

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

WHEREAS, under the authority and subject to the provisions of Sections 33 & 34 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, and amendments thereto.

AND WHEREAS, all water works, sanitary sewer, storm sewer and drains belonging to the Town now laid down or future public works constructed or built shall be under the direct control and management of the Town Chief Administrative Officer subject to the authority of the Town Council.

NOW THEREFORE, the Council of The Town of Millet, duly assembled hereby enacts as follows:

PART I BYLAW TITLE

This Bylaw may be cited as “The Water and Sewer Regulations Bylaw”.

PART II PURPOSE, DEFINITIONS AND INTERPRETATION

1) PURPOSE

The purpose of this Bylaw is to regulate the use of waterworks and sewer systems and to establish rates for water and sewer in the Town of Millet.

2) DEFINITIONS

In this Bylaw:

- a) “Application” means the application made by a Person to the Town for the supply of Water and Sewer Services. The said Application, when accepted by the Town, shall form a binding contract between the Consumer and the Town, by which the parties agree to be bound by the provisions of this bylaw;
- b) “Consumer” means the owner or occupier of lands and premises therein or on to which any water and sewer service pipes are installed to service any land or premises therein or on;
- c) “Council” means the duly elected officials of the Town of Millet;
- d) “Department” means the department or departments authorized to have control of waterworks and sewer systems.
- e) “Director” means the person with authority to supervise and have charge of the water and sewer department subject to the powers delegated to him by the Chief Administrative officer;
- f) "Improvement" means an Improvement as defined in Part 9 of the MGA, including a structure or a building.
- g) “Meter” means a mechanical and/or electrical device used in either imperial or metric measurements;
- h) “Owner” means the registered owner of a parcel of land and the improvements there on, as per the Alberta Land Titles Act.
- i) “Person” shall mean firm, corporation, owner, occupier, lessee or tenant.
- j) “Sewer Service Line” means the sewer line from the collecting street mains to the property line of the lands or building being serviced.

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

- k) "Street Mains" means the portion of water and/or sewer system laid down in the Town owned land for the purpose of servicing more than one person;
- l) "Tenant" means a person who is not an Owner but who has legal possession of a Property to which a Utility Service is provided.
- m) "Town" means the Town of Millet, Alberta.
- n) "Utility Services" means water and sewage services supplied by the Town.
- o) "Water Service Line" means the water line from the distributing street mains to the property line of the lands or building being serviced.

3) WATER WORKS

- 1) Tapping water works;
 - a) No person, without having first obtained permission to do so, shall make connection or communication whatsoever with any of the public pipes or mains. The person granted permission shall be totally liable for any damage caused while making such connections and also shall provide adequate safety provisions during said construction.
 - b) All connection or communication whatsoever with any of the public pipes or mains must be pursuant to Town of Millet Policy #51, being the "minimum design policy" and Policy #75, being the "utility connection policy."
 - c) No permit shall be issued to any person except a licensed plumber or authorized employee of the Town.
 - d) All water service pipe laid in private property between the property line and the water meter shall be of the same material as the service piped in the street between the water main and the property line. No connection may be made to the water service pipe between the property line and the meter.
- 2) Meters;
 - a) Every meter installed on any service by the Town shall remain the property of the Town and is installed on the understanding that all persons shall give every facility for the introduction, placing, inspection and reading of such meter; and shall protect it from interference or injury by frost and shall be liable for all costs incurred to replace the said meter.
 - b) The Town may install a meter on any service where the consumer is to be supplied with water under the meter rates or not; and to refuse to supply or continue to supply water to the premises whatsoever, unless the person or persons requiring the water shall sign an agreement to take, use and pay for water according to the rates provided for the purpose and in accordance with Schedule "A" of this bylaw together with any service charges that may be required.
 - c) All meters shall be read and billing rendered on a bi-monthly basis in accordance with Schedule "A" of this Bylaw.

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

- d) In the case that the meter has failed to read in a given billing period, a system generated estimate may be used.
- e) For all mobile/manufactured home parks in the Town of Millet, each unit will be charged the flat rate as set out in Schedule "A".
- f) Ownership of all water meters shall be vested in the Town of Millet.
- g) The consumer shall be responsible for damage to the meter which may result from other than normal wear and tear.
- h) Any person interfering with the seals or tampering with any meter shall be liable to penalties as set out in Schedule "C".

