

**Bylaw 1167**  
**"WATER & SEWER BYLAW"**  
**OF THE TOWN OF GRIMSHAW**  
**IN THE PROVINCE OF ALBERTA**

A Bylaw of the Town of Grimshaw, in the Province of Alberta, to regulate and provide for supply and use of the water and wastewater in the Town of Grimshaw.

WHEREAS Section 7(a) of the Municipal Government Act RSA 2000 c M26 states that a council may pass bylaws for municipal purposes respecting the safety, health, and welfare of people and the protection of people and property;

WHEREAS Section 7(f) of the Municipal Government Act RSA 2000 c M26 states that a council may pass bylaws for services provided by or on behalf of the municipality;

WHEREAS Section 7(g) of the Municipal Government Act RSA 2000 c M26 states that a council may pass bylaws for public utilities;

WHEREAS the Town of Grimshaw has constructed and now maintains utility systems to provide for water and wastewater;

WHEREAS it is deemed just and proper to levy rates and charges on all persons to whom such utility services are provided and to set forth the terms and conditions under which such utility service will be provided and

WHEREAS provincial legislation including the Municipal Government Act has given the municipal council of the Town of Grimshaw the authority to regulate and provide for the supply and use of the water and disposal of wastewater throughout the municipality.

NOW THEREFORE the municipal Council of the Town of Grimshaw, duly assembled enact as follows:

1. This bylaw may be called the "Water and Sewer Bylaw"
2. Definitions:
  - a. "Apartment Building" or "Multi Family Building" shall mean a residential building containing three or more dwelling units.
  - b. "Approved" shall mean authorized by the Town of Grimshaw.
  - c. "Authorized employee" is a person appointed by the Town's Chief Administrative Officer to act on behalf of the Town with regards to the Town's water and sewer and storm drainage systems.
  - d. "Consumer" shall mean a corporation, or person, or contractor, or occupant, or owner requiring the service as the context requires.
  - e. "Owner" shall mean the registered owner of a property or the purchaser thereof.
  - f. "Premises" includes land and buildings
  - g. "Service Connection: for the purpose of this bylaw shall mean all that portion of the pipes, wires, or things that provide a public utility situated between the public utility main and the property line of the property to which such utility is supplied.
  - h. "Street" shall mean all those lands situated within a registered road right-of-way at the Land Titles Office, Edmonton, Alberta.
  - i. "Sewer" shall mean the Town's sanitary sewer system, including all mains, services, treatment, and storage facilities.
  - j. "Storm Drainage: shall mean the Town's storm drainage system, including ditches, catch basins, underground works and outflows.
  - k. "Town" shall mean the municipality of the Town of Grimshaw, an incorporated body in the Province of Alberta.
  - l. "Utility" and "Utility Service" shall mean and include, as the context may require:

