

BEING A BY-LAW OF THE TOWN OF WESTLOCK IN THE PROVINCE OF ALBERTA TO REGULATE THE SUPPLY AND DISTRIBUTION OF WATER AND TO REGULATE THE SANITARY SEWAGE COLLECTION SYSTEM

WHEREAS, under the provisions of Section 7, *Municipal Government Act*, Chapter M-26, R.S.A. 2000, as amended or repealed and replaced from time to time, the Council may pass a Bylaw for the purposes of public utilities.

NOW THEREFORE, the Town of Westlock Council enacts as follows:

SECTION 1 - SHORT TITLE

- 1.1 This Bylaw may be cited as the "Water and Sewer Utility Bylaw".
- 1.2 Where the provisions of this Bylaw conflict with the provision of any other Bylaw of the Town of Westlock, this Bylaw shall prevail.

SECTION 2 - DEFINITIONS

- 2.1 **APPLICATION** - the Application made by a Owner to the Town for;
 - (i) the provision of Water Utility and/or Sewer Utility; or
 - (ii) discontinuation of Water Utility and/or Sewer Utility whether temporary or permanent;
- 2.2 **DEPOSIT** - the amount of money required to be paid by the Consumer who is not the Owner before the Town supplies utility services. The non interest bearing Deposit fee is retained by the Town.
- 2.3 **ALTERNATE SOURCE OF WATER** – any source of water other than that which is provided through the Water Service as set out within this Bylaw.
- 2.4 **BULK WATER FILLING STATION**- the Town of Westlock's Bulk Water Filling Station located at 10035-108 Street Westlock and all parts and use thereof.
- 2.5 **BYLAW ENFORCEMENT OFFICER** – a Person appointed by Council pursuant to the *Municipal Government Act* and includes a member of the Royal Canadian Mounted Police, and when authorized a Community Peace Officer.
- 2.6 **CONSUMER** - any Person who has entered into an agreement with the Town for the provision of utility services, who is the Owner, or Tenant who has occupancy of any Property connected to or provided with a utility service.
- 2.6 **COUNCIL** - the Municipal Council of the Town of Westlock.
- 2.7 **CURB COCK** – a valve located on the municipality owned portion of the Water Utility, located between the main line and the Property line installed for the purpose of enabling the municipality to turn on or Shut Off the supply of water to the Property; commonly referred to as CC.
- 2.8 **DESIGNATED OFFICER** – the Town Manager, or any other individual designated for the purpose of enforcing the provisions of this Bylaw;

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2.9 LOW FLOW PLUMBING FIXTURES –

- a) Toilets having a total water usage of no greater than 6.0 litres or 1.6 US gallons per flush, including the contents of both the tank and bowl of the toilet;
- b) Urinals having total water usage of no greater than 3.8 litres or 1.0 US gallons per flush, but does not include urinals which automatically flush after a period of elapsed time, regardless of the amount of water usage per flush;
- c) Showerheads having a rate of water flow no greater than 9.5 litres or 2.5 US gallons per minute;
- d) Lavatory basin and kitchen sink faucets having a rate of water flow no greater than 8.3 litres or 2.2 US gallons per minutes; and
- e) Public restroom faucets having a total water flow of no greater than 1.8 litres or 0.5 US gallons per minutes.

2.10 METERS - Meters and all other equipment and instruments supplied and used by the Town or authorized by the Town to be used to calculate the amount of water consumed on the premises upon which such Meters are situated.

2.11 MUNICIPAL GOVERNMENT ACT – the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time and any regulations there under;

2.12 WORKING DAY – 8:30 a.m. – 4:30 p.m. Monday – Friday, excluding statutory and civic holidays.

2.13 ONCE THROUGH COOLING EQUIPMENT – cooling, air conditioning or refrigeration systems in buildings, building systems and equipment, which rely upon the temperature of the water for cooling purposes and deliver water to a drain or other discharge facility without having recycled the water, but does not include emergency or back-up once-through cooling systems.

2.14 OWNER – the person registered as the Owner of a Property pursuant to the provision of the Land Titles Act (Alberta) and shall include a person who is purchasing a Property under an Agreement for Sale.

2.15 PERSON – firm, corporation, partnership, Owner, occupier, lessee or tenant.

2.16 PRIVATE SERVICE or PRIVATE SERVICE PIPE - that portion of a pipes constructed by an Owner and used or intended to be used for the supply of water or collection of wastewater, as the context may require, in the case of a water service extending from the CC to and within a Property to the Meter, and in the case of a sewer service, extending from the Property line to the main clean out.

2.17 PROPERTY – lands, buildings, excavations, stockpiles, structures and appurtenances, or any personal Property located thereupon.

2.18 PROPERTY LINE – the boundary separating publicly owned land from private Property or the boundaries of a public or Town utility Right of Way or easement located on private Property.