4) WASTE OF WATER

- a) To maintain an adequate supply of water and adequate water pressure within the Town of Millet, the Town Council or the Chief Administrative Officer or designate may prohibit, restrict or ration the use of water as the Town deems appropriate, including circumstances of heavy demand, low reserves, maintenance, repairs, fire-fighting or emergency.
- b) During MAY TO SEPTEMBER EACH YEAR, all persons are required to practice water conservation for outdoor watering and activities, whereby properties with a municipal civic address ending in an odd number may water on odd numbered days only, and properties with a municipal address ending in an even number may water on even numbered days only.
- c) No person shall waste, as determined by the Community Peace Officer or designated Town official, any water supplied by the department in any way whether by improper service pipes, fixtures or taps or by permitting water to run to prevent taps or pipes from freezing or otherwise; or by improper or excess use of water.

5) TURNING ON WATER

- a) When construction water is required for any building under construction, the Town shall require 24 hours notice prior to turning on of water.
- b) Before any construction, water shall be metered. After any construction, reconstruction, alteration or change, or the completion of any work requiring a permit, water shall not be turned on to any building or premises until after the whole of the work has been done to the satisfaction of the water department. Water shall be turned on or off only by an authorized employee of the Town.

6) RIGHT TO DISCONNECT AND CONNECT WATER SUPPLY

- a) Every person shall, at least two (2) working days prior to using a water service, make application in person or by telephone to the Town, and provide all the information requested and in the manner required by the Department.
- b) The Owner of a Property, and not the tenant, shall be responsible for making an Application for Utility Services with the Town. However, to allow for transition, a Tenant whose account is in good standing at the time this Bylaw comes into effect may continue to receive Utility Services until such a time as the tenant closes the account, or alternatively, the Utility Services are discontinued for any reason.

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

- c) All contracts formed by the filing of an application for water and the acceptance thereof by the said department on behalf of the Town are hereby declared to be subject to all the terms and conditions of this Bylaw which shall be understood and construed by the said department as forming part of all contracts for the supply and distribution of the water by the said department on behalf of the Town.
- d) In all cases where boilers are supplied with water the Town shall not be liable for any damage which may result to any person or premises from shutting off the water main or service or from failure of the water supply for any purpose or cause whatsoever, even where no notice is given and no deduction from water bills made in consequence thereof. All users of steam or hot water boilers must protect themselves by installing a storage tank sufficient to provide at least a twelve (12) hour supply for each steam or hot water boiler.
- e) The Department may shut off the water supply to the land or premises of any person who may be guilty of a breach of or non-compliance with any of the provisions of this bylaw or Board of Health regulations and may refuse to turn on the water until satisfied and assured that the person intends to comply with this bylaw or health regulations.
- f) Those persons about to vacate any premises that are being supplied with water and sewer services and who are desirous of discontinuing the use of such services, must apply in person, by telephone or in writing and provide a forwarding address to the Town of Millet within 48 hours prior to disconnection of services at said premises; otherwise they will be held liable for the accruing rates therefore and for all damages suffered or sustained by the Town of Millet caused by failure to give such notice.
- g) The Town hereby reserves the right to shut off the water without notice for any purpose that, in the opinion of the Town, be expedient to do so.
- h) It is hereby declared that no person shall have any claims or compensation or damages as the result of the Town shutting off the water without notice or from the failure of the water supply from any cause whatsoever.
- i) For all property owners, in the event the utility account remains unpaid for 60 days or more, the unpaid charges for utility services will be added to the tax roll, as needed and a service charge will apply, as per Schedule "A".
- j) For all property owners that have an agreement in place, in the event the occupant utility account remains unpaid for 60 days or more, the unpaid charges for utility services will be added to the tax roll, as needed and a service charge will apply, as per Schedule "A".
- k) In the event that a current utility account remains in arrears, the Town of Millet will notify the occupant with a written notice at the last known address provided, also advising the property owner. Disconnection of services may apply and actions may be taken with a collection agency, if payment is not rendered within an allocated time and a re-connection fee will apply, as per Schedule "A".
- l) In the event that a historical account remains in arrears, the Town of Millet will notify the consumer with a written notice at the last known address provided, advising actions will be taken either with a Collection Agency or by action in any court of competent jurisdiction, if payment is not rendered within an allocated time.

