

**BY-LAW 1327
OF
CAMROSE COUNTY
PROVINCE OF ALBERTA**

BEING A BY-LAW OF CAMROSE COUNTY IN THE PROVINCE OF ALBERTA REGULATING AND PROVIDING FOR THE TERMS, CONDITIONS, RATES AND CHARGES FOR THE SUPPLY AND USE OF WATER SERVICES PROVIDED BY CAMROSE COUNTY IN THE HAMLET OF DUHAMEL.

WHEREAS Pursuant to the provisions of the Municipal Government Act, being Chapter M-26, R.S.A., 2000 and amendments made thereto, the Council of Camrose County may pass By-Laws for municipal purposes respecting public utilities.

AND WHEREAS Council deems it expedient to pass a By-Law to regulate and control the use of water and plumbing within the Hamlet of Duhamel and to set the terms, costs and charges upon which the utility service will be provided.

NOW THEREFORE The Municipal Council of the Camrose County duly assembled enacts as follows:

PART I – DEFINITIONS

101 This By-Law may be cited as “The Duhamel Water By-Law”.

102 In this By-Law:

- (A) **“Account”** means an agreement between Camrose County and an Owner for the supply of Water Services.
- (B) **“Alternate Source”** means a private water well system.
- (C) **“Application”** means an application by a contractor, developer or Owner to Camrose County for tying into a Water Main and for the construction and installation of a Service Connection in conjunction with either a new construction or renovation.
- (D) **“Backflow Valve”** means a mechanism that prevents backflow to avoid untreated or potentially contaminated water migration into the Water System.
- (E) **“By-Law Enforcement Officer”** means a By-Law Enforcement Officer appointed by Camrose County pursuant to the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, to enforce the County By-Laws, and includes a member of the Royal Canadian Mounted Police, Community Peace Officer and a By-Law Enforcement Officer authorized under the *By-Law Enforcement Officer Act*, R.S.A. 2006, c. P-3.5, as amended or repealed and replaced from time to time, having jurisdiction in the County.
- (F) **“C.C.”** means Curb Cock, Curb Stop or Stop Valve meaning a shut-off valve located on the Water Service Connection between the Water Main and the building or premise receiving Water Service, for the purpose of isolating the Water Service from a parcel of land.
- (G) **“Commercial/Industrial Use”** means water from the Water System or a Private System used for the purpose of which may include but not be limited to; watering gardens, flower beds, lawns, trees and other legal horticultural activities, washing vehicles, exterior building walls, exterior building windows as well as in extraordinary circumstances watering of domesticated animals, horses, livestock or poultry and also as a key component in the manufacturing of concrete, fertilizer, herbicides, fungicides, insecticides, pesticides and other agricultural or commercial/industrial products.

- (H) **“Commercial Property”** means a property on which a business is located and is the primary use of the property by the said business.
- (I) **“Council”** means the municipal council of Camrose County.
- (J) **“County”** means Camrose County, in the Province of Alberta.
- (K) **“County Administrator”** means a municipal official appointed by Council as the County Administrator, or anyone appointed to act in his stead.
- (L) **“Owner/occupant”** means the owner or occupant of land, including buildings, being provided with a water service by Camrose County.
- (M) **“Department”** means the Public Works Department of Camrose County.
- (N) **“Diversion”** means the impoundment, storage, consumption, taking or removal of water for any purpose.
- (O) **“Domestic Use”** means water from the Water System or a Private System used for the purpose of which may include but not be limited to; watering gardens, flower beds, lawns, trees and other legal horticultural activities, washing exterior house walls, exterior house windows as well as in extraordinary circumstances watering of domesticated animals, horses, livestock or poultry.
- (P) **“Fire Line”** means a pipe that is intended solely for the purpose of providing water for fire protection.
- (Q) **“Grandfathered”** means a clause entered into a piece of legislation to exempt certain individuals from compliance because of circumstances existing before the requirement came into effect.
- (R) **“Groundwater”** means all water under the surface of the ground whether in liquid or solid state.
- (S) **“Hazardous Waste”** shall have the meaning set out in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, as amended or repealed and replaced from time to time, and any regulations thereunder.
- (T) **“Highway”** shall have the meaning set out in the *Traffic Safety Act*, R.S.A. 2000, c. T-6, as amended or repealed and replaced from time to time, and any regulations thereunder.
- (U) **“Idle Service”** refers to a service that is suspended but still operative due to the occupant being away for any period of time or other circumstance.
- (V) **“Meter”** means a device installed on a water service for the purpose of measuring the amount of water being supplied to a owner/occupant and may include a remote read-out device and the associated wiring.
- (W) **“Multi-Family” or “Multiple Residential Use”** means any collection greater than two habitable rooms designed or intended for use by more than one individual or family as an independent and separate housekeeping establishment containing separate kitchen and/or sanitary facilities for each individual or family.
- (X) **“Occupancy Permit”** means permission or authorization in writing to commence the use or occupancy of any new building or any building in which changes have occurred that are governed by the regulations pursuant to the Safety Codes Act of the Province of Alberta.
- (Y) **“Owner’s Authorized Agent”** means legal counsel, any legal representation such as a guardian or power of attorney, for an owner’s property.
- (Z) **“Owner or Property Owner”** (pursuant to Section 1(1)(u) of the Municipal Government Act and any amendments made from time to time) means:
- (i) in respect of unpatented land, the Crowns,

