

**BYLAW NO. 2019 - 840
VILLAGE OF MANNVILLE
UTILITY BYLAW**

A BYLAW OF THE VILLAGE OF MANNVILLE IN THE PROVINCE OF ALBERTA TO ESTABLISH THE TERMS AND CONDITIONS FOR THE SUPPLY, MAINTENANCE AND CONSTRUCTION OF THE WATER, SEWER AND GARBAGE SERVICES.

WHEREAS, Sections 7 and 8 of the *Municipal Government Act*, Chapter M-26, R.S.A. 2000, give authorization to the Village; and

WHEREAS, The Village provides water supply and distribution, sanitary sewage collection and disposal system, and a waste disposal service;

WHEREAS, Council deems it necessary to outline the roles and responsibilities of the consumer and authorized personnel;

NOW THEREFORE, the Council of the Village of Mannville enacts as follows:

1. This Bylaw shall be known as the "Utility Bylaw".
2. In this Bylaw, unless the context otherwise requires:

"Authorized Person/Personnel": any person employed by the Village of Mannville.

"Back Flow": the reversal of flow of any water, wastewater or any other liquid, chemical or substance back into the water supply system.

"CC Valve": the device on a water service line used to interrupt or discontinue the supply of water.

"Consumer": the owner of the lands and premises in which any Village water and/or sewer services are installed.

"Cross Connection": an actual or potential connection from the Village's water system to any source of pollution or contamination that could render the Village's water non-potable or lethal.

"Cross Connection Control Device": a device or method that prevents back flow.

3. The Village shall:

- 3.1 Supply the utility services so far as there is sufficient capacity, upon such terms, costs or charges as established by Council, to any consumer where the property is situated along a water main and sewer main.
- 3.2 So far as is reasonably possible, endeavor to provide regular and uninterrupted operation of the utility services. However, breaks to water mains, sewer mains and other facilities are inherent to the normal operation of a utility and may result in interruptions to the utility service.
- 3.3 The Village or their agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of the water containing sediments, deposits or other foreign matter.
- 3.4 Does not guarantee the pressure of the water utility nor the continuous supply of water.
- 3.5 Reserves the right at any time, without notice, to change the operating water pressure of the water utility and to shut off the water utility.

4. Governing the use of water:

- 4.1 In case of making repairs or in construction of new works or in connecting or repairing service pipes, the Village shall have the right to shut off the water from any consumer without notice and keep it off as long as it is necessary.
- 4.2 However, the Village shall endeavor to provide notice to customers of such interruption of services and shall seek to minimize the inconvenience to consumers.

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5. Each existing lot or parcel and each principal building or occupant, shall be provided with a separate water and sewer service where feasible.
6. The Village of Mannville owns, operates and is responsible for maintenance of all water system components on public property.
7. No person except those authorized by the Village shall make any connection with any of the public pipes or mains on public property.
8. No consumer, without first having obtained applicable provincial permits and a Village development permit, will make connection with any of the public water lines or mains. The consumer so authorized is fully liable for any damage caused while making such connection and will also provide adequate safety provisions during the connection.
9. All water service lines, laid down on private property, between the property line and the meter, will be constructed of CSA approved material of equal quality to and compatible with, the service lines in the street between the street main and the property line.
10. The property owner owns, operates and is responsible for maintenance of water service lines on private property. All property owners shall keep and maintain service piping in proper working conditions and free from leaks. Property owners are also responsible to ensure other utilities such as gas for heating purposes are utilized when the Village services are running, should the gas be turned off it is the responsibility of the property owner/tenant to contact the Village so the water can be turned off to prevent the lines from freezing and breaking.
11. All water users require meters and water meter seals to be installed on their premises, which are owned, supplied and maintained by the Village. Installation requires an open area of approximately 18" square above the main control valve and this area must be left accessible. The owner must do such work entirely at his or her own cost and to the specification required by the Village.
12. The Village will replace any meter that stops working due to normal wear and tear at no cost to the owner.
13. No person shall disconnect a meter or do anything which may prevent or impede the flow of water through a meter or the recording of the flow of water through the meter, or which may affect the proper operation of the water meter.
14. No person shall interfere with, cut or remove the wire seal on a meter or valve, except in the case of an emergency.
15. In the event a person breaks a seal on a valve in order to obtain a supply of water for emergency purposes, that person shall notify the Village within twenty-four (24) hours during regular business hours.
16. The owner shall install a control valve in the service pipe before the meter setting. The meter setting and control valve shall be positioned near the point where the private service enters the owner's building. The owner shall maintain the control valve in sound working order.
17. The owners, occupants or tenants shall be responsible for protecting the meter from interference or injury or frost or any type of defacement and shall be liable for any damage that may occur to the meter. In the event that a meter is damaged, the owner shall be responsible for all replacement costs.
18. The owners, occupants or tenants shall allow access to the premises for the authorized person charged with:
 - 18.1 The installation, removal, inspection, repair, reading and otherwise dealing with the water meter or water meter seal for the checking of service piping, fixtures connected to and drawing water from the Village's system.