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

- m) In addition to the method outlined above for recovery of outstanding rates and charges, the Town reserves the right to discontinue services to any property for charges for services or work remaining outstanding for a period of more than sixty (60) days.
- n) No person shall interfere with, damage or make inaccessible any curb stop due to the construction of walks, driveways, etc.
- o) If it is required to make repairs due to inaccessibility, or damage to curb stops, the owners of the property serviced by said curb stops shall, in addition to the penalties of this bylaw, be required to assume all costs involved.

7) WELLS AND OTHER SOURCES OF WATER

- a) No well or other source of water, except the Town mains, shall be on use for domestic consumption in the Town excepting those premises which were utilizing a well or other source of water supply prior to third and final reading of this bylaw.
- b) Any such permission assumed as aforesaid may be withdrawn by order of the Town at any time without notice and no person shall use a well or other source of water supply after a permit for use of same has been withdrawn.
- c) Any person who makes application to be serviced by the water distribution system and such application is approved, shall not revert to any other supply source at a later date, but shall remain connected to the Town supply.

8) INTERFERENCE WITH HYDRANTS AND VALVES

- a) No person other than an authorized employee of the Town or person authorized by the Town shall open, close, operate or interfere with any valve, hydrant or fire plug or interfere with any authorized person who is operating any valve, hydrant or fireplug. Any person or persons found to be in violation of this section are guilty of an offence and liable to a fine as per Schedule "C".
- b) The Chief of the Town Fire Department, his assistants and officers, and members of that department are authorized to use the hydrants or plugs for the purpose of extinguishing fires or for making trail of hose, pipe or for fire protection; and supervision of the said Chief or his duly authorized assistants; and in no event shall an inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant or plug.
- c) No person shall in any manner obstruct the free access to any hydrant or valve or curb stop. No vehicle, building, rubbish or any other matter which would cause such obstruction shall be placed nearer to the hydrant than the property line of the street in which the hydrant is located; nor within fifteen (15) feet of the hydrant in a direction parallel with the said property line.
- d) The cost of thawing a frozen water service will be paid as follows:
 - 1. By the Consumer, if the water service between the property line and the building is frozen, as determined by the C.A.O. or designate;

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

2. By the Consumer if the water service is frozen between the street main and the property line as a result of the negligence of the Consumer, as determined by the C.A.O. or designate;
 3. By the Town if the water service between the street main and the property line is frozen for any other reason, as determined by the C.A.O. or designate.
- e) If the C.A.O. or designate is of the opinion that the water service between the property line and the building has frozen without any negligence on the part of the Consumer, or any other person for whose negligence the consumer is responsible, the C.A.O. or designate may waive the cost of one thawing during any one season which will be deemed to run from November 15 to May 15.
 - f) The Town will not thaw a water service unless the consumer signs an acknowledgement recognizing that thawing may be inherently dangerous or harmful to property including the water service or plumbing system and may cause damage to the electrical system or may cause the outbreak of fire and waives any claim against the Town for any such damage whatsoever except damage caused by the negligence of the Town.

9) APPLICATION FOR SEWER CONNECTION

- a) The Town is responsible for the construction, maintenance and repair of the sewer mains. The owner is responsible for the construction, maintenance and repair of all connections to the main.
- b) No drain or private sewer shall be connected to the Town sewer until the owner thereof shall have obtained a permit for sewer connection pursuant to Part IV of the Town of Millet Bylaw No. 2014/08. The application must be filed in the Town office and must be signed by the owner of the property to be drained or by his authorized agent.
- c) It shall be the consideration of the granting of any application for a sewer connection that the Town or any of its employees shall not be liable for any damage whatsoever in nature caused either directly or indirectly by such sewer connection and the applicant shall be responsible for backfill, surface replacement, safety, etc.
- d) The Town may revoke or annul any permit that may have been granted to connect the Town sewers if it shall find that any of the work is not being done in accordance to the provisions of this Bylaw and Bylaw No. 2014/8; and the person or persons making such connections or their successors in interest shall have no right to consequence or demand or claim any damage in consequence of such permits being revoked or annulled.
- e) All plumbing work within the Town shall be done in strict accordance with the regulations under the Public Health Act of the Province of Alberta and amendments thereto which regulations shall be considered as forming part of this bylaw as if incorporated therein.

10) WATER DEMAND MANAGEMENT MEASURES

- a) The Town may, at such times and for such lengths of time as is considered necessary or advisable, implement Water Demand Measures which restricts water usage to any or all parts of the Town.