- i. The supply of water
    - ii. The provision of wastewater collection and disposal
  - m. "Water" shall mean the Town's Waterworks System, including all mains, services, storage, and treatment facilities.
3. Town of Grimshaw water and sewer utility rates, charges, times and places when and where they will be payable shall be fixed as specified in the Town of Grimshaw's Fees Bylaw, and
4. That the Town of Grimshaw fines and penalties for infractions of this Bylaw shall be established as specified in the Town of Grimshaw's Fees Bylaw.
5. Use and Control of Waterworks, Sewers and Sewage Disposal Works:
- a. The use and control of all water, sewer and drainage systems belonging to the Town, now laid down, constructed or built subsequent to the passing of this bylaw, shall be in accordance with this bylaw and shall be under the management and control of the Chief Administrative Officer.
  - b. The Town does not guarantee the continuous uninterrupted supply of any utility, and reserves the right at any time without notice to shut off such supply where required in the maintenance or operation of the utility and the Town, its officers, employees or agents shall not be liable for any damages of any kind due to or arising out of a failure to supply a utility.
6. Control of Water and Sewer Systems:
- a. All waterworks, sanitary sewers, storm sewers, drains and sewage disposal works belonging to the Town, now laid down, constructed or built, or hereafter laid down, constructed or built, shall be of a heavy walled P.V.C. material or better quality and shall be installed under the direct control and supervision of the Director of Operations, Water & Sewer Manager, and/or the Town Engineer.
  - b. In any case where a steam boiler or equipment of a like nature is supplied directly from a water service, such boiler or other equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent collapse or explosion in the event that the water supply is shut off.
  - c. An owner shall, at the owner's expense, maintain the water and sewer service from the owner's building up to and including the connection with the Town's water and sewer lines.
  - d. No person shall remove, operate, or alter any portion of the utility services owned by the Town of Grimshaw except an authorized agent or employee of the Town of Grimshaw. A consumer/owner shall be responsible for all damage to or loss of such property.
  - e. No person shall use a utility service in any manner that causes any interference or disturbance to any other consumer's use of the utility services.
  - f. No person shall obstruct or impede access to any service, water main, sanitary sewer or any other aspect of the utility services.
  - g. No person shall install or allow to be installed any temporary or permanent structures that could interfere with the proper and safe maintenance and operation of the utility services or result in damage to the utility service.
  - h. No person shall extend a private service from one lot to another without the prior written consent of the Town of Grimshaw.
  - i. The property owner shall be responsible for the condition and protection of all facilities on the owner's property. The owner shall be liable for any destruction of or damage to the Town of Grimshaw's water facilities or wastewater facilities located on the owner's property unless the destruction or damage is caused by the act of an agent or employee of the Town.
  - j. The Town of Grimshaw shall reasonably respond to a consumer's/owner's request to attend a property in order to minimize or rectify actual or potential interruption to utility services. The owner shall pay the charges for consumer's/owner's

requested service call unless the source of the problem is caused by the Town of Grimshaw.

- k. The Town of Grimshaw shall not be liable for damages:
  - i. Caused by the break or failure of any portion of the water or wastewater facilities.
  - ii. Caused by the interference or cessation of utility services in connection with the repair or proper maintenance of the utility services.
  - iii. Generally, for any accident or incident due to the operation of the utility services unless such costs or damages have been shown to be directly due to the willful act of the Town of Grimshaw or its employees.

Without limiting the generality of the foregoing, the Town of Grimshaw is not responsible or liable for costs or damages that are based on nuisance. All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be applicable in respect of the provision of the utility services or anything else associated to these terms and conditions.

#### 7. Provision of Utility Services

- a. The Town will restore extended service interruptions due to breaks of water mains or sanitary sewers, plugged or collapsed, water mains or sanitary sewers or other reasons as soon as practically possible.
- b. When the Town performs a repair on the utility services that affects a consumer's property, the Town will return the property to original or similar to original condition.
- c. The Town will endeavor to provide a continuous supply of utility services. However, a continuous supply of utility services is not guaranteed;
- d. In the case of extended service interruptions, the Town will make reasonable efforts to supply utility services to consumers or groups of consumers through alternative means.
- e. The Town is not responsible for changes to the characteristics or properties of the water as a result of complying with any provincial or federal government standards that are applicable. The Town is not responsible for any resulting changes to any facility, process or production or cost impacts upon consumers or their business as a result of such measures.
- f. The consumer shall take all necessary measures to prevent damage to a private service due to any cause, including settlement of the structure or ground through which the line passes.
- g. A utility account shall be set up in the name of the owner of the property only unless a Town of Grimshaw Utility Service Agreement form has been signed by both the renter and owner.
- h. There shall be a utility account with respect to each meter.

#### WATER SYSTEM

#### 8. Tapping Water Mains:

- a. No person, except authorized employees of the Town shall make any connection with any of the Town public water pipes or mains unless authorized by a Town employee. The connection then must be inspected by the Director of Operations, Water & Sewer Manager or authorized Town employee prior to backfilling.
- b. All water service lines installed on private property between the property line and the water meter shall be of the same size as the service line installed in the street between the water main and the property line and constructed of material approved by the Town.
- c. Each private service line shall be constructed and maintained by the owner of the property on which it is located in accordance with the requirements of this Bylaw.