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- 2.19** **PROVINCIAL OFFENCES PROCEDURE ACT** – the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.20** **SAFETY CODES ACT** – the *Safety Codes Act*, R.S.A. 2000, c. S-1, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.21** **SERVICE CONNECTION** – the part of the system or works of a utility that runs from the main lines of the utility to a building or other place on a Property for the purpose of providing the utility service to the Property and includes parts or works such as the pipes, wires, couplings, curb-cocks, Meters and other apparatus.
- 2.22** **SEWER MAIN** - those pipes, wires or other apparatus installed by the Town or the developer for the Town in Streets for the conveyance of storm sewer and Wastewater throughout the Town from which a Service Connection may be connected.
- 2.23** **SEWER UTILITY** - the system of the utility service owned, operated and provided by the Town to remove Wastewater from a Property through a Service Connection to the Sewer Main and to a treatment facility and all accessories and appurtenances thereof.
- 2.24** **SHUT-OFF** - an interruption in or discontinuation of the supply of water.
- 2.25** **STREET(S)** - all highways, roads, lanes, alleys, avenues, easements, thoroughfares, utility lots, drives, sidewalks, boulevards, parks, and public places unless the contrary is expressed or unless such construction would be consistent with the context of this Bylaw.
- 2.26** **TENANT** - a Person who is not an Owner but who is in legal possession of a Property to which a Utility Services are provided.
- 2.27** **TOWN** - the Town of Westlock, it's employees or its duly authorized representatives.
- 2.28** **TOWN MANAGER** - the Chief Administrative Officer of the Town or his/her designate.
- 2.29** **UTILITY SERVICE(S)** - means and include, as the context may require:
- (i) the supply of treated water;
 - (ii) the provision of waste water collection and disposal;
 - (iii) the provision of such other utility services as Council may determine.
- 2.30** **VACANT SERVICES** – a Property which has had the Water Utility disconnected at the request of the Consumer by way of the Town shutting off the Curb Cock valve.
- 2.31** **VIOLATION TAG** – means a tag or similar document issued by the Town pursuant to the *Municipal Government Act*.
- 2.32** **VIOLATION TICKET** – means a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*.

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- 2.33 WASTEWATER** – a combination of water and water-borne wastes from residences, business buildings, institutions, industries and other establishments and such ground, surface and storm waters as may be directed into the Sewer Utility.
- 2.34 WATER MAIN** - those pipes, wires and other apparatus installed by the Town or the developer for the Town in streets for the conveyance of water throughout the Town from which a Service Connection may be connected.
- 2.35 WATER UTILITY** – the utility service provided by the Town to provide water to Property located within the Town through a Water Main to a Service Connection.
- 2.36 NUMBER and GENDER REFERENCES** - All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female Person, or a corporation or partnership.

PART I. GENERAL

SECTION 3 - ADMINISTRATION

- 3.1** The Town shall, in accordance with the terms and conditions prescribed in this Bylaw, be responsible for the operation and management of all Utility Service facilities and equipment utilized for:
 - a)** Wastewater collection, treatment and disposal; and
 - b)** The treatment, supply and distribution of water.
- 3.2** The Utility Services of the Town of Westlock comprising of feed mains, Sewer Mains, Water Mains, manholes, lift stations, service pipes, fire hydrants, valves, Meters, services and all other appurtenances, together with the sale of water shall be under the management and direct control of the Town Manager, subject to the provisions of this Bylaw and all applicable policies of the Town.
- 3.3** The Town shall:
 - a)** 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;
 - b)** so far as is reasonably possible, endeavour 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.
- 3.4** The Town:
 - a)** does not guarantee the pressure of the Water Utility nor the continuous supply of water;
 - b)** 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;

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- c) recommends that Persons depending on continuous and uninterrupted supply of water or requiring a certain standard of water quality shall provide such facilities as are necessary to ensure the service, at their own cost and expense.
- 3.5 The provisions of the Bylaw shall form part of any contract between the Consumer and the Town for the supply of the Utility Services which supply shall be subject to all the provisions of this Bylaw.
- 3.6 The Consumer shall:
 - a) pay all charges and rates for the Utility Services provided by the Town in accordance with this Bylaw;
 - b) adhere to the requirements of this Bylaw;
 - c) be responsible for the condition and protection of all facilities located on the Consumer's Property. The Consumer shall be liable for any destruction or damage to the Utility Services facilities located on the Consumer's Property unless the destruction or damage is caused by the Town;
 - d) not extend a service from one lot to another without the prior written consent of the Town; and
 - e) at the request of the Town, grant, or cause to be granted to the Town, such easements or rights of ways over, upon or under the Property owned or controlled by the Consumer as the Town reasonably requires for the construction, installation, maintenance, repair, inspection and operation of the facilities required for the Utility Services to the Consumer, and for the performance of all other obligations required to be performed by the Town to maintain the Water Utility and Sewer Utility.
- 3.7 Unauthorized Persons are prohibited from entering any Town water or sewer distribution or treatment facility.
- 3.8 No Person shall be in contravention of a specific provision of this Bylaw if permission has been granted for the contravention by the Town Manager in writing.
- 3.9 A work order must be completed and signed by a Consumer providing two (2) Working Days notice prior to the commencement by the Town of any work on any component of the Utility Services or both located on the Consumer's Property.
- 3.10 Any Person requesting a service call to be made shall pay the fees as set in Schedule "A".

