

AGENDA
COUNCIL COMMITTEE MEETING
MUNICIPAL DISTRICT OF PINCHER CREEK
November 27, 2018

8:00 AM

1. Approval of Agenda
2. Closed Meeting Session
 - Public Works Call Log – FOIP Section 16
3. Beaver Mines Project Questions and Answers
 - Administration Guidance Request from Director of Operations, dated November 20, 2018
4. Round Table Discussion
5. Adjournment

Administration Guidance Request



TITLE: BEAVER MINES PROJECT QUESTIONS AND ANSWERS

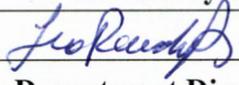
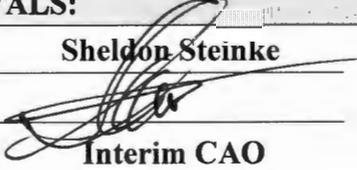
PREPARED BY: Leo Reedyk

DATE: November 20, 2018

DEPARTMENT: Operations

			ATTACHMENTS: 1. Beaver Mines Water and Wastewater Project Q & A 2. Draft Water Service Bylaw 3. Draft Sewer Service Bylaw
Department Supervisor	Date	November 20, 2018	

APPROVALS:

Leo Reedyk	November 20, 2018	Sheldon Steinke	
	<hr/>		2018 NOV 23
Department Director	Date	Interim CAO	Date

REQUEST: That Council provide direction to Administration for wording for the Water, Sewer and Solid Waste Bylaws so that appropriate answers can be given to residents of Beaver Mines.

BACKGROUND:

In meetings with the Beaver Mines Community Association Project Advisory Group, a series of questions is being developed to answer questions for residents. Some of the answers prepared to date require policy to substantiate the answer.

Attached are draft policies for water and sewer for consideration by Council.

FINANCIAL IMPLICATIONS:

The bylaws and subsequent rates will determine the extent of revenue derived from the public utilities provided to residents.

Beaver Mines Water and Wastewater Project Q&A's

General Questions

1. What is the source of the new municipal water supply? Water for Beaver Mines, Castle Parks and Castle Mountain Resort will come from the Oldman Dam Reservoir.
2. How/where will the water be treated? The water is clarified and treated in the Regional Water System Treatment plant just north of Cowley. A re-chlorination unit in Beaver Mines and at Castle Mountain Resort will ensure that chlorine residual in the water is adequate to ensure ongoing disinfection.
3. How/where will the sewage be treated/discharged? Wastewater from Beaver Mines will be pumped to the treatment system for ultimate disposal. The location of the wastewater treatment system is yet to be determined.
4. When will the new system be operational? Depending on decisions by Council and Alberta Environment, the system should be operational at the earliest by fall 2019 and latest 2020.
5. When will construction take place within Beaver Mines? If the necessary decisions are made in 2018, construction in Beaver Mines should occur in 2019 with final paving being completed in 2020. Pipeline to Castle Parks and Castle Mountain Resort should be underway in the winter of 2018 and should be completed in 2019.
6. What kind of disturbance can I expect during construction? All streets in Beaver Mines will be dug up as part of the process to install water and waste water services. Additionally residents should expect construction noise and dust. Businesses should be aware that access to their locations will be disrupted but that disruptions will be kept to a minimum. Highway 774 will remain open and a traffic accommodation plan will be required from the contractor prior to commencement of the work. Asphalt disturbance to Highway 774 will be minimized.
7. What will the MD do to maintain access to homes/businesses/Highway 774 during construction? The contractor will be required to ensure that residents have access to their homes through construction. This does not mean that residents will be able to drive into their driveway on a daily basis, but is intended to ensure that to the extent possible, residents will be able to park near to their home while the major excavation is underway.

Questions About Connecting to System

1. Is connection to the system mandatory? No, connection is not mandatory. Residents are encouraged to commit to hook up at the earliest opportunity to allow contractors budding on the work a sense of the total quantity. A new water and sewer bylaw is being prepared for Council consideration.
2. What will it cost to connect to the system? The MD is looking to get a quote from a contractor to tie homes to the new infrastructure as a part of the project based on pipe size required and the lineal meters of service required to any given property, the probable cost for each resident could be estimated. Once the quote is received, an estimate for each homeowner can be determined. The cost to install the services from the property line to the home is the homeowner's responsibility.