- (ii) in respect of other land, the person who is registered under the Land Titles Act as the owner of the Fee-Simple Estate in the land, and
 - (iii) in respect of any property other than land, the person in lawful possession of it.
- (AA) **“Person”** means an individual person, partnership, company or corporate body.
- (BB) **“Plumbing Inspector”** means a person authorized by Camrose County to inspect or, issue approvals/permits under the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended or repealed and replaced from time to time, and/or take samples where required and to otherwise enforce this By-Law.
- (CC) **“Potable Water”** means water that has been treated by an approved process under the auspices of Alberta Environment and is suitable for human consumption.
- (DD) **“Private System”** means a water well or alternate source of water.
- (EE) **“Public Health Inspector”** means the medical health officer of the regional health authority or his or her designate.
- (FF) **“Public Works Manager”** means a municipal official designated by Camrose County as the Public Works Manager, his designate or anyone appointed to act in his stead.
- (GG) **“Reconditioning”** means to flush, clean, recase, reline, rescreen, or redevelop an existing water well to improve the water production or quality of water produced by the water well.
- (HH) **“Remote Reading Device”** means equipment installed to remotely read the Water Meter without obtaining access to the premise.
- (II) **“Residential Property”** means a property used primarily for residential purposes.
- (JJ) **“Service” (“Water Service”)** means the supplying of water service by Camrose County to an owner/occupant and includes all components appertaining thereto.
- (KK) **“Service Connection”** means the points where a Water Service is connected to the Water System.
- (LL) **“Single-Family Residence”** means a single detached residential building where no commercial activity or business is carried on.
- (MM) **“Storm Water”** means surface water run-off which is the result of natural precipitation.
- (NN) **“Temporary Construction Service”** means the supplying of water to a building which is under construction or for which an Occupancy Permit has not been issued.
- (OO) **“Two-Family Residence”** means a single detached residential building containing two separate and distinct dwelling units, one above the other or the one immediately adjacent to the other, but each having a separate entrance but does not include any dwelling unit forming part of a multiple unit residential development or which forms part of a building in which any commercial activity or business is carried on.
- (PP) **“Unmetered Temporary Service”** means the supplying of water to a property on a temporary unmetered basis. Back-flow prevention must be addressed.
- (QQ) **“Utility”** means the Water Service provided by Camrose County as the context requires.
- (RR) **“Violation Tag”** means a tag or similar document issued by Camrose County pursuant to Section 7 of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time.
- (SS) **“Violation Ticket”** means a Ticket issued pursuant to Part 2 of the *Provincial Offences Procedures Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time, and the regulations thereunder.
- (TT) **“Water Main”** means those pipes installed for the conveyance of water within the Hamlet of Duhamel which a Service Connection may be connected.
- (UU) **“Water Meter”** means the approved device supplied and used by Camrose County to calculate and register the amount of water consumed relative to the land and building which the meter is

designated to monitor.

- (VV) **“Water Service”** means the utility provided by Camrose County to supply potable water to domestic residences, commercial operation, industry and other facilities through Service Connections connected to a Water Main.
- (WW) **“Water System”** means the works and property owned and operated by Camrose County for the provision of water to Owners, and includes the Water Main and Service Connection.
- (XX) **“Water Well”** means an opening in the ground, whether drilled or altered from its natural state, that is used for including but not limited to the production of groundwater for any purpose and includes any related equipment, buildings, structures and appurtenances.
- (YY) **“Water Timer”** means the approved device supplied and used by Camrose County and when placed on a water line, allows or prevents the water flow through the use of an embedded (solenoid) valve. It is used in conjunction with the water distribution system to form an automated system, capable of administering water at a regulated basis.

PART II – WATER SERVICES

201 GENERAL TERMS OF UTILITY SERVICE

The use and control of the public Water System connected therewith shall be in accordance with this By-Law.

The Water System, belonging to the County now laid down, constructed or built, hereafter laid down or constructed or built shall be under the direct control and management of the Public Works Manager, subject to the authority of the County.

The County having constructed, operated and maintained a Water System as a public utility shall continue, and so far as there is sufficient capacity, to supply Water Service, upon such terms, costs or charges as established by Council, to any Owner within the Hamlet of Duhamel situated along a Water Main. Notwithstanding, nothing in this By-Law prevents the County from instituting water rationing when determined to be necessary by the County.

It shall be a condition of Water Service that all Single Family, Two Family, Multi-Family, and Commercial premises shall be connected to a Water Meter/Water Timer even if an alternate source of water exists and normal billing charges for consumption shall apply. There will not be any adjustments to billing charges for lots with alternate sources of water.

Unless a two family or multi family residence is provided with individual meters which can be turned on or off without interfering with the water supply to other owner/occupants, there will be no adjustments to utility bills. If a dwelling unit contains only one meter for multi residences then the billing will be based on consumption for all units whether occupied or not.