SECTION 4 - RIGHT OF ENTRY

- 4.1 For the purposes of enforcing the provisions of this Bylaw, a Bylaw Enforcement Officer shall be a Designated Officer.
- 4.2 A Designated Officer may, for the purposes of ensuring that the provisions of this Bylaw are being complied with, enter upon any Property in accordance with section 542, 543 or 544 of the *Municipal Government Act*, as applicable, in order to carry out an inspection, enforcement or other action required or authorized by this Bylaw, the *Municipal Government Act*, or any other statute.

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- 4.3** Before conducting an inspection pursuant to section 4.2, a Designated Officer shall provide the Owner or Tenant of the Property with reasonable notice as required by the *Municipal Government Act*. For the purpose of this Bylaw, a notice period of FORTY EIGHT (48) HOURS before commencement of the inspection is deemed to be reasonable notice.
- 4.4** Notwithstanding sections 4.2 and 4.3, a Designated Officer may enter and have access to all parts of a Property in which the Utility Services is provided by the Town, or intended to be provided by the Town, at any reasonable hour for:
- a)** The purpose of constructing, repairing or maintaining the system or works of the Water Utility, Sewer Utility or both, including but not limited to the main line, the Service Connection or the Meter;
 - b)** Reading Meters where the Consumer has provided written permission for the Town to inspect the Meter at anytime; or
 - c)** Investigating a Consumer complaint or query where the Consumer has provided written permission for the Town to investigate the complaint, query, including entering the Property at any reasonable time.
- 4.5** The Designated Officer will make reasonable efforts to notify the Consumer of when he intends to enter the Property, or other Person who is at the Property and appears to have sufficient authority to permit entry except:
- a)** In case of an emergency;
 - b)** Where entry is permitted under Order of the Court; or
 - c)** Where entry is authorized under a statute or other enactment.

SECTION 5 - LIABILITY OF TOWN

- 5.1** The Town shall not be liable for any loss, injury, damage, expense, charge, cost or liability of any kind, whether direct, indirect, special or of a consequential nature (except only as specifically provided for in this section) arising out of or in any way connected with any failure, defect, fluctuation, reduction or interruptions in the provision of Utility Services by the Town to the Consumers, howsoever caused, including that which is caused by or related to:
- a)** the break, blockage, stoppage or failure of any portion of the Utility Services within the Town;
 - b)** the interference with or cessation of the Utility Services in connection with repair or proper maintenance of the Water Utility, Sewer Utility or both;
 - c)** directly or indirectly as a result of the Town approving any Service Connection;
 - d)** any change in the water pressure of the Water Utility nor for the shutting off of water nor by reason of water containing sediments, deposits or other foreign materials; or

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- e) any accident or incident due to the operation of the Water Utility or Sewer Utility, unless such costs of damages have been shown to be directly due to an act of bad faith, gross negligence or wilful misconduct of the Town or its employees, agents or other authorized representative.
- 5.2 All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be applicable to the Town.

PART II. WATER UTILITY

SECTION 6 - USE OF WATER

- 6.1 The Town may, upon finding an unauthorized use of water, including the tampering with a Water Meter, Service Connection or Water Main or any part of the same, take corrective measures to repair or remedy the unauthorized use.
- 6.2 Any Person who contravenes any part of this Bylaw may be responsible for all charges for water consumed in accordance with the water rates sets out in this Bylaw and all charges incurred by the Town in repairing or remedying the unauthorized use pursuant to this Bylaw.

SECTION 7 - FROZEN WATER LINES

- 7.1 An Owner shall be responsible for the costs associated with frozen water lines, including but not limited to, thawing the line or repairing the line
- a) when the portion of the line frozen is between the Property Line and the Water Meter; or
 - b) when, although the location of the frozen line is between the Water Main and the Property Line, in the sole discretion of the Town Manager is determined to have been caused by the actions or results of the Owner or Consumer.

SECTION 8 - BOILERS & SIMILAR EQUIPMENT

- 8.1 In any case where a steam boiler or equipment of like nature is supplied directly from a water service, such boiler or other similar equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent the collapse or explosion of the boiler or other similar equipment in the event the Water supply is Shut Off.