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

- b) All water restrictions shall be duly advertised in all ways possible including use of local media, social media and the Town website.
- c) No person shall contravene the terms or conditions of any Water Demand Management Measures, without obtaining the Town's authorization.

PART III FINES

Any person who violates a provision of this By-Law is guilty of an offence and liable to a fine of not less than the specified penalty if one is provided or an offence punishable by way of summary conviction to a fine of not more than \$2000.00 or to imprisonment for not more than 6 months or both.

PART IV REPEAL

Bylaw #2018/01 is hereby repealed.

PART V EFFECTIVE DATE

AND FURTHER THAT this bylaw shall take effect on the 1st day of January 2019.

READ a first time this 14th day of November, 2018

READ a second time this 14th day of November, 2018

READ a third and final time this 14th day of November, 2018.

MAYOR

CHIEF ADMINISTRATIVE OFFICER

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

SCHEDULE "A" BY LAW 2018/12

WATER SERVICE RATES

The following water service charges shall be levied and collected bi-monthly from all persons, businesses, churches, clubs and charitable organizations, government units, etc. connected to the Town of Millet water system;

SINGLE FAMILY DWELLING UNITS;

2019

-\$54.50 for the first 15 cubic meters and **3.25** for each additional cubic meter of water thereafter.

COMMERCIAL AND INDUSTRIAL UNITS;

2019

-\$64.50 for the first 15 cubic meters and **3.25** for each additional cubic meter of water thereafter.

PUBLIC AND INSTITUTIONAL SCHOOLS;

2019

-\$67.00 for the first 15 cubic meters and **3.25** for each additional cubic meter of water thereafter.

CHURCHES, CLUBS, ASSOCIATIONS, CHARITABLE ORGANIZATIONS;

2019 - \$32.00 for the first 15 cubic meters and **3.25** for each additional cubic meter of water thereafter.

ALL OTHER SERVICES BY AGREEMENT OF COUNCIL.

ADDITIONAL FEES

Disconnection Fee: \$30

Reconnection Fee: \$30

Transfer arrears from Utility to tax roll administration fee \$30

Flat Rate for all mobile home units and damaged meters –

2019 – \$99.00/billing period

PENALTIES:

A (3.9%) percent penalty shall be added to the outstanding current balance if payment is not received at the Town office on the date indicated on each bill.

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

SCHEDULE "B" BYLAW 2018/12

SEWER SERVICE CHARGES

The following sewer service charges shall be levied monthly from all persons, business, churches, clubs, charitable organizations, government units, etc., connected to the Town of Millet sanitary sewer system. These charges shall be collected by the Town on a bi-monthly basis. The monthly charge shall be as follows:

RESIDENTIAL

Single family dwelling units and Apartments, Condominiums, Duplexes, etc.

2019 - \$22.00 per month

COMMERCIAL

Car Wash

2019 - \$57.00 per month per stall

All other commercial businesses

2019 - \$30.00 per month

****PLUS 50% of the amount charged over and above the flat rate for water consumption pursuant to Schedule "A" of third bylaw, for COMMERCIAL users only.

PUBLIC AND INSTITUTIONAL

School

2019 - \$118.50 per month

Churches, Clubs, Associations, Charitable Organizations

2019 - \$22.00 per month

ALL OTHER SERVICES BY AGREEMENT OF COUNCIL

The Town of Millet Water and Sewer Regulations Bylaw

Bylaw 2018/12

SCHEDULE "C" BYLAW 2018/12

FINES

| Section | Description | Penalty |
|----------------|--|----------------|
| 2) a) | Interfere or tampering with a water meter(residential) | \$500.00 |
| | Interfere or tampering with a water meter(commercial) | \$2,000.00 |
| 4) a) | Waste or excess use of water | \$150.00 |
| 4) c) | Improper outside watering | \$100.00 |
| 8) c) | Interfere, damage and/or inaccessible curb stop | \$300.00 |
| 7) a) | Use unauthorized source of water | \$150.00 |
| 7) c) | Use source of water after permit was withdrawn | \$150.00 |
| 8) a) | Tamper or interfere with hydrant, valve, fire plug | \$300.00 |
| 8) c) | Obstruct access to hydrant, fire stop, curb stop | \$150.00 |

A person who commits a second or subsequent offence within a period of one (1) year may be subject to a fine that is double the amounts listed above or; punishable by way of Summary Conviction to a fine of not more than \$2000.00 or to imprisonment for a term not more than six (6) months or both.