An Owner is responsible for providing such facilities as considered necessary in order to have a continuous and uninterrupted supply of water for the Owner’s or building’s specific needs provided that such facilities and Service Connections are approved in accordance with this By-Law and do not interfere with the operation of the County’s Water System.

All buildings which are to be connected to the Water Main shall have the necessary apparatuses or appliances installed which are required to ensure the proper sanitary condition of the buildings and premises.

202 APPLICATION FOR SERVICE

Where a Service Connection for Water Service is desired by an Owner or the Owner’s authorized agent, an Application for Water Service shall be made at the County Office accompanied by the applicable fees as set by the Fee for Service By-law.

Every person shall, at least five (5) working days prior to using a water service, make application to the County and provide all the information requested and in the manner required by the Department. The Owner of the property where the water service application is being made for SHALL sign a “Utilities Rental Agreement” as set out in Schedule “A” of this By-Law.

A Service Connection for Water Service shall only service one parcel unless an agreement to the contrary is reached between the Owner and the County.

203 MULTIPLE SUITES

If a building contains multiple suites or rental units serviced from one meter, the service application must be made by the owner.

204 CLOSING ACCOUNTS

When an owner/occupant wishes to terminate his water service, he shall notify the County at least five (5) business days prior to the date he wishes the service terminated.

205 FAILURE TO NOTIFY COUNTY

In the event that an owner/occupant fails to notify the County in accordance with Section 210 herein, he shall be liable for all fees and charges for service up to the date that the County terminates the service.

206 RIGHT OF ENTRY

For the purposes of this By-Law a designated officer shall include the County Administrator, Public Works Manager, Plumbing Inspection, By-Law Enforcement Officer or any other individual designated by Council resolution.

Designated Officers of the County shall have the right to enter and have free access to all parts of the Owner's property, buildings or other premises in which Water Service is provided, or intended to be provided, at any reasonable hour of the day and upon reasonable notice or Court Order for the purpose of:

- (a) Installing, maintaining, monitoring, inspecting, testing, repair, replacing or removing the County facilities or equipment;
- (b) Performing necessary maintenance to the County's facilities or equipment;
- (c) Reading of water meters;
- (d) Investigating a owner/occupant complaint or query; or
- (e) Conducting an inspection of a concern with, including, but not limited to, unauthorized use of water or the tampering with the Water System (including meter service).

Before entering an owner's premises, a designated officer will make reasonable efforts to notify the Owner, or other person responsible who is at the premises and appears to have sufficient authority to permit entry except:

- (a) In case of emergency;
- (b) Where entry is permitted by order of a court or administrative tribunal;
- (c) When otherwise legally empowered to enter; or
- (d) Where the purpose of entry is in accordance with Sections 212(d) or (e) of this By-Law.

No person shall prevent, impede or hinder the County's right to enter into an Owner or Customer's premise pursuant to section 212. Each Owner or Customer must also keep a maintained or groomed access to their premise for ease of accessibility by the County's Designated Officer.

207 LIABILITY OF COUNTY

The County shall not be liable for damages, including building losses:

- (a) Caused by a break, blockage or stoppage within the Hamlet of Duhamel's Water System.
- (b) Caused by the interference or cessation of Water Service necessary in connection with

repair or proper maintenance of the Hamlet of Duhamel's Water System;

- (c) Caused directly or indirectly as a result of approving any Service Connection; or
- (d) Generally for any incident due to the operation or repair of the Hamlet of Duhamel's Water System, unless such action has been shown to be directly due to an act of bad faith, gross negligence or willful misconduct of the County or its employees, agents or other representatives.

208 CONNECTION TO WATER MAIN

Water Service shall be provided only to properties that abut directly on a Highway or are located within a maximum of fifty (50) feet where a Water Main is in existence.

All water pipes laid in private property between the property line and Water Meter/Water Timer shall be of the same material as service pipe or otherwise approved by the Public Works Manager in the street between the Water Main and the property line.

The Owner or person responsible for the development of the lands shall be responsible for the construction of all Service Connections, which shall be constructed of approved materials and in accordance with the *Public Health Act*, R.S.A. 2000, c. P-37, as amended or repealed and replaced from time to time, and the *Safety Code Act*, R.S.A. 2000, c.S-1, as amended or repealed and replaced from time to time, and the regulations thereunder and all other standards adopted by the County as set from time to time, and:

- (a) Shall ensure that all Service Connections for Water Service receive approval from the County prior to construction;
- (b) Shall not backfill the excavation until after the work has been inspected by a Public Works Manager; and

No person other than an authorized employee of the County shall turn on Water Service to any premises. Service shall not be turned on until a permit has been received from the Plumbing Inspector stating that the piping and plumbing is in accordance with the *Safety Code Act*, R.S.A. 2000, c.S-1, as amended or repealed and replaced from time to time, and any regulations thereunder, and all other standards adopted by the County from time to time.

Unless otherwise authorized by this By-Law, no person other than an authorized County employee shall by any means whatsoever instruct or impede direct free access to Water Mains and apparatuses.

