9.1.2 No person or persons, except employees of the Utilities Department, members of the Fire Department, or those authorized by the Town shall open, close, or interfere with any fire hydrant or hydrant valve connected to the water system.

## 9.2 Private Fire Protection Systems & Hydrants

9.2.1 The Town, its Safety Codes Officers, and the Fire Chief or Representative shall have the right to enter upon private property to inspect private fire systems and to require the property owner to undertake whatever repairs and/or maintenance that may be necessary to ensure the fire protection system is operational.

9.2.2 Should the owner refuse or neglect to undertake such repairs or maintenance as required in part 9.2.1 of this section, the Town may enter upon the premises, complete the work, and recover all costs as a debt due to the municipality.

## 9.3 Relocation of Hydrants from Town-Owned Property

9.3.1 Any person who wishes to have a fire hydrant relocated that is situated on Town owned property may request in writing to the Town, that the hydrant be relocated. If the Town considers it feasible to relocate the hydrant, the person making the request shall pay in advance the full cost to relocate the hydrant.

## 9.4 Interference with Fire Hydrant Access

9.4.1 Subject to the provisions of the Alberta *Fire Code Regulation*, no person shall allow anything to be constructed, erected or planted adjacent to a fire hydrant, which may in any way interfere with the access, use, maintenance, or visibility of the hydrant.

9.4.2 Subject to the provisions of Alberta *Fire Code Regulation* no person shall do anything to obstruct access to a fire hydrant or to interfere with the operation of a fire hydrant.

## 9.5 Fire Hydrants - Other Uses

9.5.1 No person shall, without the written permission of the Town or the Fire Chief, authorize the use of water from a fire hydrant for a purpose other than emergency fire protection. The Town may authorize such other use upon such terms and condition and subject to payment of such rates as the Town determines.

## 9.6 Fire Damage and Loss

9.6.1 The Town shall not be liable for loss or damage suffered by any person or property by reason of low water pressure, or by interruption to, or failure of, the water system to deliver water in

adequate volume and pressure for supplying water for fire protection purposes.

## **10. CROSS CONNECTIONS AND INSPECTION**

### **10.1 Cross Connection Control**

10.1.1 The Town of Coaldale shall have a Cross Connection Control Program administered by the Utilities Department to protect the potable water supply by preventing backflow and back pressure contamination of the potable water supply via cross connections.

10.1.2 The owner of each property connected to the water system shall obtain the services of a Safety Codes Officer certified by the Western Canada Section of the American Water Works Association as a Cross Connection Control Specialist to regularly inspect his or her property for cross connections.

10.1.3 The owner of each property shall eliminate or control any existing or potential cross connections on his property as per current water industry standards.

### **10.2 Cross Connection Control Inspection Prior to Occupancy**

10.2.1 No person shall turn on a water service valve to provide water to the occupants of any newly constructed, renovated, or reconstructed premises until the plumbing system in such premises has been inspected for cross connections by a Safety Codes Officer certified by the Western Canada Section of the American Water Works Association as a Cross Connection Control Specialist.

### **10.3 Inspection and Issuance of Cross Connection Control Orders**

10.3.1 If a condition is found to exist which is contrary to the Cross Connection Control provisions contained in this Bylaw, the Town may notify the Safety Codes Officer who shall be requested to immediately carry out an inspection and who may issue such order or orders to the owner, consumer or other person as the case may be, as may be required to obtain compliance with this section of the Bylaw.

10.3.2 If the owner, consumer, or other person to whom the Town or the Safety Codes Officer has issued an order, fails to comply with that order, the Town may:

10.3.2.1 Give notice to the owner, consumer or other person to correct the fault at his expense within a specified time period.

10.3.2.2 If the notice is not complied with, the Town may then shut off the water service or services without prior notice.

10.3.3 All costs of inspections shall be borne by the property owner.

#### 10.4 Cross Connection Control - Premise Isolation

10.4.1 Where a hazard condition exists, or may exist on the water supply system within a property, which in the opinion of the Town creates a serious risk of contamination to the Town water system, the Town may require that the property owner to immediately install on his or her water service connection, a backflow prevention device approved by the Town in addition to any other backflow prevention devices installed in the consumer's water system at the source of potential contamination.