#### 9. Meters

- a. Each property will be supplied with the first meter at no charge.

- b. Each customer shall provide adequate protection for the meter supplied by the Town against freezing, heat or any other internal or external damage, failing which the customer shall pay the Town all costs associated with the repair of such meter which amount shall be recoverable in the same manner as all other costs and charges provided for under this bylaw.
- c. If, upon the reading of a meter, it is determined that the meter has failed to record the consumption of the utility supplied then the consumption will be estimated and the account rendered based upon such method as the Senior Administration considers to be fair and equitable.
- d. Where it has been determined by the Town that the meter is not recording the consumption of a utility, the Town, with reasonable notice to the customer, must be allowed to enter the premises to replace/repair the meter.
- e. A customer who disputes a meter reading shall give written notice to the Town. Following receipt of written notice:
  - i. A flow test on the meter will be done by a Director of Operations or Water and Sewer Manager. When a flow test is required the meter must be brought to the town shop by a plumber (at the residents cost). The town will hook the meter in question to a new meter set up for the purpose of testing. The two meters will have water run through them in tandem and the flows for each meter will be recorded. It should be noted that the meters could be out 10% over or under. If the plumber cannot remove the meter but there is reasonable access to it, a flow test can be done by running a known amount of water from a tap in the house or outside and then checking the meter register. In the event that the said meter is found not accurate within the said limits then any meter handling and testing fees paid by the customer shall be refunded, and the billings adjusted to fully take into account such error. Unless an examination of past meter readings or other information discloses the time at which such an error commenced, then such error shall be deemed to have commenced three months prior to such testing of the meter or from the date upon which the meter was installed, whichever is lesser. The amount so determined shall be deemed accepted by the customer and the Town as settlement in full of all claims on account of the inaccuracy of such meter. If an agreement cannot be reached between the Town and customer regarding the accuracy of a meter after a flow test, the meter shall be sent to an independent meter shop.
- f. All property owners shall, at the property owner's expense, supply and maintain valves on both sides of and within 40 cm of the meter, regardless of size.

#### 10. Meter Reading

- a. Where meters are read manually, the meters shall be read monthly.
  - i. The applicable water charges shall be levied and collected based on the actual consumption of water used by every owner or occupant of land who received water directly from a connection with the Town's Water Distribution System.
- b. Where meters are read electronically, the meters shall be read monthly.
- c. If a meter cannot be read in any given month, the water consumption readings shall be an estimated volume based on prior usage for each water utility customer.
- d. The customer shall ensure that access to the meter is safe, well lit, and free of hazards to the person reading the meter.

#### 11. Turning on Water

After any construction, reconstruction, or alteration, or the completion of any work requiring a plumbing permit, development permit and/or a building permit, water shall not be turned on permanently to any building or premises until after the whole of the work has been done to the satisfaction of those parties issuing the applicable permits and copies of such permits provided to the Town of Grimshaw. Water shall

only be turned on or off with a work order written by an authorized employee of the Town.

12. Disposal of Water

- a. No person being an owner, occupier, tenant or resident of any house, building or other premises which are supplied with water from the water system, shall vend, sell or wrongfully and/or negligently dispose of, or improperly waste any water therefrom.
- b. No consumer shall cause, permit or allow the discharge of water so that it runs to waste, whether by reason of leakage from underground piping, a faulty plumbing system or otherwise.
- c. The Town may cause the water supply to any consumer who violates Section 13 a. to be shut off until such time as such consumer establishes to the satisfaction of the Town that he has taken such steps as may be necessary to ensure that any water supplied to him by the Town will not run to waste.

13. Wells and Other Sources of Supply of Water

- a. No well, cistern, or other source of water except the Town water mains, shall be permitted in the Town without written permission being obtained from the Council for that purpose.