Costs of water service pipes and the installation and maintenance of same from the property line to the Water Meter/Water Timer shall be the responsibility of the Owner. Expenses, incidentals to the tapping of the Hamlet of Duhamel's Water Main, and laying of the Water Main from the property line shall be the responsibility of the County with the exception of existing property being subdivided. Subdividers/developers shall be responsible for costs incurred for new service

The County is the owner of the Water Mains and that portion of all service connections between the Water Main and boundary of the road right-of-way or easement. The remainder of the service connection is owned by the registered Owner of the lands under which the service connection is located. The Owner shall be responsible for all maintenance and repair costs associated with that portion of the service connection located on the Owner's property. In some instances service connections are located on the Owner's property whereby a working area easement has been obtained by the County. In such instances the Owner shall only be responsible for maintenance and repair costs associated with that portion of the service from the connection further into the Owner's property.

All Owners shall keep and maintain the Service Connection for Water Service in proper working condition and free from leaks. Each Service Connection must be provided with a stop valve of an approved pattern by the County, placed on the out flowing side of the Water Meter/Water Timer for the use of the Owner in case of leaking fixtures, or when the premises are vacated. Such stop valves shall be kept clear of any obstructions so that they are readily accessible to shut off water when an occasion arises.

Each Service Connection shall be supplied with an accessible Curb Stop or Stop Valve, placed

at the property line in the road right-of-way or within an easement between the Water Main and the Water Meter/Water Timer. In some instances service connections are located on the Owner's property and these have been identified and accounted for through working area easements obtained by the County. No person shall interfere with, damage or make inaccessible a Curb Stop or Stop Valve due to construction of sidewalks, driveways or in any other way. If any repairs or construction changes are required due to inaccessibility or damage to a Curb Stop or Stop Valve, costs of such repairs or construction shall be billed to the Owner or person responsible at the correct rates for repairs and current labor rates.

Whenever an Owner no longer requires a Service Connection for Water Service, the Owner or the Owner's authorized agent shall first obtain approval from the Public Works Manager for the method and location of abandonment. The Owner shall be responsible for the disconnection of the Water Main and shall assume responsibility for all costs associated with the same.

The Public Works Manager shall have the discretion to discontinue Water Service to a property where:

- (a) the property is or appears to be abandoned;
- (b) there is a noncompliance of this By-Law on the property;
- (c) there is an emergency situation; or
- (d) it is necessary to protect the integrity of the County's Water System.

209 ACCESS TO METER

Owner/occupants shall, upon reasonable notification, between the hours of 8:00 A.M. and 700 P.M. of every business day, permit free access, by County employees, to the meter for purposes of reading, inspection, removal, repair, or replacement of said meter.

210 WATER METERS/WATER TIMERS AND METER READINGS

All water supplied by the County through each Service Connection shall be measured by one Water Meter unless the Owner has entered into a written agreement with the County specifying otherwise.

All Water Meters/Water Timers and Remote Reading Devices shall be supplied, owned and maintained by the County except as may be authorized by the County Administrator.

The size of the Water Meter/Water Timer to be installed on a Service Connection shall be determined by the Public Works Manager. A Remote Reading Device shall be placed on the outside or within a building, in a convenient and accessible location.

The Owner of a building to which a Water Meter/Water Timer or Remote Reading Device is not already installed shall make provisions for a Water Meter/Water Timer and Remote Reading Device to be installed upon request of the County and all costs shall be borne by the Owner. The meter setting is to be constructed in accordance with the Water Meter/Water Timer Installation Guidelines (Water Meter/Water Timer Installation Guidelines attached as Appendix "C") provided by Camrose County. The private water pipes are not to extend less than 160 mm beyond the wall or floor of the Owner's building and the meter setting and control valves not further than 3.0 meters from the wall or floor of the Owner's building. A control valve is to be installed in the private water piping immediately upstream and downstream of the meter setting. Only approved ball valves are to be used, globe or gate valves are not acceptable. For all meters having a pipe size of 20 mm or larger, there is to be constructed an adequate valve by-pass in accordance with the Water Meter/Water Timer Installation Guidelines. The by-pass must be sealed closed. The seal may be broken in an emergency, in which case the County must be notified within one business day. Provision is to be made for a remote meter reader at the location of the power meter. A minimum 22 gauge, 4-conductor wire must be installed from the meter setting to the remote meter in accordance with the Water Meter/Water Timer Installation Guidelines.

Upon application for a Service Connection, a non-refundable payment for the use of the Water Meter/Water Timer plus the installation costs shall be paid to the County. Water Meters/Water Timers and Remote Reading Devices to service new construction shall be paid for at the time of issuance of any development permit. The County shall require proof of a valid plumbing permit prior to

installing any Water Meter/Water Timer.

Where a parcel of land to be serviced:

- (a) Has one registered Owner and there are several buildings;
- (b) Is a mobile home park;
- (c) Is a condominium development; or
- (d) Is a seasonal park service with no building;

One Water Meter/Water Timer and Remote Reading Device shall be constructed and maintained at the expense of the Owner as directed by the Public Works Manager.