3. What will be the monthly utility bill? The monthly water bill format and content is still under consideration by Council. The Utility bylaw process is a public process that Council will be working through in the next couple of months. Water meters will be installed to allow for a consumption based component on utility bills.
4. Will my taxes go up if I choose to connect? It is expected that the property assessment will go up because the service is available to homeowners. The increase in assessment will increase taxes payable whether the home is connected to the system or not. . The tax assessment process is outside of the utility servicing component and is applicable even if you don't connect.
5. Will I be billed even if I don't connect? Council has the ability to bill the resident for the infrastructure even if you don't connect. Depending on the wording in their utility bylaw, a utility bill could be issued for the infrastructure in the street even if the home is not connected to the service. If so, how much? The existing utility bylaw is in the process of being updated to include new services for residents of Beaver Mines and Rural residents now able to receive water and wastewater utilities.
6. Are there any advantages to connect at this time? The advantage to connecting at this time are numerous including the work getting done while all the other work is being done to get a better quote for the residential component of the project. Council has the ability to charge fees associated with connecting to the system that can be waived for this project. Connection to the systems and inspections associated with the project are likely to be combined with multiple locations leading to a possible reduction in costs.
7. When does the MD need to know whether I plan to connect or not? The sooner that residents can confirm that they will be connecting to the system the better, January being the target month to allow information to be included in a tender for services. The connection points to each property will be constructed whether the homeowner connects to the system or not.
8. How many connections will be provided per property? One set of connections will be provided to each property. How can I get more? Requests for additional services will be reviewed on a case by case basis, ie request for a separate service to a garage or a lot being subdivided. Will the MD put in a connection at my property, including vacant land, even if I don't choose to connect at this time? Connections will be installed to vacant property as well. A service for each 50' lot (approx 5000 sq ft) will be provided with the location to be centered on the lot at the property line.
9. Will the MD make the connection to my house or just to the property line? Council is currently looking at options that would allow all residents connecting to the system to be connected by one contractor. Council is also looking at if and how they can assist in funding this component of the project.
10. Will my yard/landscaping need to be dug up or can the connections be directionally drilled? In most cases the lines can be directionally drilled to minimize the disturbance in yards.
11. Where will the connections be put if I don't have/provide the information requested in the information package? The connections will be put in the center of the lot if no additional information on the existing homes services are available. A separation of the service lines at that location will be as per the relevant code.

12. I plan to connect and still keep my existing well and/or septic system as a backup/alternate. Are there any special requirements around this? All existing wells are to be isolated from the new potable water system with a backflow prevention device that meets the current plumbing code; these devices will require an annual inspection. Alternately, a separate system for watering gardens can be maintained. Homes that are connected to the potable water service must be disconnected from the existing wastewater septic tank and or field as per Alberta Environment requirements.
13. I plan to connect and don't plan to use my existing well and septic system any more. Do I need to formally abandon them? If so, what's required and approximately how much would it cost? Alberta Environment recommends decommissioning a water well when it will no longer be used to prevent possible groundwater contamination. Depending on the size and depth of the well as to the process that should be employed and the probable cost. Pulling the pump from the well and plugging the well from surface contaminants is a minimum requirement. Septic tanks should be removed or have the water and sludge removed, the tank bottom should be cracked to prevent the retention of water and the tank should be collapsed and or filled to landscape level to prevent soil settlement. Cesspools should be removed to prevent collapse in the future. The cost will vary property, depending on size, location and complexity of the system being abandoned. A general contractor is the best source of information on probable cost.
14. Can I hook up to just water or wastewater if I have a holding tank for the other? This scenario will be looked at on a case by case basis but the preference is that both services will be provided.
15. What is the permitting process? Prior to connecting to the municipal utilities, the utility services application form included in the homeowner package must be returned to the MD prior to connection to the services. The contractor installing the services must obtain a plumbing permit from Superior Safety Codes for the work inside and within 1 meter of the home. Superior Safety Codes Lethbridge office phone number is 403-320-0734.
16. What provisions will be made to accommodate the School Bus? The contractors traffic accommodation plan will include provisions for the school bus route. Residents are advised that there will be occasions that the route will change because of construction up to and including students getting dropped off close to their home rather than in front. The locations of that drop off will be coordinated with First Student Bus and the parents of students will be informed prior to changes being made.
17. What will the water pressure in the system be? The static water pressure with the reservoir full will range from 60-80 psi depending on the location of the home.
18. What is the plan for the change over from private to the municipal systems? Once the municipal system has been constructed and is able to be commissioned, the services to homes can be tied in. A plan will be developed with the preferred contractor to ensure that services are maintained at the specific home.
19. How will emergency access be maintained within the community? The contractors plan of operations will include phasing of the project to ensure that access to homes and the fire hall can be accommodated to the extent possible through the duration of the project to the extent practicable.
20. How will contractors access my property when hock up are made? The contractors requiring access to your home will need to arrange a schedule with you to provide access. Coordination with a neighbour may be required if you are unable to attend when your contractor needs access.