SECTION 9 - CONTAMINATION

- 9.1 If a condition is found to exist which is contrary to this Bylaw, the Manager shall, depending on the nature of the hazard:
- a) Carry out an inspection and issue such order or orders to the Owner, Consumer or other person as may be required to obtain compliance with this Bylaw; or
 - b) Without prior notice Shut Off the water service or services
- 9.2 If the Owner, Consumer or other Person to whom the Manager has issued an order fails to comply with that order the Manager in his discretion may:

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- a) give notice to the Person to who the order was directed to correct the fault at the expense of such Person within a specified time period and if the notice is not complied with the Manager may then Shut Off the water services or services; or
- b) Without prior notice Shut Off the water service or services

9.3 Any water supply so Shut Off shall not be restored until the breach of this Bylaw has been remedied.

SECTION 10 - METERS

- 10.1** All water supplied by the Town to a Consumer through the Water Utility shall be measured by a Meter unless otherwise provided under this Bylaw or unless a special agreement is entered into between the Town and the Consumer, in writing.
- 10.2** All Consumer shall have a Meter connected to the Water Utility, and shall pay to the Town all regular billing charges for consumption whether an alternative source of water is used or not.
- 10.3** The Town is the sole supplier of Meters. As a condition of service, the Town may:
 - a) Determine the size, type and number of Meters to be supplied and installed in a premises;
 - b) Determine the location that the water Meter is to be installed.
- 10.4** One (1) Meter shall be provided, installed and maintained by the Town. Meter installations expenses including the cost of the Meter shall be borne by the Owner.
- 10.5** Notwithstanding the payment of any costs, all Meters fifty (50) mm in size or smaller shall remain the Property of the Town.
- 10.6** All Meters shall be installed in accordance with Town specifications and standards.
- 10.7** Any Consumer at their sole cost and expense, shall supply, install and maintain Shut Off Valves a minimum of fifteen (15) cm and a maximum of thirty (30) cm from the Meter connection on both sides of the Meter.
- 10.8** Water Meters shall be located horizontally and upstream of any take-offs except for approved fire lines, sprinkler controls or standpipe hose systems.
- 10.9** Meters and Shut Off Valves must be installed in an area readily accessible for Meter reading, inspection, repair and removal, and their location shall be subject to approval by the Town.
- 10.10** All Consumers shall give free access to all or parts of the building or Property in which water is delivered or consumed to the Town or its employees to install, inspect, repair and read the Meter or anything of a similar nature.
- 10.11** Water Meters, where practicable, may be read once every two (2) months or such other frequency as determined by the Town.
- 10.12** Where the Town is unable to obtain a Meter reading, or where a Meter fails to properly register the volume of water consumed within a Property, the amount of water consumed during the time period in

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which the Town has been unable to obtain a Meter reading or the Meter has failed to properly register, may be estimated by the Town based on the average daily consumption for the Property for a period of three (3) months, if known, or in the event that such information is not available, on the basis of the average daily consumption over a three (3) month period, for a comparable Property within the Town.

- 10.13** In the event a Meter reading is disputed by either the Town or the Consumer, a written notice shall be given to the other.
- 10.14** A Consumer that has reasonable ground to believe that a Meter is not operating correctly, or is damaged or broken, shall immediately notify the Town of the condition, its location and the estimated length of time that the Meter has been inoperable, damaged or broken.
- 10.15** A Consumer may request that the Town test a Meter located on the Consumer's Property and shall deposit with the Town the fee as set out in Schedule A. The Meter will then be removed from service and given a bench test. Should the Meter be found to be accurate within two and one half percent (2.5 %) of the actual amount of flow as determined by the Town, the Consumer shall forfeit the deposit to the Town to cover the costs of removal and testing of the Meter. Where the Meter is registering in excess of two and one half percent (2.5%) accuracy, the Consumer shall be refunded the deposit.
- 10.16** Should the Meter be found to over read or under read by more than two and one half percent (2.5%), the rate charged for the preceding two (2) Meter reading periods, will be adjusted by the same percentage as the Meter was found to be in error. The Person shall pay or shall be refunded the amount so determined and this payment or refund shall be accepted by both the Town and the Consumer as settlement in full to the date thereof of all claims on account of such Meter.
- 10.17** In the event that a Consumer refuses to allow a Meter to be read or fails to provide a Meter reading as requested by the Town, for a period in excess of six (6) months, the Town Manager may direct that the Water Utility to the Property be Shut Off, after providing twenty-four (24) hours written notice to the Consumer.
- 10.18** Every Consumer shall provide adequate protection for the Meter supplied by the Town against:
- a)** freezing;
 - b)** heat, or;
 - c)** any other internal or external damage.