10.4.2 The Town, at its discretion, may grant an owner a specified time period to install the required devices.

10.4.3 If owner fails or refuses to install the required devices as directed, the Town may shut off the water service without further notice.

#### 10.5 Inspection and Testing of Backflow Prevention Devices

10.5.1 All testable backflow prevention devices installed in a premise shall be inspected and tested at the expense of the owner upon installation, and annually thereafter.

10.5.2 The Town may request an owner to carry out such tests to demonstrate that the device is in good working condition whenever the Town feels such testing is necessary.

10.5.3 The tester, in all cases shall be a journeyman plumber certified by the Western Canada Section of the American Water Works Association as a Cross Connection Control Specialist.

10.5.3.1 Employees of the Town who are certified by the Western Canada Section of the American Water Works Association as a Cross Connection Control Specialists may be utilized to test Town owned backflow prevention devices.

10.5.4 The owner of a property shall submit a report to the Town on a form supplied by the Town on any or all tests performed on a cross connection control device within thirty (30) days of a test.

10.5.5 The tester shall affix a tag supplied by the Town to all backflow prevention devices that the tester has tested. The tester shall record the following information on the tag:

10.5.5.1 The address of the premise where the device is located,

10.5.5.2 The location of the device within the premise,

10.5.5.3 The type of device, its manufacturer, size, model number, and the serial number of the device,

10.5.5.4 The date the device was installed,

10.5.5.5 The test date, the tester's initials, the tester's name (if self-employed) or the name of his or her employer, and tester's license number.

#### 10.6 Repairs and Replacements of Backflow Prevention Devices

10.6.1 When the results of a test referred to in the previous section show that a backflow prevention device is not in good working condition, the owner shall make repairs or replace the device within ninety-six (96) hours of the failed test.

10.6.2 If the owner fails to comply with the provisions of this section, the Town may shut off the water service or services without further notice.

#### 10.7 Failure to Test Backflow Prevention Devices

10.7.1 If an owner fails to have a backflow prevention device tested, the Town may notify the owner that the backflow prevention device must be tested within ninety-six (96) hours of the owner receiving the notice.

10.7.2 The Town may shut off the water to the premises until the backflow prevention device has been tested and approved.

#### 10.8 Approved Fixtures

10.8.1 All hoses, jets, cocks, or fixtures permanently affixed to the water system within a premise by a consumer of water shall be subject to approval by the Town.

### 11. WATER USE RESTRICTIONS

#### 11.1 Selling and Supply of Water

11.1.1 No person, unless authorized by the Town shall:

11.1.1.1 Sell, lend, or give away water obtained from the water utility.

11.1.1.2 Supply water by a pipe or a hose from the water system, or any other source, to any other premises

which could be supplied with water through its own water service connection.

## 11.2 Allowable Water Uses

11.2.1 The Town may allow a contractor, consumer, or other persons to run water without charge for the water consumed for the purposes of:

11.2.1.1 Flushing water mains, hydrant leads, and water service connections in order to clean them, or

11.2.1.2 Conducting water flow tests, or

11.2.1.3 Training fire fighters employed by the Town's Fire Department, or

11.2.1.4 Such other purposes as may be approved by the Town from time to time.

## 11.3 Water Use During Building Construction

11.3.1 Contractors may use water from the water services to a building for construction purposes provided Contractor has entered into a utility services agreement and account with the Town and the water meter(s) have been installed as in compliance with this Bylaw.

## 11.4 Winter Connections

11.4.1 Service connections to the water and sewer mains shall not be made between November 1<sup>st</sup> and April 1<sup>st</sup> of the following year.

## 11.5 Supply Restrictions

11.5.1 The Town's water supply is received from the City of Lethbridge, pursuant to a Memorandum of Agreement between the City of Lethbridge and the Lethbridge Regional Water Services Commission and a Water Supply Agreement made between the Lethbridge Regional Water Services Commission and the Town.