21. Whom homeowners should call when they have additional questions? Home owners should call the Municipal District at 403-627-3130 or email at info@mdpincercreek.ab.ca

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
PROVINCE OF ALBERTA**

**BYLAW NO. _____
WATER SERVICE BYLAW**

A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING THE REGIONAL WATER SYSTEM AND TO ESTABLISH A TARIFF FOR WATER RATES IN THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9.

WHEREAS THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 may pass Bylaws pursuant to the *Municipal Government Act* RSA 2000, Chapter M-26, as amended:

AND WHEREAS the Council of the Municipal District of Pincher Creek No. 9 wishes to establish regulations, rates and penalties for water utility services.

NOW THEREFORE, the Council of the Municipal District of Pincher Creek No. 9 hereby enacts as follows:

1. This Bylaw may be cited as the, "Water Service Bylaw" of the Municipal District of Pincher Creek No. 9. Where the terms of this Bylaw conflict with the provisions of any other Bylaw of the Municipal District of Pincher Creek No. 9, this Bylaw shall prevail.

DEFINITIONS:

2. In this Bylaw unless the context otherwise requires;
 - a. "The Municipality of Pincher Creek No. 9" means the Municipality as so incorporated by the Province of Alberta.
 - b. "C.A.O." means the Chief Administrative Officer of the Municipal District of Pincher Creek No. 9 as appointed by Municipal Council and includes any person authorized by him or the Municipality to act for or carry out the duties of the Chief Administrative Officer to the extent that authorization is given.
 - c. "Plumbing Inspector" means the Plumbing Inspector appointed by Council of the Municipal District of Pincher Creek No. 9.
 - d. "Public Works Superintendent" means the Public Works Superintendent for the Municipal District of Pincher Creek No. 9 or person authorized by him or by the Municipality to act for or carry out the duties of the Public Works Superintendent.
 - e. "Service Connection" means the portion of water or sewer service between the main and the outer limit of the public right-of-way.
 - f. "Water Works System" means the system of water works owned and operated by the Municipal District of Pincher Creek No. 9 and all accessories and appurtenances thereto.

3. ADMINISTRATION:

- a. The Municipality shall have charge of all the various properties and works required for the supply of the Municipality and its inhabitants with water, and of the inspection and rating of all buildings and premises supplied with water.
- b. No extension of mains shall be constructed except as may be authorized from time to time by the Municipality.
- c. The Municipality may order that the water be shut off from any consumer or consumers without notice for such length of time as may be necessary to permit the construction or repairs or the connection of services to the system.

4. RESTRICTIONS AND PROHIBITIONS

a. Municipality:

- i. The Municipality may at any time make orders restricting the use of water- either by all consumers or by any particular class of consumers and either throughout the Municipality or in any particular area of the Municipality. The order may specify that such restricted use of water shall apply during such hours of any day of the week as may be specified in the order.
- i. No person shall use any water from the water works system in contravention of the terms of any order made by the Municipality under this section.
- ii. The Municipality shall take such steps as he deems necessary to publicize the terms of an order made pursuant to this and the preceding section.

b. Construction:

- i. All sanitary receptacles that receive body wastes shall be connected to the sanitary sewerage system unless otherwise approved by the Building Regulations.
- ii. Storm water service connections not covered by the Alberta Plumbing Regulations shall not be authorized.
- iii. If a developer is found guilty of a violation of the Alberta Plumbing and Drainage Regulations or Alberta Building Regulations, then the Municipality may enter upon the land and building, erection or structure concerned and make such connection and charge the cost thereof against the land, building, erection or structure concerned in the same manner as taxes and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes.

c. Hydrants:

- i. No person except members of the Fire Department or the Municipality shall open, close or service with any hydrant, gate or valve connected with the water works system.
- ii. The Municipality may permit water to be taken from a hydrant during construction or otherwise, provided that:
 1. A deposit in an amount as set out in Schedule "A" is left with the Municipality which deposit may be applied against the cost of any damage caused during the use of the said hydrant.
 2. Water taken from the hydrant shall be charged for at the rates set forth in this By-Law.
 3. Minimum charge for the use of a fire hydrant shall be as set out in Schedule "A".
 4. Any connection to a Hydrant by an person other than the Fire Department of Municipal Staff must have Municipal Authorization and must be protected by a back flow prevent valve.

- d. No person shall place or deposit any injurious, noxious or offensive matter in the vicinity of the intake to the water works system, shore, or bank or the water source, at any point within the Municipality above such intake, or in the vicinity of the reservoir nor shall any such matter be brought into the Municipality for the purpose of being thrown into the streams, or be placed on the ice on the river or streams, nor shall any person bathe or wash clothes or do any other thing which may pollute the water above the intake of the said water works system in the Municipality.

- e. No person being an occupant or tenant of any house, building or other places supplied with water from the water works system shall lend, sell or dispose of the water thereof, or give away or permit the same to be taken or carried away or used or apply it to the use or benefit of others than his, her or their own use and benefit or shall increase the supply of water beyond that agreed for with the Municipality or wrongfully, negligently or improperly waste any water supplied from the water works system.

5. DAMAGES

- a. In all cases where any pressure vessel or equipment is supplied with water from the water works system, the Municipality shall not be responsible for damage to such vessel or equipment, person or premises when the water supply is shut off or when there is failure of the water supply due to any cause whatsoever, even where no

notice is given. No deduction from the water bills shall be made in consequence thereof.

- b. The Municipality is not liable for damages:
 - i. caused by the breaking of any water service main, water service pipe or attachment, or any sewer main; or
 - ii. caused by the interference with the supply of any water service or sewer necessary in connection with the repair or proper maintenance of the water service or sewers, or
 - iii. generally for any accident due to the operation of the water works system or sewage disposal system of the Municipality unless such accident is shown to be directly due to the negligence of the Municipality, its employees or agents.

6. SERVICE CONNECTIONS

a. NEW SERVICE

- i. Any person requiring water and/or sewer services from the water and/or sanitary sewer system shall apply to the Municipality and request that his/her premises be connected to the said system or systems. The owner or his/her authorized agent shall state the size and services required and shall sign the application form provided for that purpose.
- ii. The owner or authorized agent shall provide the Plumbing Inspector with a site plan on which the size and location of the required services are shown. This applies to row housing, each four-suite or larger apartment building and every commercial and industrial building.
- iii. The expense of installing any service connection to a sub-divided lot or a parcel of land, or portions of same, shall be borne by the applicant.
- iv. A separate water service pipe to be used only for fire purposes may be constructed at the cost of the owner or occupier of property from the water main to the premises. Valves on said water service pipes may be sealed, as instructed by the Plumbing Inspector. The said seal shall not be broken except in case of an emergency. The Plumbing Inspector shall be notified within 24 hours if a seal is broken. Should said water service pipe not be maintained as required, the same may be disconnected by order of the Plumbing Inspector.

- b. The Municipality shall be responsible for the maintenance of the water and sewer mains and all the connections from the main to the property line with the exception of those connections used for lawn services and fire services and with the exception of those limitations contained in paragraph 12.d.
- c. The water service pipe from the main to the property line shall be of copper, cast iron, or other material approved by the Plumbing Inspector and connected by fittings and materials approved by the Plumbing Inspector, and such water service pipe shall be laid at least eight feet below the surface of the ground.
- d. The Municipality will place on each water service pipe a brass stop cock or valve at or near the property line, for the purpose of turning on the water supply or shutting it off. Over the stop cock or valve there shall be placed by the Municipality a metallic street stop cock box or valve box of approved pattern. The downstream edge of the stop cock so placed shall be the limit of Municipality responsibility with respect to the installation, maintenance and repair of the water services, regardless of whether the stop cock is situated on the property line, within the street right-of-way or on private property.
- e. The stopcock or stop and waste valve shall be located immediately inside the building.
- f. The Plumbing Inspector may have the water shut off the premises of any owner or consumer infringing any of the rules and regulations or amendments thereto made by the Municipality.
- g. No person shall in any way interfere with any stop cock, pipe or other water works appliance outside his own premises. No person except a person authorized by the Municipality, shall tap or make any connection whatsoever with any public water pipes or mains, either in the streets, or in the lanes.