The Consumer shall pay to the Town all costs associated with the repair and replacement of the Meter, if it is deemed by the Town Manager, that the Consumer did not adequately protect the Meter.

- 10.19** When in the sole discretion of the Town Manager the building or other premises intended to be supplied with water are too far from the Town service to conveniently install a Meter in such building or premises, or if a number of buildings are to be supplied or for any other reason in the opinion of the Town Manager, then the Consumer shall, at their sole cost, construct and maintain a container for a Meter and such container shall in all respects, including location, construction, size, access and otherwise, be satisfactory to the Town Manager.

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- 10.20** An Owner, at his own cost, may install a secondary Meter between the Meter supplied by the Town and the point of use of the Water supplied, upon receipt of written approval from the Town and shall in no manner interfere with the Meter installed by the Town. All Secondary Meters shall be owned and maintained by the Owner. An Owner shall immediately relocate a secondary Meter upon request of the Town Manager, if in the opinion of the Town Manager the secondary Meter is interfering in the operation of the Meter supplied by the Town.
- 10.21** For multi-use residential properties, including a Property that contains several buildings, a mobile home park, a condominium or a seasonal park with no permanent buildings, Meters shall be installed to Town Standards and specifications but shall also comply with the following requirements:
- a) if not installed indoors in a building or dwelling, the Meter shall be housed in an insulated enclosure with heat tape to and from the Meter;
 - b) the Meter shall be installed in a location that is easily accessible and protected from damage; and
 - c) wire for any remote reader shall be installed, by the Consumer at their sole expense, at the Street side of the unit and all wire used by the Consumer must be acceptable to the Town.
- 10.22** When the Town removes or relocates a Meter at the Owner's request, all costs associated with the removal or relocation shall be paid by the Owner.

SECTION 11 - AUTHORITY TO RESTRICT OR SHUT OFF WATER UTILITY

- 11.1** Where the Town determines that there is a water shortage, the Town may declare that water restrictions are in effect, and shall provide notice to the public of such restrictions by means of advertising the restriction in a local newspaper of general circulation, or by delivery of written notice to the affected residences and businesses, at least forty eight (48) hours prior to the date on which the water restrictions are to go into effect as per Schedule E.
- 11.2** The Town Manager may discontinue the provision of the Water Utility to a Consumer, where the Town Manager has reasonable grounds to believe that the Consumer has violated the water restrictions in force.
- 11.3** The Town shall give notice to Consumers when the Water Utility is to be Shut Off where possible, except in emergencies. The Town shall not be liable for any damages which may result to any Persons or Property from shutting off the Water Utility from any Water Main or service or for any purpose whatsoever even in cases where no notice is given.
- 11.4** The supply of water to any Person may be Shut Off for any or all of the following reasons:
- a) Repair;
 - b) Want of supply;
 - c) Non-payment of accounts rendered;
 - d) Defective piping;
 - e) Has abandoned or appeared to abandon the Property;

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- f) Has undertaken any activity which puts the integrity of the Town's Water Utility at risk;
- g) Where there is an emergency situation; or
- h) For any reason which the Town Manager or Council considers sufficient.

SECTION 12 - VACANT SERVICES - TEMPORARY DISCONNECTION

- 12.1** An Owner may request a Vacant Service; in which case the Owner shall provide notice to the Town in writing two (2) business days prior to the disconnect date. Water Utility is not deemed to be discontinued unless turned off at the Curb Cock.
- 12.2** The Town shall obtain a final reading of the Meter(s) and the Owner shall be liable for and payment of the rates and charges due until the time of the final Meter reading.
- 12.3** The Owner shall be responsible for all charges and applicable fees as set out in Schedule A.
- 12.4** The Water being Shut Off at the Water Meter by the Owner does not establish a discontinuance of Utility Service or Vacant Service.
- 12.5** The Town may discontinue the supply of a utility service for any of the following reasons:
- a) Non payment of any utility account; or
 - b) Inability of the Town to obtain access to a residential premises to read, repair or replace any Meter for a period of six months, or to a non residential premises to read, repair or replace any Meter for a period of three months;
 - c) Failure by, or refusal of, a Owner to comply with any provision of this bylaw; or
 - d) Failure by, or refusal of, a Owner to comply with provision of any provincial acts, the building code or any regulations; or
 - e) In another case provided for in this bylaw.

Any event the Town shall not be liable for any damages of any kind form such discontinuance of service.

SECTION 13 - ABANDON SERVICES

- 13.1** If potential for re-use of the water service exists, or for any reason the Town Manager deems acceptable, the water service may be temporarily disconnected at the Property Line at the cost of the owner. If a temporary discontinuation is allowed and thereafter, for any reason the Town Manager deems it necessary to do a permanent disconnect, the physical disconnection of a water service pipe from a water main, a charge will be made to the Owner pursuant to Schedule A.
- 13.2** If in the Town Manager's opinion, a temporary disconnection is inappropriate, a service kill shall be performed at the water main at the Owner's expense.