11.5.2 The Town is a consumer of water from the City of Lethbridge, and its water supply is subject to the City of Lethbridge's Restrictions and Prohibitions with respect to water usage and the City of Lethbridge's water rationing policies and orders, as set out in the

City of Lethbridge's Water Services Bylaw currently in effect, and amendments thereto.

- 11.5.3 The City of Lethbridge may make Water Rationing Orders restricting the use of water by consumers, as described in Schedule "A" herein.
- 11.5.4 The Town shall adopt and enforce any such Water Rationing Orders that are issued by the City of Lethbridge for regional residents (ie. those water users who reside outside of the City of Lethbridge). A person found in contravention of a Water Management Order issued by the City of Lethbridge, or the Town, shall be subject to such fees as provided for in the Utility Rates Bylaw.
- 11.5.5 The Town may, at such times and for such lengths of time as the Town considers necessary or advisable, regulate, restrict, or prohibit the use of water by issuing an order that specifies restrictions on the use of water, by all consumers or by a particular class of consumers, throughout the Town, or in particular areas of the Town. The Town's water supply is subject to the City of Lethbridge's water advisories and prohibitions on water usage as set out in the City of Lethbridge's Bylaws.
- 11.5.6 No consumer shall operate, use, interfere with, obstruct or impede access to the water utility service or any portion thereof in any manner not expressly permitted by this Bylaw, in default of which the Town may cause the water being supplied to such consumer to be shut off until such consumer complies with all of the provisions of this Bylaw.

## **12. ENFORCEMENT**

### 12.1 General Prohibitions

#### 12.1.1 No person or persons shall:

- 12.1.1.1 Willfully or maliciously hinder or interrupt or cause or procure to be hindered or interrupted the Town or its contractors, servants, agents, or workmen in the exercise of any of the powers and duties related to water utility system and authorized by, or contained in this Bylaw;
- 12.1.1.2 Throw or deposit any injurious, noxious or offensive matter or water contaminant into the water system, or in any way cause willful damage or injury to the water system, or encourage the same to be done;

- 12.1.1.3 Willfully alter or tamper with in any way, any water meter so as to lessen or alter the amount of water registered by the water meter;
- 12.1.1.4 Attach or connect any pipe to any water main or service, or in any other way obtain or use the water system thereof in a manner contrary to this Bylaw without the written consent of the Town;
- 12.1.1.5 Willfully and without authority hinder, disrupt or cut off the supply of water to any consumer or user of the water system.

## 12.2 Responsibility for Contamination and Pollution

- 12.2.1 Any person who contaminates or pollutes the water system by any means will bear the full cost of any and all damages and/or repairs and maintenance required for the Town to restore normal water service to its customers.

## 13. RATES AND PAYMENT OF UTILITY SERVICE ACCOUNT

### 13.1 Utility Rates

- 13.1.1 A person who has a utility services account and is a consumer within the meaning of this Bylaw shall pay the amounts specified in this Bylaw and in the Utility Rates Bylaw in effect at the time.
- 13.1.2 The Town shall determine, in its sole discretion, which rate set out in the Utility Rates Bylaw applies to any particular consumer, premises, individual dwelling unit, or property.
- 13.1.3 The rate payable by a consumer will be determined by reference to the size of the property or premises, including, but not limited to, the number of individual dwelling units, whether properly zoned or not, and the size and reading of the water meter supplied to each property or premises.
- 13.1.4 No reduction in rates will be made in the monthly charge for water or any other utility service provided by the Town to any consumer because of an interruption in services supplied, no matter the cause of such a service disruption.

### 13.2 General Payment of Utility Bills

- 13.2.1 All rates payable to the Town for the provision of services, unless otherwise established by the CAO at the Town Office, are payable on the last day of each month. All rates not paid within (30) days of the Town rendering a utility invoice to the Customer shall accumulate interest at the rate of eighteen percent (18%) per annum until paid.



13.2.2 The utility invoice is deemed received seven (7) days after the mailing date on the utility invoice. Consumers who have entered into an E-Bill Service Agreement with the Town, shall be deemed to have received their utility invoice on the date that the Town sends the E-Bill to the consumer's e-mail address.