14. Interference with Hydrants, Valves, Meters and Related Service Lines

- a. Except where authorized by the Town, no person or enterprise shall open, close or interfere with any hydrant, valve, or curb cock valve connected to the Town Water/Wastewater System.
- 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, training exercises, testing fire hoses, and for fire protection, but all such uses shall be under the direction and/or supervision of the said Chief or his duly authorized assistants, or Director of Operations or Water and Sewer Manager.
- c. During winter months a log will be kept as to which hydrants are being used and the Director of Operations and the Water and Sewer Manager will then ensure that proper winter maintenance is done.
- d. No person shall in any manner obstruct the free access to any hydrant or valve or curb cock. No vehicle, building, rubbish or any other matter, which would cause such obstructions, shall be placed nearer to a 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.
- e. No person shall interfere with, or tamper with any meter or transmission device.
- f. No person shall alter, change, obstruct, or connect to any Town water service line in such a way as to bypass the water meter, except where a Town employee is so required to repair the meter or water service line, or install a bleeder line.

15. Water Service Line Break Shut-Off and Repair Policy

- a. When a water service line break occurs between the curb cock and the affected residence, the Town will shut off the water at the curb cock.
- b. The owner and occupant of the affected property will be notified of said shut off and also that the water service shall remain off until such time as the water service line is repaired.
- c. For the purpose of determining the responsibility for a leaking service connection, the curb cock valve or service supply valve is considered to be at the property line whether the physical location of said valve is on the legal property line or not. If the leak is determined to be on the property owners' side of the valve, then the repair is the responsibility of the property owner. If the leak is determined to be on the Town side of the valve, then the Town shall be responsible for the repair.

- d. When a water leak is on the property owner's side, the curb cock will require inspection by the Director of Operations or Water and Sewer Manager with the homeowner/contractor notifying Public Works 24 hours prior to repairs to schedule the inspection. The Town of Grimshaw will supply the contractor at no cost the curb cock and freeze kit for the Contractor to replace unless otherwise directed by the Director of Operations and the Water and Sewer Manager. The curb cock is one unit which includes the box, rod and valve. The responsibility to replace the disturbance of the ground to the original condition shall be the homeowner/contractor.
  - i. All repairs that connect to the curb cock completed by the property owner require inspection by the Director of Operations or the Water and Sewer Manager prior to backfilling. Should the property owner backfill without the inspection being completed by the Town of Grimshaw Director of Operations or Water and Sewer Manager, further leaks to this water line within ninety days will be repaired at the property owner's cost no matter if the leak is on the property owner's side or the Town of Grimshaw side of the property line.
  - ii. A property owner's repairs require inspection by the Director of Operations or the Water and Sewer Manager, the inspection will be done within 2 hours of receiving the request unless otherwise directed by the Chief Administrative Officer. The water must be turned on and the service line charged to both sides of the curb cock during the inspection.
  - iii. Should the repair be in a driveway, the Town of Grimshaw Driveway Replacement Policy shall apply (Driveways are not to be located over a curb cock).

#### SEWER SYSTEM

##### 16. Use and Protection of Sewer Systems

- a. No person shall throw, deposit or discharge in any town sewer line, trap, basin, grating, manhole or other appurtenance of any town sewer, any materials, except feces, urine, the necessary closet paper, and/or the waste paper required to properly discharge same into a town sewer.
- b. No person shall permit to be discharged into any sewer, any liquid or liquids, or any chemical refuse, or other trade waste, or any other waste which would prejudicially affect or damage the sewage system or disposal of sewage, or any matter or substance by which the free flow of the sewage may be interfered with.
- c. No person shall make or cause to be made any connection with any Town sewer, or house drain, or appurtenance thereof for the purpose of conveying any inflammable or explosive material, cistern or tank overflow, condensing or cooling water.
- d. No person shall make or cause to be made any connection with any Town sewer, house drain, or appurtenance thereof for the purpose of conveying, or which may convey; into the same any storm sewer or roof drainage.
- e. No person shall interfere with the free discharge of any town sewer or operation thereof, or do any act or thing which may impede or obstruct the flow or any town sewer or appurtenance thereof.
- f. The Town Director of Operations/Water & Sewer Manager or designated staff shall have the right at all reasonable times and upon suitable notification, to enter houses or other places which have been connected with the town sewers, for the purpose of ascertaining whether or not any improper material or liquid is being discharged into the sewers; and he shall be authorized to stop, prevent or disconnect any private sewer or drain through which substances are being discharged which are unauthorized and therein liable to injure the sewers, or obstruct the flow of sewage.
- g. No person shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any town sewer, except duly authorized employees of the Town.