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- 13.3** If the water is to be Shut Off and the Meter removed for the purpose of demolition, the Owner shall be responsible of all costs associated with such. If the water cannot be Shut Off due to damage to the Curb Cock the Town shall excavate to the water service pipe and disconnect the services at the expense of the Property owner.
- 13.4** No permit for the demolition or removal of a building shall be issued by the Town nor shall any person cause, permit or allow to be demolished or removed a building connected to a utility service line or main until there has been paid to the Town of the cost of disconnecting the utility service in the amount under this bylaw, including costs of Meter and appurtenances and such utility services have been disconnected. The Town may in circumstances permit the services to remain connected to the utility service line or main.
- 13.5** Request for permit to demolish or remove a building shall be required to give a minimum two (2) business days notice to the Town prior to commencing the work.
- 13.6** If any sewer connection is abandoned, the Town shall, at the Owner's expense, effectively block up such connection at a suitable location within the Owner's Property so as to prevent wastewater backing up into the soil, or dirt being washed into the sewer.
- 13.7** A Consumer shall not assume the Water Utility has been discontinued. The Water Utility shall only be considered discontinued upon the Curb Cock valve being turned off by the Town.
- 13.8** A Consumer may apply in writing to the Town, to have their Water Utility reactivated, and the Town shall apply all applicable fees and charges to the Utility Account as set out in Schedule "A" of this Bylaw.
- 13.9** A Consumer who does not apply in writing to the Town to have their water discontinued nor provide an opportunity for the Town to turn the Curb Cock valve off, shall be responsible for all fees and charges, whether or not they would have qualified for vacant service if they had submitted an Application for such service.

SECTION 14 - WATER VALVES, HYDRANTS

- 14.1** The Town Fire Department is authorized to use the hydrants or fire plugs for the purpose of fire protection and suppression, and for fire training practices, all such uses shall be under the direction and supervision of the Chief or his authorized officers.
- 14.2** All Persons who owns Property on which a hydrant is located or Property which is adjacent to Property on which a hydrant is located:
- a) Shall maintain a two (2) meter clearance on each side of the fire hydrant and a one (1) meter clearance on the back of a fire hydrant, as set out in Schedule "F".
- 14.3** The Town may authorize the use of fire hydrants and the use of water from fire hydrants on a temporary basis where no other supply of water can be conveniently obtained. This authorization will require inspection and approval by the Town. A condition for the use of fire hydrants will be that the water pass through a Water Meter. No backflow wastewater or other substance can enter the water system.

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SECTION 15 - WELLS AND OTHER SOURCES OF SUPPLY OF WATER

- 15.1** No Person shall use an Alternative Source of Water for any purpose, including but not limited to residential use, except in accordance with the provisions of this Bylaw.
- 15.2** Notwithstanding section 15.1, a Person may use an Alternative Source of Water, if approved by the Town and the Owner has obtained the required provincial approval, license, registration or written confirmation from the appropriate provincial department or agency.
- 15.3** An Owner desiring to use an Alternative Source of Water shall apply for a permit for the Alternate Source of Water and submit the applicable fee as set out in Schedule "A" to this Bylaw.
- 15.4** An Owner shall submit to the Town, together with the Application for a permit for an Alternate Source of Water:
- a) Written approval by appropriate provincial department or agency and the Plumbing Inspector; and
 - b) Analysis of the water quality and evidence that such analysis is satisfactory to the Public Health Inspector, including confirmation from the Public Health Inspector that the water is potable and suitable for domestic consumptions.
- 15.5** No such permit shall be granted in connection with any premises abutting on a Street upon which there is a Town Water Main unless the supply obtained from such main is inadequate.
- 15.6** If the use of any such well or other source of supply of water is continued contrary to the provisions of this Bylaw – forty eight (48) hours after notice to discontinue the use of the same has been given by the Town to the Owner of the premises, such Alternative Source of Water may be declared a nuisance and dangerous to the public health or safety and shall be removed, filled up or otherwise abated, at Owner's expense.
- 15.7** Any permit issued by the Town for an Alternative Source of Water may be withdrawn by order of the Town any time without notice and no Person shall use an Alternative Source of Water after a permit for use of the same has been withdrawn.
- 15.8** No Person shall use an Alternative Source of Water without first having obtained a permit from the Town except for the purpose of watering lawns, gardens, flowers, shrubs or trees.
- 15.9** Any permit issued for an Alternative Source of Water shall only authorize the use of the water for the purpose indicated in the approval and no pipes or accessories from an Alternative Source of Water shall be connected to or laid within a structure connected to the Water Utility.
- 15.10** No permit issued under this Section shall give, or be construed to give the holder of the said permit the right to sell or distribute water within the Town.
- 15.11** A Person may be connected to the Water Utility for residential use, and upon receipt of written approval from the Town, in accordance with this Part, use an Alternate Source of Water for other purposes.