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- 18.2 In the event the Village initiates a water meter change-out project, the property owner must ensure that an appointment is made to change out the old metering equipment with the new metering equipment. Failure to comply with booking such an appointment could result in utility service cancellation, reconnection charges and the full cost of the meter replacement labor charges.
19. The Village shall have the right to restrict or ration the amount of water used during periods of heavy demand, upon 24 hours' notice, conditions permitting, or interrupt the service for necessary maintenance, repairs or firefighting or any other possible emergencies.
20. When water restrictions are set by the Village through advertising via usual communication methods, anyone found watering with an outside hose will receive one warning and the next time they will be fined in an amount as set in the Village's Master Rate Bylaw, as amended from time to time. If the fine is not paid within 21 days, the fine will be added to their utility bill.
21. Except as hereinafter provided, no persons other than those authorized by the Village will open or close or operate or interfere with any valve, hydrant or fire plug or draw water there from.
- 21.1 In the case of new construction or reconstructed premises, proof of a plumbing permit may be required before the water service valve will be turned on.
22. No person will in any manner obstruct the free access to any hydrant or valve.
23. No person shall interfere with, damage or make inaccessible any CC valve due to the construction of sidewalks, pathways, driveways or any similar construction. The owner will be required to pay all costs, in addition to the penalties in Master Rates Bylaw, involved in repair of or changes to a CC valve due to inaccessibility to or damage to the CC valve by the owner.
24. No person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fitting, container or appliance, in a manner which, under any circumstances, may allow water, waste water or any other liquid, chemical or substance to enter the water system.
- 25. Governing the use of the Sanitary Sewer:**
- 25.1 The Village of Mannville, as owner and operator of a sanitary sewage system, recognizes a responsibility to maintain that piped system. This responsibility extends to all trunk sanitary sewers, sanitary sewer mains and sanitary sewer services on public property, except individuals plugging that portion of the sanitary sewer service pipe on public property are responsible for removing that obstruction.
- 25.2 The Village of Mannville owns, operates and is responsible for maintaining the sanitary sewer system on public property, including the sanitary sewer service pipe from the sewer mains to the boundary of the private property which is then the responsibility of the property owner.
- 25.3 All properties that generate sewage and wastewater shall be connected to the Village's sewer system.
26. No person, without first having obtained applicable provincial permits as well as permission from the Village through a development permit, or signed servicing agreement will make connection with any of the public sewer lines or mains. The person so authorized will be fully liable for any damage caused while making such connection and will also provide adequate safety provisions during the connection.
27. All sewer service lines, laid down on private property, between the property line and the buildings being serviced, will be so constructed of C.S.A. approved material of equal quality to the sewer service line in the street between the street main and the property line. Connection must be as per current C.S.A. standards.

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28. Authorized persons shall have the right at all reasonable times to enter houses or other places which have been connected with the Village sewer system, that have been given him/her to ascertain whether or not any improper material or liquid is being discharged into the sewers, and he/she shall have the power to stop or prevent from discharging into sewer system which are liable to injure the sewers or obstruct the flow of sewage.
29. No substance may be discharged into the sewer system that is toxic, hazardous or poisonous.
30. The owner of any property, building or facility connected to the Village's sanitary sewer systems owns, operates and has the responsibility to maintain the sanitary sewer pipe on private property and any other maintenance costs or expenses (snaking/camera) etc.
31. The owner of any property connected to the Village's sanitary sewer system is responsible for unplugging any blockage in the sanitary sewer service pipe on both private and public property, from the building to the sewer main connection location, both with respect to engaging a sewer cleaning contractor to unplug the pipe and bearing the cost of such service. If the main sewer line is running free, then the plugged sewer is deemed to be the responsibility of the property owner. The unplugging of a blockage in a sanitary sewer service pipe caused by tree roots from tree located on private property is considered to be the responsibility of the property owner.
32. In the event that a blockage occurs in that portion of the sanitary sewer pipe on public property which is caused by a structural defect in the pipe, the Village will repair the sewer pipe and reimburse the property owner or occupant for the costs of unplugging that pipe, if such costs can be supported by a paid invoice.
33. That on all new construction a sewer back-flow prevention device must be installed in all building sewer lines.
34. That on all new construction, a grease, oil and sand separators must be provided on private property for all commercial garages, service stations and car washes.
35. The Village may upon reasonable notice and at reasonable times enter buildings or other places which have been connected with the Villages sewers and facilities to ascertain whether or not any improper material or liquid is being discharged in sewers and the Village shall have the right to use any test or other means necessary to determine compliance with this Bylaw and to stop or prevent the discharge of any substances that are liable to injure the sewer or obstruct the flow of sewage.
36. Only authorized personal shall raise, turn, lift or remove any manhole cover, ventilator or any other item of the Village's sanitary sewersystem.
37. The owner of any building shall discharge the rainfall or snow melt from roofs by means of roof drains to the ground surface at the exterior of a building in such areas where public storm sewer connections are not provided. No person will discharge or cause to be discharged any storm water or natural water to any sanitary sewer.
38. All new construction, at the owner's own expense, must have the building weeping tile or any other foundation drain to a sump installed within the building; the sump shall discharge by pumping to the ground surface at the building exterior, as per the requirements of the Alberta Building Code. No person shall connect a weeping tile or other foundation drain to a sanitary sewer.
39. **Guidelines with Garbage:**
 - 39.1 The Village provides for residential garbage pickup through an automated garbage pickup with quick carts/ roll out carts, which are the property of the Village, with each cart registered to each address.
 - 39.2 Quick cart/ roll out cart replacement costs are the responsibility of the property owner if they are damaged or lost due to negligence and/or abuse.