An Owner may, for his or her own benefit, at his or her own cost, install a subsidiary meter between the meter supplied by the County under Section 210 and the point of use of the water supplied, provided that the County shall, under no circumstances, be required to maintain or read a subsidiary meter installed under this Section. All subsidiary meters shall remain the property of the Owner. Where, in the opinion of the Public Works Manager, a subsidiary meter has been installed in a manner so as to interfere with the operation of or access to the Water Meter/Water Timer installed under Section 210 the Public Works Manager may direct, in writing, that the Owner move or relocate the subsidiary meter within a time frame selected by the Public Works Manager.

An Owner shall provide adequate protection for the Water Meter/Water Timer and Remote Reading Device supplied by the County against freezing, heat or any internal or external damage.

No person shall break or tamper with any seals, Water Meters/Water Timers or Remote Reading Devices.

No person shall construct or impede direct and convenient access to a Water Meter/Water Timer or Remote Reading Device for the purpose of inspection, removal, repair, replacement or reading.

If a meter reading is disputed by an Owner or the Owner's authorized agent, the Owner or the Owner's authorized agent may, by written notice, require the County to test the accuracy of the Water Meter/Water Timer, and:

- (a) Where the Water Meter/Water Timer is found to be accurate within 97 to 102% of the measured volume passing through the Water Meter/Water Timer, the Owner shall be responsible for the payment of the fees and charges to the test as outlined in the Fee for Service By-law; or
- (b) Where the Water Meter/Water Timer is found not to be accurate within those limits;
 - i. It shall be repaired or replaced and the cost, along with the cost of testing calibration, shall be borne by the County; and
 - ii. The Owner's Account, based on the readings of the Water Meter/Water Timer during the period of four months immediately preceding the date of the test or calibration, shall be corrected to reflect the error in the Water Meter/Water Timer and the Owner shall pay, or shall be refunded, as the case may be, the amounts so determined, which payment or refund shall be accepted by both the County and the Owner as full settlement of any claim that may arise out of the errors in the Water Meter.

In the event that the County is required to replace a Water Meter/Water Timer or Remote Reading Device due to tampering with or abuse of the Water Meter/Water Timer or Remote Reading Device by the Owner or any damage to the Water Meter/Water Timer or Remote Reading Device, as identified in Section 210, due to the negligence of the Owner or other person, then the Owner or person responsible shall be responsible for the Water Meter/Water Timer and Remote Reading Device replacement costs. Damage to a Water Meter/Water Timer or Remote Reading Device shall be repaired by the County employees and billed to the Owner or person reasonable at the correct rates for repairs and current labour rates as permissible in the Fee for Service By-law.

211 TURNING ON WATER SERVICE

After any construction, reconstruction, alternation or change, or the completion of any work requiring a permit, Water Service shall not be turned on to any building or premises until after all of the work has been done to the satisfaction of the Plumbing Inspector.

When water is being turned on at any building, there shall be an occupant of the building present.

The Owner shall be charged a fee as set out in the Fee for Service By-law, whenever Water Services is requested to be turned on or off.

Only the County has the power and authorization to turn the Water Service on or off.

212 ESTIMATE OF WATER USED

In the event that a meter cannot be read by County employees, because access could not be obtained, the amount of water used may be estimated by the County.

213 APPLICATION FOR IDLE SERVICE

When the owner of a property wishes to have a utility service temporarily suspended, because use of the utility is not being made, he shall contact the County upon notification of temporary discontinuance of the water service. The fee as set out in the Fee for Service By-law shall be applied to the utility account. Water services cannot be assumed "Off". Water must be shut off at the Curb Stop valve by the County.

When reactivation of a discontinued utility service is required, the owner of a property shall notify the County and upon written or verbal verification of reactivation of the water service, the County shall activate the utility account and apply fees as set out in the Fee for Service By-law.

An owner who will be away for any length of time and does not or cannot have water services shut off at the Curb Stop valve is not eligible for idle service fees and will be billed according to normal billing procedures and charges.

214 SERVICE DISCONTINUED OR REFUSED

The County may discontinue or refuse water service to an owner/occupant for failure to:

- (A) open an account, or
- (B) pay any rates or fees or charges, or
- (C) provide access to a meter, or
- (D) comply with any provision of this By-Law.

215 FEE FOR RESTORED SERVICE

In the event that a discontinued service is restored, the owner/occupant shall pay a re-connection fee as specified in the Fee for Service By-law, and may, at the discretion of the County, be required to pay a deposit before service is resumed.

216 EMERGENCY SHUT-OFF

In case of emergency, the County may shut off the water supply in any part of the County.

217 WATER BEING WASTED

No Owner or Occupant of a parcel shall allow Water System (Potable Water) or Private System water to run off the parcel such that there is:

- (a) a stream of water running into a street or swale for a distance of 30 meters or more from the edge of the parcel;

(b) a stream of water running into a street, swale, natural drainage course or water body and directly into a catch basin; or

(c) a stream or spray of water running into or falling onto a street

2. Except as otherwise authorized under the By-Law, no person shall obtain water from the Water System or allow to be obtained water to be used:

- (a) In an illegal manner;
- (b) In a manner that will impede its use by others;
- (c) Unless an Account has been opened; and
- (d) Unless the water first passes through a Water Meter.