7. UTILITY CONTRACTS

- a. Upon the request of an owner or occupant or other person in charge of a building for the provision of a utility service, the Municipality considers it advisable to enter into a utilities contract with only the owner or purchaser of a building, or lot or part of a lot.
- b. If the occupant to whom the public utility has been supplied is a person other than the owner or purchaser, the non-owner occupant shall issue a payment of charges in the amount of ONE HUNDRED (\$100.00) DOLLARS and the occupant may undertake to pay the prevailing rates for the said utility services provided that the owner requests same and with the condition that should the occupant default in payment, the owner or purchaser shall be responsible for payment to the Municipality of the amounts in default.
- c. A penalty of two percent (2%) shall be added to all amounts not paid by the due date stated on the utilities invoice.
- d. Whereas the owner or purchaser of a building or lot or part of a lot shall contract with the Municipality with respect to a utility service then the sum payable for the public utility supplied by the Municipality and all rates, costs or charges imposed are a preferential lien and charge on the building or lot or part of a lot and on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable.

8. PAYMENT OF ACCOUNTS

- a. All charges and rates payable under this By-law shall be paid to the Municipality and the collection of all disbursements connected with the operation of the water system and supervision of books of accounts shall be under the immediate control and direction of the Municipality. The Municipality shall be promptly notified of all connections made or permits granted or of any discontinuance of water service so that the proper charges or allowances may be made against or to any person or persons liable to pay for the water consumed or who is entitled to a refund where the supply of water is discontinued.
- b. A consumer wishing to discontinue a water service shall advise the Municipality.
- c. Any consumer requesting a temporary disconnect for water shall pay a service charge for such disconnection and a further service charge for the reconnection, both in the amount set out in Schedule "A".

9. WATER RATES

- a. Charges for water service shall be made in accordance with the provisions of the Schedules which are attached to this Bylaw and any amendments and additions thereto. The charges as set out in the Schedules are subject to change by the Municipality without notice.
- b. Subject to the other provisions of this Bylaw a person occupying premises connected to the water supply system of the Municipality shall pay to the Municipality a water service charge as follows:
 - i. In the case of domestic consumers a charge computed at the rate specified in Schedule "B" hereto.
 - ii. In the case of persons other than domestic consumers a charge computed at the rate specified in Schedule "B" hereto.
 - iii. Where a contract for the supply of water service is in existence the owner or occupier of the property shall be liable to pay the monthly rate as specified in the Schedule hereto, whether or not any water is in fact consumed during the billing period.
 - iv. In this Bylaw the tenant "Domestic Consumer" shall mean the owner or occupier of a one or two family residence or a two suite apartment where the property is connected to the water works system of the Municipal District of Pincher Creek No. 9 by a single water service line.
 - v. Where conditions exist which could require the application of a different rate, such rate will apply from the date that written notification is received by the Municipality from the consumer
- c. If a dwelling-house or apartment is in a building a portion of which is occupied by a store, shop, office or other business and the water from the street main has been introduced into any part of the building, the owner or occupier of the building shall be charged for water at the rate specified in Schedule "B".

10. ACCOUNTS

- a. Accounts for water service shall be forwarded bi-monthly to the owner or occupier of property connected to the water works system, and shall be payable at the office of the Director of Finance and such other places as may be designated by him.
- b. Accounts shall be deemed to be sufficiently forwarded if they are left on the property or if they are mailed by ordinary mail to the owner or occupier at the municipal address of the property.

11. TURN ON OR TURN OFF

- a. Other than an emergency as determined by the Plumbing Inspector, turn on or turn off shall be conducted only between the hours of 8:00 A.M. –4:30 P.M. Monday to Friday unless person(s) requesting such service shall be responsible to pay all overtime charges incurred.