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39.3 Where necessary or advisable, Administration is hereby authorized to make certain adjustments regarding the placing of quick carts/ roll out carts, etc.

39.4 Garbage of any sort is not allowed to accumulate on any premises within the Village and shall be disposed of as not to create a nuisance.

40. Termination of Village Utilities:

40.1 An owner who has been supplied with service and who desires the discontinuance of the use, must give the Village notice of discontinuance and provide; the name of the person responsible for further use, otherwise the rate previously charged will continue until such notice is given or the water turned off.

40.2 A final meter reading recorded on the last day of inhabitation or possession.

40.3 The final estimated bill may be added to the tax account to ensure payment when the premise is transferring ownership.

40.4 When the premises to which utility service is provided becomes vacant and no request for service has been made, the Village may terminate the account and, in lieu of disconnecting the service, open a new utility account in the name of the new property owner. Nothing shall prevent the new property owner from requesting that the Village disconnect such utility service provided all service charges, prescribed herein are paid.

40.5 The Village may discontinue the supply of all utility services for any of the following reasons:

40.5.1 Non-payment of any utility accounts;

40.5.2 Failure by, or refusal of, a customer to comply with any provisions of this bylaw;

40.5.3 Failure by, or refusal of, a customer to comply with any provisions of any Provincial Acts, the Building Code or any regulations thereunder;

40.5.4 At the owner's request to have services discontinued;

40.5.5 Repair;

40.5.6 Lack of water supply;

40.5.7 Defective piping;

40.5.8 Failure to comply with water rationing;

40.5.9 In any other case provided for in this bylaw.

41. Offenses and Penalties:

41.1 Any rates, costs or charges in arrears for water service supplied by the Village to any property, may be added to the taxes assessed against the real property to which the water or other services have been supplied, and may be collected in any of the ways provided by the collection of taxes, including tax recovery.

41.2 Any person violating any provision of this bylaw may be served by the Village with written notice stating the nature of the violation and requiring the satisfactory correction within 48 hours, or such additional time as determined by Administration. Such person shall, within the time stated in such notice, permanently cease all violations.

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42. Any person who fails to comply with any notice given to him/her under this bylaw; shall be guilty of an offence and upon summary conviction shall be liable to a penalty of not less than \$200 and not more than \$10,000, plus court costs, to a term of imprisonment not exceeding 6 months.

43. General:

43.1 All unpaid utility invoices shall be charged a monthly interest rate of 2% on the total amount owing on the first day after utility invoices are due as noted on the utility invoice.

43.2 In case of any dispute as to the proper charge to which any property is subject by reason of the provisions herein contained, the matter shall be referred to the Chief Administrative Officer and where the dispute is not then settled to the satisfaction of a property owner, the owner may refer the matter to Village Council. Final appeal may then be made in the manner provided for the *Arbitration Act* of the Province of Alberta.

43.3 Bylaw No. 2016-813 is hereby rescinded

43.4 Should any part of this Bylaw be found to be invalid; it shall be severed from the remainder of this Bylaw and shall not invalidate the whole Bylaw.

That this bylaw shall take effect on the date of the third and final reading.

READ A FIRST TIME THIS 20 DAY OF AUGUST, 2019.

READ A SECOND TIME THIS 20 DAY OF AUGUST, 2019.

UNANIMOUS CONSENT FOR THIRD AND FINAL READING.

READ A THIRD TIME THIS 20 DAY OF AUGUST, 2019.

Chief Elected Official



Rex Smith

Chief Administrative Officer



Jody Quickstad