13.2.3 The whole amount owing in a Utility Invoice is payable upon receipt and the account will be deemed to be in arrears if payment is not made on or before the date specified in the Utility Invoice for payment (i.e. the last day of the month).

### 13.3 Non-Payment

13.3.1 Any charges on a consumer's utility invoice remaining unpaid after the due date identified in the utility invoice, will be in arrears and constitute a debt owing to the Town recoverable by any or all of the following methods:

13.3.1.1 discontinuing the supply of water services to the consumer;

13.3.1.2 commencing an action in a court of competent jurisdiction;

13.3.1.3 transferring the outstanding account balance to the property tax roll of the owner of the property, if the account is in the property owner's name, outstanding charges will be transferred to taxes pursuant to the *Municipal Government Act*, RSA 2000, c M-26, and amendments thereto and charging a transfer fee as set out in the Utility Rates Bylaw;

13.3.1.4 where the Town has agreed to supply water to a premises at the request of an occupant, not the owner of the premises, all sums payable by the occupant pursuant to this Bylaw, are a debt due and owing to the Town and shall constitute a preferential lien and charge on the occupant's personal property and maybe levied and collected with costs through distress and the sale of the goods and chattels of the consumer wherever found in the Town;

13.3.1.5 any combination of the above.

13.3.2 Where the water supply has been shut off because of non-payment, the water supply shall not be turned on until payment of the arrears has been received by the Town.

13.3.3 In addition to any other amounts owing to the Town for non-payment of a utility services account, the Town shall charge the consumer a fee, as set out in the Utility Rates Bylaw, for reconnection to the water services.

### 13.4 Fee for The Use of Fire Hydrants for Construction Purposes

13.4.1 Water dispensed through hydrants for construction purposes, will be charged in accordance with the Utility Rate Bylaw. No hydrants shall be used without consent of the Town, pursuant to section 9.5 of this Bylaw.

### 13.5 Maintenance

13.5.1 If a property owner neglects, fails, or refuses to maintain, repair, or replace a water and/or sewer service connection pipe that is leaking, collapsed, broken, or failed in any other way as required by the Town, the Town may:

13.5.1.1 Turn off the water supply and/or disconnect the sewer line until the repairs have been made; and

13.5.1.2 Estimate the volume of any water loss, and require payment from the owner for the amount of water estimated to have been lost and such payment shall become due and payable upon demand being made.

## 14. LIABILITY FOR LOSS OR DAMAGES

14.1 The Town is not liable for damages or losses suffered by any person due to the operation of the water system, except as provided for in the *Municipal Government Act*, RSA 2000, c M-26, and amendments thereto or other relevant legislation, and without limiting the generality of the foregoing, shall not be liable for damages or losses caused by:

14.1.1 the break or malfunction of the water system;

14.1.2 the settlement of any backfill from any excavation or trench made for the installation or repair of any part of the water system;

14.1.3 caused by the disruption of any supply of water from the water system when such disruption is necessary in connection with the repairs or proper maintenance of water system; or

14.1.4 the disruption or shutting off of the water system in the event of an emergency.

## 15. ENFORCEMENT

15.1 The Town is authorized to collect all utility accounts owing to the Town under this Bylaw and may take any of the measures a municipality is authorized to take under the *Municipal Government Act*, RSA 200, c M-26, and amendments thereto.

## **16. NOTICE**

16.1 In any case where the CAO or Town are required to notify a consumer or owner pursuant to this Bylaw, the CAO or designate shall affect such service either:

16.1.1 by causing a written copy of the notice to be delivered to and left in a conspicuous place at or about the premises within which the utility was being consumed by the owner or occupant or the consumer affected by such notice: or

16.1.2 by causing a written copy of the notice to be mailed or delivered to the last known address of the owner as disclosed in the land registry system established by the *Land Titles Act* of Alberta as shall appear to the Town most appropriate in the circumstances.

16.1.3 by causing a written copy of the notice to be mailed or delivered to the last known address of the owner or occupant as provided by the consumer on a change of address notification.