12. PENALTIES

- a. The persons duly authorized by the Municipality may enter the premises of any water user at any reasonable time to examine the pipes, fixtures to ascertain the quantity of water used and the manner of its use, and in the case of fraudulent representation on the part of any water user or of unnecessary waste of water, the supply may be cut off.
- b. The payment of any rates, charges, tolls, fares, or rents as provided by this Bylaw may be enforced by all or any of the following methods, namely:
 - i. by action in any court of competent jurisdiction,
 - ii. by shutting off the water service.
- c. When at any time the water supply is disconnected for non-payment of accounts a fee as set out in Schedule "A" be charged when the water service is reconnected.
- d. Where the occupant is the owner or purchaser of a house, tenement, lot or part of a lot, the sum payable by that person for the water service supplied by the Municipality and all rates, costs and charges imposed under this Bylaw are preferential lien and charge on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable.
- e. Where the occupant to whom the water service has been supplied is a person other than the owner or purchaser of the house, tenement, lot or part of a lot, the sum payable by the occupant is a debt due and shall be a preferential lien and charge on the personal property and may be levied and collected with costs by distress.
- f. Any person committing a breach of any of the provisions of this Bylaw shall be guilty of an offence and liable on summary conviction to a fine not exceeding Five Hundred (\$500.00) Dollars exclusive of costs.
- g. It is the intention of the Municipality that each separate provision of this by-law shall be deemed independent of all other provisions herein and it is further the intention of the Municipality that if any provisions of this by-law be declared invalid, all other provisions thereof shall remain valid and enforceable.

Bylaw No. ___ and amendments thereto are hereby repealed

READ a first time this _____ day of _____, 2018.

READ a second time this _____ day of _____, 2018.

READ a third time and finally PASSED this _____ day of _____, 2018.

Reeve

Chief Administrative Officer

**MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9
PROVINCE OF ALBERTA**

**BYLAW NO. _____
SEWER SERVICE BYLAW**

**A BYLAW OF THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9, IN THE
PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING A SEWAGE
SERVICE FOR THE DISPOSAL OF SEWAGE AND THE DISCHARGE OF LIQUIDS
AND WASTE INTO THE MUNICIPAL SEWERAGE SYSTEM**

WHEREAS THE MUNICIPAL DISTRICT OF PINCHER CREEK NO. 9 may pass bylaws pursuant to the *Municipal Government Act RSA 2000, Chapter M-26*, as amended;

AND WHEREAS the Council of the Municipal District of Pincher Creek No. 9, wishes to establish regulations, rates and penalties for sewerage utility services;

AND WHEREAS Council, subject to the provisions of the *Public Health Act* and any regulation thereunder, may pass bylaws charging to all persons occupying property connected with the sewerage system of the Municipal District of Pincher Creek No. 9, a service charge, to be determined by Council in such manner, as it considers equitable, having regard to the municipality's portion of the cost of the sewerage system, and to the cost of treatment and disposal of sewage, and the services respectively rendered with respect to such properties;

AND WHEREAS the municipality has constructed primary and secondary sewage treatment plant facilities;

AND WHEREAS it is deemed just and proper to levy a sewerage service charge on all persons occupying property connected with the sewerage system of the municipality to assist with the cost of constructing and maintaining the system including the cost of treatment and disposal of sewage;

NOW THEREFORE, the Council of the Municipal District of Pincher Creek No. 9, of the Province of Alberta, duly assembled, hereby enacts as follows:

TITLE

1. This Bylaw may be cited as the "Sewerage Service Bylaw No. _____" of the Municipal District of Pincher Creek No. 9. Where the terms of this bylaw conflict with the provisions of any other bylaw of the Municipal District of Pincher Creek No. 9, this bylaw shall prevail.

DEFINITIONS

2. In this By-law unless the context otherwise requires;
 - a. "CA0" means Chief Administrative Officer of the Municipal District of Pincher Creek No. 9, as appointed by Municipal Council and includes any person authorized by her/him or Council to act for, or carry out duties of the Chief Administrative Officer, to the extent that authorization is given.
 - b. "Director of Finance" means the Director of Finance and Administration of the Municipal District of Pincher Creek No. 9.
 - c. "Domestic Consumer" means the owner or occupier of a one or two suite apartment.
 - d. "mg/l" means milligrams per liter.