- h. No person shall cut, break, pierce or tap any town sewer or appurtenance thereof, or introduce any pipe, tube, trough or conduit into any town sanitary sewer line.
- i. No sewage from any source may be discharged above ground or into any Town storm drain and/or gutter.

17. Industrial or Trade Wastes

No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged into any Town sewer (sanitary or storm) without such previous treatment as shall be described and approved by the Council and Alberta Environment for each such case. The necessary treatment works so prescribed shall be completely installed by the applicant, at his expense. Prior to the construction of the sewer connection, and thereafter shall be continuously maintained and operated by the applicant/owner/or occupant of the property on which the treatment works are located.

18. Grease Traps

Grease traps of sufficient size and approved design shall be placed on the waste pipes from all hotels, restaurants, laundries or such other places that would deposit grease or soaps into the sanitary sewer as the Council may so direct, at the owners' expense.

19. Sewer Connections

- a. No person, other than duly authorized employees of the Town, acting under the direction of the Director of Operations or the Water & Sewer Manager shall make any connection to, cut or otherwise tamper in any way with a public or town sewer line.
- b. Where premises are subject to backflow, all plumbing fixtures and floor drains set below the level of the ground surface of the adjoining street or property shall be protected from backflow by an approved flow valve.
- c. All new construction shall be protected from backflow by an approved backflow valve.

20. Sewer Line- Service Blockage Procedures

- a. If in the case of an emergency, the Director of Operations or the Water and Sewer Manager is requested to respond to an initial call, and if it is found that the blockage was not caused by the Town main line, the owner and/or user will then be directed to contact a plumber.
- b. When the plumber has determined that a blockage is caused by tree roots from a tree situated on Town property, he shall then advise Director of Operations or Water and Sewer Manager, prior to commencing any further action. This will enable the plumber and Director of Operations or Water and Sewer Manager to make a proper evaluation of the problem, and recommend a solution.
- c. The Town may remove any tree on a boulevard that is deemed to be causing root problems in the residential sewer line.
- d. Subject to Article (c), should the service line problem persist then it will be the property owner's responsibility to repair and/or replace the plugged line from the property line to the building, if required, and conform with the same policy that applies for installation of Town water and sewer services to the property line. The Town shall then, at the same time, replace said line from the property line to the main line, at Town cost.
- e. The responsibility for all service line blockages, excepting tree roots from a tree situated on Town public property, shall be that of the owner, and/or user, and said responsibility shall apply from the residence or dwelling, or place of business, to the main line.
- f. For those blockages that the Director of Operations or Water and Sewer Manager are called to respond to, the Director of Operations or Water & Sewer Manager shall so report to Council, in his monthly report.

21. Billed Water Accounts

- a. All water accounts shall be billed to the owner of the property.
- b. The owner of the lot that a manufactured home is situated on is liable for utility charges.

22. Water Meter Damaged or Tampered

- a. Where a water meter is found to be damaged or tampered with, the utility charge rate shall be set based on the highest monthly rate of consumption of water used within a prior 12 -month period for that premise.
- b. The fore described rates shall not exempt the user from being charged and/or for paying any fines and penalties which may be imposed for having committed an infraction of this bylaw.

23. Faulty or Mechanically Defective Meter

- a. Where a water meter is found to be faulty or mechanically defective, which has not been caused by the user, the monthly rate shall be calculated based on an average of the prior consumption.