If the County finds an unauthorized use of water, including the tampering with a Water Meter/Water Timer or other parts of the Water System, or determines that seals on valves, Water Meters/Water Timers or other apparatus have been broken and not reported, the County may take corrective action to remedy the unauthorized use and repair its Water Meters/Water Timers, appliances or other facilities to ensure the safety of the general public.

Upon finding an unauthorized use of water, tampering with the water system or a broken meter or other apparatus, the County may disconnect the Service Connection immediately without notice, and may charge the Owner or other person responsible, all costs incurred in correcting the condition, in addition to any other rights or remedies which may be available to the County.

Any person who uses water in contravention of this section may be responsible for the following charges:

- (a) All charges for water consumed or obtained in accordance with the water rates as set by this By-Law, as estimated by the County; and
- (b) All charges to cover the County's costs associated with the unauthorized use of water.

218 WATER SHORTAGE EMERGENCY

The County Administrator, at his discretion, may declare a Water Shortage Emergency and may impose any or all of the following restrictions:

- (A) Regulate the hours and/or days that water may be used outside of a dwelling unit.
- (B) Regulate or prohibit the use of water for watering lawns and gardens.
- (C) Regulate or prohibit the use of water for washing vehicles or structures of any kind.

219 FROZEN LINES

The County shall assume full responsibility and costs for any Service Connection which may be frozen between the property line and the Water Main.

Notwithstanding the aforementioned, the cost of thawing a frozen Service Connection shall be borne by the Owner if:

- (a) In determination of the Public Works Manager, the location of the frozen section of the Service Connection is between the property line and the Water Meter/Water timer; or
- (b) In the determination of the Public Works Manager, the location of the frozen section of the Service Connection is between the Water Main and the property line and the freezing has occurred as a result of the tampering by the Owner or the Owner's authorized agent.

220 BACKFLOW PREVENTION

The Public Works Manager may, at his discretion, require that a owner/occupant install and maintain a certified cross connection control device, if in his opinion, there is risk of foreign material entering the water system from the owner/occupant.

221 CERTIFIED CROSS CONNECTION CONTROL DEVICE MAINTENANCE

Where a certified cross connection control device has been required by the Public Works Manager, the owner/occupant shall have the device tested annually by a Certified Tester and shall submit a detailed report of such tests to the Public Works Manager prior to December 31st of each calendar year.

222 ALTERNATE SOURCES OF WATER

Referring to the *Water (Ministerial) Regulation*, Alberta Regulation 205/1998, Part 2, Section 8, as amended or repealed and replaced from time to time, no person shall use any source of water to supply water to any residential, commercial, industrial or institutional premises through a plumbing system other than the Water System.

Under the guidance of the *Water Act*, R.S.A. 2000, c. W-3, Section 21 (2) (a), as amended or repealed and replaced from time to time, exceptions may be considered. Individual Owners may apply to the County to continue diversion of groundwater for domestic or commercial/industrial use. The owner must declare what source, alternate or Water System, will provide household services. In the event that the Water System is declared the household services source, the County may consider authorizing an alternate source of water for any other functions other than being connected to the household or any parts of the household plumbing system whatsoever.

An approval, license, registration or written confirmation of the Province's role and responsibility in the matter must first be obtained from Alberta Environment for the purpose desired.

The County will then take the application into consideration to permit the existence and ongoing operation of an already operable and producing Private System. The Private System will be grandfathered until such time that the groundwater source can no longer produce. No remedial measures, injection, mechanical, reconditioning or any other such actions will be allowed to potentially bring an exhausted or depleted Private System back into production. Once the Private System is unproductive the affected Owner must comply with Section 229 and connect to the Water System.

All persons having charge of or being Owners or occupiers of premises containing a Private System or other source of water supply other than the County's Water Main must apply to the County for permission to use the Private System or other source of water supply.

Before permission is granted, besides obtaining the written position from the Province on the diversion and intent of use, any Private System or other source of water supply must be:

- (a) approved by the Public Health Inspector and the Plumbing Inspector;
- (b) analyzed for water quality to the satisfaction of the Public Health Inspector, who shall certify that such analysis has shown that the water is suitable for domestic consumption; and
- (c) installed with an approved Backflow Valve to ensure that the private water supply does not enter the County's Water Mains.

No person who has been granted permission by the County to use an alternate source of water shall allow that alternate source of water, or any pipes or devices connected to such alternate water source, to be connected to the Water System pursuant to *Safety Code Act*, R.S.A. 2000, c. S-1, as amended or repealed or replaced from time to time, and any regulations thereunder, and all other standards adopted by the County from time to time.

All persons having charge of or being Owners or occupiers of premises containing a Private System or other source of water supply other than the County's Water Main, who are determined to be negligent in willfully having caused or having not taken the necessary precautions to prevent or avoid potentially contaminated water from migrating into the Water System will be subjected to all legal avenues available and accessible to the County up to and including precedent setting landmark situations experienced with the Walkerton Tragedy and North Battleford Water Inquiry. As well, the County will pursue Owners or occupiers of premises to be held accountable for all litigation and legal fees and punitive damages will be sought to the fullest extent of the law for any and all contraventions.