- e. "Municipality" means the corporation of the Municipal District of Pincher Creek No. 9, or the area contained within the boundaries thereof as the context requires.
- f. "Owner" shall mean the registered owner of a property or the purchaser thereof, who is entitled to occupy and enjoy the property, that is connected with the municipal sewerage system and who shall pay to the Municipality a sewerage service charge.
- g. "Person" shall mean any individual, firm, company, association, society, corporation or group.
- h. "Plumbing Inspector" means the Plumbing Inspector of the Municipality or his authorized deputy, agent or representative.
- i. "Sewage" means any waste discharged, or permitted to flow from residences, business buildings, institutions and industrial establishments.
- j. "Sewer" means an artificial, usually subterranean, conduit to carry off water and certain waste matter as:
 - i. surface water due to rainfall;
 - ii. household waste, as slops, waste water from sinks, baths, etc., and excreta consisting of urine and feces;
 - iii. waste water from industrial works.
- k. "Sewerage System" means the system of sanitary sewers in the Municipality, the sanitary sewage lift stations, and the sewage treatment plant or plants and lagoon systems.
- l. "Standard Methods for the Examination of Water and Waste Water", shall mean those methods as described in the latest edition of "Standard Methods for the Examination of Water and Waste Water", as published by the American Public Health Association, Inc.
- m. "Water Service Bylaw" means Bylaw No. [REDACTED] of the Municipal District of Pincher Creek No. 9 and amendments thereto and any bylaw passed in substitution of the said bylaw.

TESTING OF EFFLUENT

- 3. The Municipality may direct to any consumer connected, or about to connect to, the Municipal sewerage system that the characteristics of such consumer's sewage effluent being discharged into the system be tested.
- 4. The testing of the characteristics of the sewage shall be done by sampling and an analysis of the sewage effluent composed of a minimum of three (3) days of composite sampling during a period of three calendar months (quarterly). When more than three samples are taken and analyzed the maximum resulting characteristics of the three highest daily results shall determine the consumer's sewage characteristics.

INTERCEPTORS

- 5. Grease, oil and sand interceptors shall be provided on private property for all garages, gasoline service stations and vehicle and equipment washing establishments. Interceptors will be required for other types of business when in the opinion of the Plumbing Inspector they are necessary for the proper handling of liquid waste containing grease in excessive amounts, or any flammable wastes, sand, other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and

capacity approved by the Plumbing Inspector and shall be so located as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the occupant at his expense in continuously efficient operation at all times.

BLOCKAGE

6. In case any blockage, either wholly or in part, of said sewerage system is caused by reason of failure, omission or neglect to comply strictly with the fore-going provisions the owner, proprietor or occupier concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the Municipality for all costs of clearing such blockage and for any other amount for which the Municipality may be held legally liable because of such blockage.

INSPECTIONS

7. The Plumbing Inspector and other duly authorized employee of the Municipality bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this bylaw. If such inspection discloses any failure, omission or neglect to clean out sumps, or discloses any defect in the location, construction, design or maintenance of any of the sewer system or any connection therefrom the Municipal system, the person making such inspection shall in writing notify the said owner, proprietor or occupier to rectify the cause of complaint.

DISPUTE

8. In case of any dispute as to the proper charges to which any person is subject by reason of the provisions herein contained, the matter shall first be referred to the CAO, and where the dispute is not settled to the satisfaction of the complainant, such complainant may refer the matter to the Municipal Council. Final appeal may then be made in the manner provided in the *Public Utilities Act* of the Province of Alberta.

CONNECTING TO SANITARY SEWER

9. The owner of every house, building or property used for human occupancy, employment, recreation or other purpose, situated within the Municipality and abutting on any highway, or right-of-way in which there is now or hereafter located a sanitary sewer of the Municipality, is hereby required at his expense to install suitable sewage waste disposal facilities therein, and to connect such facilities directly with the proper sanitary sewerage system of the Municipality, in accordance with the provisions of the *Municipal District of Pincher Creek No. 9, Development and Engineering Standards* within sixty days after the date of notice from the Health Officer to do so.
10. Except as permitted by this bylaw or the regulations of the Provincial Board of Health, no person shall construct or maintain any privy, septic tank, cesspool, or other facility intended or used for the disposal of sewage in the Municipality.
11. All sanitary receptacles that receive body wastes shall be connected to the sanitary sewerage system unless otherwise approved by the Plumbing Inspector.
12. Any storm water service connections that are not covered by the *Alberta Plumbing Code Regulations* shall meet with the approval of the Plumbing Inspector.
13. Any person requiring water and/or sewer services from the water and/or sanitary sewer system shall apply to the Municipal District of Pincher Creek No. 9, and request that her/his premises be connected to the said system or systems. The owner or her/his agent, shall state the size of the services required and shall sign the application form for that purpose.
14. If a developer is found guilty of a violation of the *Alberta Plumbing Code Regulations* or *Alberta Building Code Regulations*, then the municipality may enter upon the land and

building, erection or structure concerned and make such connection and charge the cost thereof against the land, building, erection or structure concerned in the same manner as taxes, and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes.