24. Water and Sewer Public Utility Charges

- a. The accounts for water and sewer shall be due and payable when rendered, with payment to be made at the Town Administration Office, or at such other places or banks as may be designated from time to time by Council, and failure to receive an account shall in no way affect the liability of the consumer to pay the account.
- b. In the event that the water and sewer rates utility bill remains unpaid when due and collectible, the following procedures shall apply:
  - i. When a water and sewer utility bill is not paid by the due date specified on the bill, the utility bill shall be in arrears, and a penalty of 10% (ten per cent) shall be added to the current levy only, and form part of the rates levied.
  - ii. For properties occupied by the owner of the property or their tenant, when a water and sewer utility bill remains unpaid for a period of thirty (30) days after the date of mailing the utility bill the following further action shall be taken:
    - a. The Town Administration Shall
      - i. Cause written notice to be mailed by Regular Mail, to the delinquent customer, advising that the water service shall be closed unless the total arrears and penalties are paid in full within seventy-two (72) hours from the date of mailing of the notice, which period shall not include Saturday, Sunday or holidays, and
      - ii. There shall also cause to be posted on the property of the delinquent customer, prior to account closure, a bright orange fluorescent final disconnection notice, therein stating the time and place of action required to prevent account closure.
    - b. Where accounts have been closed, the water shut-off shall become effective on the first working day following the notification period stated in Sub-Article a) i) and ii), excepting Friday, which shall then apply to the next regular working day.
    - c. Where action is required pursuant to 24. (b)(ii), the Clerk in charge of the water accounts shall verify which accounts have been paid, then process a work order therein closing all delinquent accounts without further delay or notice unless there are extenuating circumstances, where life or property is endangered, in which case the matter may be referred to Senior Administration and/or Council for a decision.



- d. The Town reserves the right to leave water on and transfer unpaid amounts to the tax roll.
- iii. Where the occupant is not the owner or purchaser of a building or lot, or part of a lot:
  - i. When a water and sewer utility bill remains unpaid after a period of 90 days, the outstanding balance shall be transferred to the tax roll and become part of the taxes owing on the property.
  - ii. The owner shall be notified by mail that the outstanding amount of the water bill is being transferred to taxes on the specific date and will become part of the taxes owing on the property.
- c. All utility arrears shall be disclosed on any tax certificate produced.
- d. Each time water is shut off at the curb cock; there shall be a charge specified in the Town of Grimshaw's Fees Bylaw.
- e. Each time water is turned on at the curb cock; there shall be a charge specified in the Town of Grimshaw's Fees Bylaw.
- f. Additional charges for unusual circumstance water shut offs will be at the Town's cost.

25. Opening and Closing a Utility Account

- a. Water Application Fee to open a utility account non-refundable is specified in the Town of Grimshaw's Fees Bylaw payable on 1<sup>st</sup> billing.
- b. Water Application Fee to re-open a utility account after the account has been closed for non-payment is specified on the Town of Grimshaw's Fees Bylaw payable on next billing.

26. Meter Repairs

- a. No Charge –unless damaged by the user.

27. Water Turn On for Testing Purposes

- a. There shall be no charge for turning on water services for testing purposes in new premises and the owner and/or contractor shall be present for said test. After the test is completed, the water will be turned off.

28. Water Services to Out-of-town residents

- a. The water rates payable by those users located outside the corporate limits of the Town of Grimshaw shall pay on a metered basis and said use shall be for residential purposes only.
- b. Such revenue shall become part of the Town's water supply system revenue.


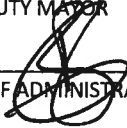
29. Water Turn-On Procedures

- a. The water turn-on procedures shall be as follows:
  - i. All requests shall be made through the Town Office only.
  - ii. The Administration shall then issue a work order authorizing the work to be done. i.e. read meters and turn water on/off
  - iii. The Public Works Department will be notified of work orders daily.



Should any provision of this bylaw be invalid then such invalid provision shall be served and the remaining bylaw shall be maintained.

This Bylaw shall upon third and final reading and passage thereof, rescind the Town of Grimshaw Bylaw 1150.



READ a first time this 14<sup>TH</sup> day of September, 2016.

  
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DEPUTY MAYOR  
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

READ a second time this 23 day of November, 2016.

  
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MAYOR  
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER

READ a third time and finally passed in Council this 23 day of November, 2016.

  
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MAYOR  
  
\_\_\_\_\_  
CHIEF ADMINISTRATIVE OFFICER