Water Services shall not be responsible for the quality of water obtained from any alternate source of water.

The Public Works Manager and/or County Administrator may authorize the use of an alternate source of water subject to such terms and conditions as he/she deems is necessary, and notwithstanding the generality of the foregoing he/she may also set a limit on the period of time for which an alternate supply of water may be used.

Unless authorized by the County in writing, no person shall provide or supply water from one premises, by pipe or hose or other means either with or without charge, to any other premises which could be supplied with water through its own Water Service Connection

No such permit shall be granted in connection with any premises abutting on a Highway upon which there is a Water Main unless supply obtainable for such Water Main is inadequate.

Any such permit may be withdrawn by resolution of Council at any time without notice and no person shall use a well or other source of water supply after a permit for the use of the same has been withdrawn.

PART III – FEES, CHARGES, PENALTIES

301 WATER CHARGES

An Account must be opened before Water Service are connected and used.

An Owner or the Owner's authorized agent may set up an Account with the County in person, by telephone or in writing to which a non-refundable application/reconnection fee as per the Fee for Service By-law will be charged.

An Owner who uses Water Services without opening an Account are responsible for the costs of services consumed, as estimated by the County.

NO utility account for any property shall be transferred into the name of a renter, but shall be forwarded in the name of the property owner only. This includes all properties: residential, commercial, industrial, mobile homes, Two Family and Multi-Family buildings. The Owner who opens the Account is responsible for all that is incurred under that Account.

The Camrose County requires that any changes on existing utility service accounts provided by the municipality be placed in the name of the owner(s) registered on the property title only.

An Owner shall ensure that:

- (a) Payment of all charges, fees and bills for Water Service performed by the County in accordance with the Fee for Service By-law;
- (b) Adherence to the requirements of this By-Law; and
- (c) Prompt payment of their Account or any penalties assessed.

The utility bill for any Account with all applicable rates, charges, toll fares and rents may be mailed or delivered to the Owner or the Owner's authorized agent on a regular basis and payment of the total billing amount shall be due and payable within thirty (30) calendar days from the date of mailing.

The utility bill of any Account shall contain a notice advising that failure to pay the full payment shall result in an additional percentage charge and that any utility bill which remains unpaid ninety (90) calendar days after the date of mailing may result in the County initiating action as provided in Section 306.

All payments made on an Account shall be first applied to any arrears outstanding and any balances that thereafter shall be applied to the current billing amount. In the event that any such current utility bill remains unpaid after thirty (30) calendar days from the date of mailing, there will be an additional percentage charge, each thirty (30) days, based on the current

billing amount only. The said percentage charge shall form part of the unpaid utility bill and is compounded monthly.

If upon final billing of an Account, a balance remains on the account, it shall be refunded by the County to the occupant within thirty (30) calendar days together with interest. Balances of \$10.00 or less shall not be refunded.

The County shall not be obliged to waive payment of an account or late payment charge because the customer/owner failed to receive or lost the utility bill.

In the event that the Water Service is shut off or discontinued, the owner or occupant with a current credit on account, shall be required to first pay the full amount owing which resulted in the Water Service being shut off or discontinued plus the reconnection fee as provided by the Fee for Service By-Law, before the County will process a new Application and reconnect service.

An Owner may contact the County for a temporary turnoff of the Water Service.

An Owner wishing to close their Account must request a closing of the Water Service at least five (5) working days before it is to become effective.

When an Owner requests a closing of an Account, the County shall read the Water Meter in order to establish the final billing amount.

Any owner/occupant with a current credit on account, of a building or lands that uses Water Service from an existing service connection has an obligation to pay for all Water Service received during their occupancy regardless of whether an Account has been opened in the name of the owner or occupant with a current deposit on account.

All owner/occupants shall pay for water consumption and all other charges levied pursuant to this By-Law in accordance with the Fee for Service By-law. Water consumption shall be as recorded by the water meter.

302 TEMPORARY OCCUPANCY – WINTER CONDITIONS

Where landscaping or driveway construction can not be completed due to winter conditions, the Building Inspector may, at his discretion and if there are no other deficiencies, issue a Temporary Occupancy Permit during the period November 1st to May 30th. The standard metered water rate would then apply, but would automatically revert back to the temporary construction rate on June 1st, unless a Final Occupancy Permit is issued.

303 WATER CONSUMPTION MEASUREMENT

In special circumstances or when accurate metered consumption values are not available, water consumption may be estimated by the Public Works Department.

304 DUE DATE

All fees, rates, and charges shall be due and payable on or before the due date shown on the billing.

305 PENALTY CHARGES

A penalty charge, as specified in the Fee for Service By-law, shall be levied on any unpaid amount which is outstanding after the due date.