EXPENSES FOR TAPPING OF SEWER MAIN

15. All expenses incidental to the tapping of the Municipal sewer main and laying the sanitary sewer from the main to the street line will be borne by the Municipality with the exception to terms of a Development Agreement.
16. The Municipality shall be responsible for the maintenance of the sanitary sewer main and the connection from the main to the property line with the exception to terms of a Development Agreement.
17. The expense incidental to the laying, connecting, disconnecting or repairing of a sanitary sewer when such work is done by the Municipality beyond the outer limit of the street or the expense of superintending such work when it is done by any other person, is payable by the owner on demand of the Municipality, and if not paid may be collected forthwith in the same manner as sewerage rates.

LIABLE FOR DAMAGES

18. The Municipality is not liable for damages:
 - a. caused by the breaking, plugging or stoppage of any sanitary sewer main or storm sewer main;
 - b. caused by the interference with the supply of any water service or sewer necessary in connection with the repair or proper maintenance of sewers;
 - c. generally for any accident due to the operation of the sewerage disposal system of the Municipality;

unless such accident is shown to be directly due to the negligence of the Municipality or its employees.

ACCOUNTS

19. Accounts for domestic and commercial sewerage service shall be forwarded bi-monthly to the owner of the property connected to the Municipality's sewerage system, and shall be payable to the Municipal District of Pincher Creek No. 9.
20. Accounts shall be deemed to be sufficiently forwarded if they are mailed by ordinary mail, to the owner at the owner's address of the property at Land Titles.
21. Where conditions exist which require the application of a different rate, such rate will apply from the date that written notification is received by the Plumbing Inspector from the customer.

UTILITY CONTRACTS

22. Upon the request of an owner or other person in charge of a building for the provision of a utility service, the Council considers it advisable to enter into a utilities contract with only the owner or purchaser of a building, or lot, or part of a lot.
23. A penalty of two percent (2%) shall be added to all amounts not paid by the due date stated on the utilities invoice.
24. Whereas the Owner or purchaser of a building or lot, or part of a lot, shall contract with the Municipality with respect to a utility service then the sum payable by her/him for the public utility supplied by the Municipality to her/him and all rates, costs or charges imposed are a

preferential lien and charge on the building or lot, or part of a lot, and on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable.

ENFORCEMENT OF PAYMENT

- 25. The payment of any rates, charges, tolls, fares, or rents as provided by this bylaw may be enforced by all or any of the following methods, namely:
 - a. by action in any court of competent jurisdiction;
 - b. by shutting off the water service;
 - c. by distress and sale of the goods and chattels of any persons owing such rates, charges, tolls fares or rents wherever the same may be found in the Municipality.

ARREARS

- 26. All charges associated with the sewerage system that remain unpaid after the due date, are subject to the applicable penalties as stated in this bylaw.
- 27. All outstanding charges associated with the sewerage system that remain unpaid as of December 31st in any year will be transferred to taxes, as arrears and will be subject to further penalties related to the payment of taxes.

VIOLATIONS

- 28. Any person who violates any provision of this bylaw, or any order made thereunder, shall be liable upon conviction before any Justice or Magistrate to a penalty not exceeding Five Hundred (\$500.00) Dollars, exclusive of costs for each contravention of this bylaw.

Bylaw No. 955 “ For setting rates, policies and procedures for providing water, sewer and garbage pickup services in the Hamlet of Lundbreck” and amendments thereto are hereby repealed.

READ A FIRST TIME IN COUNCIL THIS ___ day of ___, 201_

READ A SECOND TIME IN COUNCIL THIS __ day of _____, 201_.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS _____ DAY OF _____ 201_

REEVE

CHIEF ADMINISTRATIVE OFFICER

BY-LAW NO. _____

SCHEDULE "A" FEES

The fees for Sewer Services shall be SEVENTY (70%) PERCENT of the fee charged for Water Services.