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- 15.12** The right to have an Alternative Source of Water shall be the exclusive right of the applicant. In the event of further development on the Property, the Owner shall enter into a development agreement with the Town and pay all costs associated with providing the land with the Water Utility.
- 15.13** The permit holder shall ensure that the Alternative Water Source is in no way connected to the Town Water Utility, to ensure the Town system will not be contaminated.
- 15.14** The Town may deny a permit where it deems it unsafe to drill a well, or any matter of safety is in question.
- 15.15** The Town may place such terms and conditions, deemed necessary on any permit for an Alternative Source of Water, including but not limited to, a specific period of time for which the permit is valid.
- 15.16** Any Person who has an Alternate Source of Water, shall install an approved Backflow Valve to ensure the Alternate Source of Water does not enter the Water Utility, prior to a permit for the Alternate Source of Water being issued.
- 15.17** The Town may pursue all legal remedies pursuant to any federal, provincial or municipal legislation or the common law, available to it in the event that the Town has reasonable grounds to believe that any Person has failed to take adequate measures to ensure that an Alternate Source of Water does not enter the Water Utility.
- 15.18** The Town shall not be responsible, in any manner, for the quality or quantity of water obtained from an Alternate Supply of Water.

SECTION 16 - BULK WATER FILLING STATION

- 16.1** Anyone who wishes to obtain water from the Bulk Water Filling Station shall apply for an account allowing them to obtain water from that source and they shall pay for the water and any other charges as set in Schedule A.

SECTION 17 - WATER CONSERVATION

- 17.1** All Plumbing Permit Applications shall demonstrate the use of Low Flow Plumbing Fixtures when the installation of toilet facilities or shower head is contemplated, to the satisfaction of the Town, on the permit application.
- 17.2** All toilet facilities installed after the coming into force of this Bylaw, whether as a result of new construction or renovation, shall be CSA certified and shall be a Low Flow Plumbing Fixtures.
- 17.3** All showerheads installed after the coming into force of this Bylaw, whether as a result of new construction or renovations shall be CSA certified and shall be a Low Flow Plumbing Fixtures.
- 17.4** Notwithstanding section 17.3, nothing in this Bylaw shall be interpreted to prevent the installation of more than one showerhead in a single shower enclosure, however, each showerhead installed shall be CSA certified and shall be a Low Flow Plumbing Fixture.
- 17.5** Notwithstanding the obligation and prohibitions in this Section, the Town Manager may, in writing, allow the installation of plumbing fixtures other than Low Flow Plumbing Fixtures having regard to any factor the Town Manager considers appropriate.

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SECTION 18 - ONCE THROUGH COOLING

- 18.1** No Person shall install or allow the installation of any Once-Through Cooling Equipment connected to the Water Utility, in any residential, industrial, commercial or institution construction, development, retrofitting or restoration project.
- 18.2** Notwithstanding the obligation and prohibitions in this Section, the Town Manager may, in writing, allow the use of Once-Through Cooling Equipment having regard to any factor the Town Manager considers appropriate

PART III. WASTEWATER UTILITY**SECTION 19 - PRIVATE WASTEWATER DISPOSAL SYSTEMS**

- 19.1** If a Property does not lie along the line of a Sewer Main, the buildings on such Property shall be connected to a private wastewater disposal system complying with the provision of this Bylaw and Town of Westlock Procedures and Design Standards for Development.
- 19.2** The type, capacity, location, and layout of a private wastewater disposal system shall comply with all requirements of the Alberta Private Sewage Disposal Regulations.
- 19.3** No private wastewater disposal system shall discharge to any storm sewer or natural outlet.
- 19.4** When a Property is situated along a Sewer Main and a lawful Private Wastewater Disposal System in operating on the Property, the Owner shall:
- a) Install the required equipment to connect the Private Wastewater Disposal System to the Service Connection, at the Owner's sole cost and expense; and; and
 - b) Obtain the required development permit from the Town authorizing the installation.
- 19.5** If a Property is situated along a Sewer Main, and no lawful private wastewater disposal system is installed on the Property, the Property shall be connected to the Sewer Utility, at the Owner's sole cost and expense, in accordance with the terms of this Bylaw, unless prior written approval is obtained from the Town.

SECTION 20 - USE AND PROTECTION OF WASTEWATER SYSTEM

- 20.1** The Sewer Utility may be disconnected by the Town, when in the opinion of the Town Manager:
- a) The Property is or appears to be abandoned;
 - b) There is a noncompliance of this Bylaw on the Property;
 - c) There is an emergency situation; or
 - d) It is necessary to protect the integrity of the Town's Sewer Utility.