## **17. OFFENCES AND PENALTIES**

17.1 Any person or persons guilty of a breach of any of the provisions of this Bylaw shall, on summary conviction thereof under the *Provincial Offences Procedures Act*, RSA 2000, c P-34, be liable to a fine of not less than one thousand dollars (\$1,000.00) or to imprisonment for not more than six (6) months for any one offence together with the costs of prosecution.

## **18. SEVERANCE**

18.1 If any term, clause or condition of this Bylaw or application thereof, to anything or circumstance shall to any extent be invalid or unenforceable, the remainder of this Bylaw or application of such term, clause, or condition be anything or circumstance, other than those which it is held as invalid or unenforceable, shall not be affected thereof and each other term, clause or condition of this Bylaw shall be enforced to the fullest extent permitted.

## **19. RESCINDED OR AMENDED BYLAWS**

19.1 Bylaw 353-R-01-97 is hereby rescinded upon third reading of this bylaw.

## **20. EFFECTIVE DATE OF THIS BYLAW**

20.1 This Bylaw shall come into full force and effect when this Bylaw has achieved third reading and is duly signed.

READ a FIRST time this 29<sup>th</sup> day of July, 2019.

\_\_\_\_\_  
Mayor – Kim Craig

Motion #: 232.19

\_\_\_\_\_  
CAO – Kalen Hastings

READ a SECOND time this 29<sup>th</sup> day of July, 2019

\_\_\_\_\_  
Mayor – Kim Craig

Motion #: 233.19

\_\_\_\_\_  
CAO – Kalen Hastings

UNANIMOUS CONSENT to hold THIRD and FINAL reading this 29<sup>th</sup> day of July, 2019.

\_\_\_\_\_  
Mayor – Kim Craig

Motion #: 234.19

\_\_\_\_\_  
CAO – Kalen Hastings

READ a THIRD and FINAL time this 29<sup>th</sup> day of July, 2019.

\_\_\_\_\_  
Mayor – Kim Craig

Motion #: 235.19

\_\_\_\_\_  
CAO – Kalen Hastings

## SCHEDULE "A"

### WATER RATIONING ORDERS

Adopted from the City of Lethbridge Revised Bylaw 3999, Water Services, January 1, 2019, Schedule "E"

#### STAGE 1 Outdoor Water Rationing

**PROHIBITED:**

- Water that results in runoff, including ditches, swales, storm drains, and gutters.
- Water for washing vehicles at locations other than commercial car washes.
- Washing down any outdoor surfaces
- Water used for decorative features and fountains

**RESTRICTED:**

Irrigation restricted to no more than **2 hours**, between 6pm and 10am

- City Residents on your Garbage Collection Day Only
- Commercial, Industrial and Institutional on Saturday Only
- Regional Residents on Monday Only

#### STAGE 2 Outdoor Water Rationing

**PROHIBITED:**

- Water that results in runoff, including ditches, swales, storm drains, and gutters.
- Water for washing vehicles at locations other than commercial car washes.
- Washing down any outdoor surfaces
- Water used for decorative features and fountains

**RESTRICTED:**

Irrigation restricted to no more than **1 hour**, between 6pm and 10am

- City Residents on your Garbage Collection Day Only
- Commercial, Industrial and Institutional on Saturday Only
- Regional Residents on Monday Only

### **STAGE 3 Outdoor Water Rationing**

**PROHIBITED:**

- Water that results in runoff, including ditches, swales, storm drains, and gutters.
- Water for washing vehicles at locations other than commercial car washes.
- Washing down any outdoor surfaces
- Water used for decorative features and fountains
- Any irrigation with a sprinkler or hose
- Water for pools, ponds, and hot tubs

**RESTRICTED:**

Irrigation restricted to **hand watering only**, between 6pm and 10am  
City Residents on your Garbage Collection Day Only

### **STAGE 4 Outdoor Water Rationing**

**PROHIBITED:**

- Water that results in runoff, including ditches, swales, storm drains, and gutters.
- Water for washing vehicles at locations other than commercial car washes.
- Washing down any outdoor surfaces
- Water used for decorative features and fountains
- Water for pools, ponds, and hot tubs
- Water for construction purposes
- All irrigation (sprinkler, hose, or watering can)