306 ENFORCEMENT OF PAYMENT

Enforcement of payment of an outstanding account that has not been paid by the Owner, the Owner's authorized agent or the Occupant to the County within ninety (90) calendar days from

the date of mailing may be undertaken by the County by any or all of the following methods:

- (A) whereas authority is granted by Section 553 of the Municipal Government Act, being Chapter M-26 R.S.A. 2000, for the Municipal Council to add amounts owing for utility arrears to the tax roll of a parcel of land, transfer the arrears and penalties plus an administration fee in accordance with the Fee for Service By-law to the tax roll of the property without further notice. The County shall notify the Owner in writing that the outgoing bill has been charged against the land. These charges become an amount owing to the Municipality and subject to collections under the tax recovery process.
- (B) by action in any court of competent jurisdiction, or
- (C) by shutting off the service being supplied to the owner/occupant, or discontinuing the service thereof.

PART IV – OFFENCES AND PENALTIES

401 TAMPER WITH “CC” AND SERVICE

No person shall without a permit, operate or in any way tamper with any valve or pipe designed to control a service to a private property.

402 TAMPER WITH METER

No person shall, without a permit, tamper with, modify, maintain, or disconnect a meter or its accessories, or in any way render it inoperative.

403 BREAK SEALS

No person shall, without a permit, break or interfere with any seal place by the County, on any meter or valve or other part of a service, except in an emergency, in which case, the County must be notified as soon as possible.

404 TAP SERVICE

No person shall, without a permit, tap into a service pipe or valve between the meter setting and the County water main.

405 OBSTRUCT ACCESS

No person shall obstruct or in any way interfere with the free access, by County employees, to any hydrant, water main control valve, meter, or other components of the County water system.

406 CROSS CONNECTION

No person shall allow a condition to exist within their plumbing system which is likely to allow the introduction of a foreign material into the municipal water system even in circumstances of zero or negative municipal system pressure.

407 CONTRAVENE REGULATIONS

No person shall, during a Water Shortage Emergency (Section 218), use any water contrary to the regulations imposed by the County Administrator.

408 POSSESS WRENCH OR KEY

No person other than authorized County employees, shall without a permit, use or have possession of any wrench or key designed to operate any valve, c.c., hydrant, or other components of the County water system.

409 PENALTY FOR VIOLATION

Every person who violates any provision of this By-Law is guilty of an offence and shall be liable on summary conviction to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment to imprisonment for a term not exceeding six (6) months. Further, an additional fine of not less than \$100.00 and not more than \$1,000.00 for each day that the offence continues or in default of payment, imprisonment for a term not exceeding six (6) months.

410 VIOLATION TICKETS

A By-Law Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time.

Where a By-Law Officer has reasonable and probable grounds to believe that an offense has been committed, the By-Law Enforcement Officer is authorized and empowered to immediately issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time, to any person to whom the By-Law Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this By-Law.

Where a Violation Ticket has been issued to a person pursuant to this By-Law, the person may plead guilty to the offense by submitting to the Clerk of the Provincial Court the specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.

PART V – MISCELLANEOUS

501 PERMITS ISSUED

Permissions or permits required under this By-Law may be obtained from the Public Works Manager.

502 LICENSED PLUMBER EXEMPT

A licensed plumber acting in an emergency shall not be deemed to be in violation of this By-Law, provided that he obtains the necessary permit or permission at the earliest opportunity.

PART VI - GENERAL

601 If any portion of this By-Law is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the By-Law is deemed valid.

602 By-Law No. 1281 and amendments made thereto are hereby repealed.

603 This By-Law shall become into full force and effect on the date it is finally passed by Council.

RECEIVED FIRST READING THIS
DAY OF _____, A.D. 2014
IN THE CITY OF CAMROSE, IN THE
PROVINCE OF ALBERTA

* _____
*REEVE
* _____
*COUNTY ADMINISTRATOR

RECEIVED SECOND READING THIS
DAY OF _____, AD 2014
PROVINCE OF ALBERTA
IN THE CITY OF CAMROSE, IN THE
PROVINCE OF ALBERTA

* _____
*REEVE
* _____
*COUNTY ADMINISTRATOR

RECEIVED THIRD AND FINAL
READING THIS DAY OF _____
A.D. 2014, IN THE CITY OF CAMROSE,
IN THE PROVINCE OF ALBERTA

* _____
*REEVE
* _____
*COUNTY ADMINISTRATOR

SCHEDULE "A"

CAMROSE COUNTY
UTILITIES RENTAL AGREEMENT

Utility Account Number		Street Address			
Legal Description					
Lot:		Block:		Plan:	
Owner's Name:			Renter's Name:		
Owner's Mailing Address:			Renter's Mailing Address:		
Owner's Phone Number:			Renter's Phone Number:		

I, _____, being the owner of the property described above, hereby consent to having the Camrose County utility billing forwarded to the renter at the renter's mailing address as noted above. **The utility billing shall be retained in my name, but forwarded in care of the renter.**

I AM ALSO AWARE THAT:

1. Any unpaid utility account balances as per Section 306 of this By-Law, are the responsibility of the owner and if arrears remain unpaid by either the renter or the property owner, balances not paid within the specified time will be transferred to the property tax account, plus administration fees and any penalties, knowing that amounts transferred to the tax roll are then subject to penalties applicable to unpaid taxes.

This agreement shall be effective: _____
Date

Signature of Property Owner

Signature of Renter

Print Name

Print Name