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- 20.2** Any Person who released or permits to be released into the Sewer Main or a Service Connection any Wastewater or matter prohibited as per Schedule B and Schedule C, from entering the Sewer Main or a Service Connection, shall immediately upon becoming aware of the release notify:
- a)** The Town Manager;
 - b)** The Owner of the Property; and
 - c)** Any other Person who the reporting Person knows or ought to know may be directly affected by the release.
- 20.3** When notifying the Town Manager pursuant to Section 20.2, the notifying Person shall provide the following information:
- a)** Name of the company or Person who caused the release;
 - b)** Location of the release;
 - c)** Name and contact information of the notifying Person;
 - d)** Approximate time of the release;
 - e)** Type of materials released;
 - f)** Volume of material released; and
 - g)** Corrective action being taken or anticipated to be taken to control the release.
- 20.4** Any authorized Town employee or Safety Codes Officer shall have the right at all reasonable times to enter residents or other places which have been connected with Town sewer, and facilities must be given him to ascertain whether or not any improper material or liquid is begin discharged into the sewers, and he shall have the power to stop or prevent from discharging into the sewer system any private sewer or drain through which substances are discharged which are liable to damage the sewers or obstruct the flow of water.

SECTION 21 - INDUSTRIAL OR TRADE WASTES

- 21.1** Notwithstanding any other section of this Bylaw, no waste or discharges resulting from any trade, industrial or manufacturing process shall be directly discharged to any Town Sewer Main or Service Connection without such previous treatment as shall be prescribed by the Town for each such case. The necessary treatment works so prescribed shall be completely installed by the Consumer at his cost and expense, prior to the construction of the Service Connection and thereafter shall be continuously maintained and operated by the Consumer.

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SECTION 22 - INTERCEPTORS

- 22.1** Grease, oil, mud and dental amalgam interceptors shall be provided for all garages, restaurants, dental office, automotive service stations and vehicle and equipment washing establishments and for other types of business when required by the Town of Westlock Procedures and Design Standards for Development or , in the opinion of the Town Manager, such interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, dental amalgam, or any flammable wastes, sand, mud or other harmful ingredients
- 22.2** All interceptors shall be of a type and capacity which conform to the Town of Westlock Procedures and Design Standards for Development and shall be located so as to be readily and easily accessible for cleaning and inspection.
- 22.3** All interceptors shall be maintained at all times in satisfactory and effective operation by the owners of the properties on which they are installed at the Owner's expense.
- All interceptors shall be connected to the Sewer Main unless the Town shall otherwise stipulate.
- 22.4** If the drainage system in any new commercial or industrial building includes an interceptor, then a control manhole is required. A control manhole for the purposes of this Bylaw shall mean a manhole situated over a building sewer for the purpose of observation, sampling and measurement of wastewater.
- 22.5** Residential parking garages with floor drains connected to the sanitary sewer must have a mud interceptor of sufficient size and design to effectively trap solids.
- 22.6** The Owner or operator of the premises shall keep for a two year period the documents of proof of interceptor clean out.

PART IV. UTILITY SERVICE**SECTION 23 - ACCOUNTS AND BILLING**

- 23.1** The Owner of a Property must submit an Application for Utility Services with the Town prior to the Utility Services being connected. Such application must be made not less than two (2) Working Days prior to the date the Utility Services are required.
- 23.2** Upon acceptance of the Application, an account shall be set up in the name of the Owner.
- 23.3** The Owner may make a Tenant Utility Application to have Utility Services set up in the name of both the Owner and the Tenant. Upon acceptance of the Application, an account shall be set up in the name of the Owner and Tenant and billings will be mailed to the Owner and Tenant.
- 23.4** A Tenant whose account is in good standing at the time this Bylaw comes into effect may continue to receive Utility Services until such a time as the Tenant closes the account, or the Utility Services are discontinued for any reason.
- 23.5** Deposits received prior to the effective date of this Bylaw shall be utilized to offset any utility account amounts owed for the final billing. If there are no arrears, the Deposit shall be refunded in full to the Tenant.

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- 23.6** Utility Services will not be established by the Town for an Owner who has an overdue or outstanding account of any nature with the Town.
- 23.7** Any Consumer wanting to discontinue the Utility Services must give not less than two (2) Working Day(s) notice to the Town, otherwise the Consumer shall be liable for the rates and any damages arising from the use of the Utility Services.
- 23.8** There shall be a separate Water Utility account for each Water Meter located on a Property.
- 23.9** Payment of utility bills is due at the last day of the month in which the bill is mailed.
- 23.10** A utility bill not paid by the due date will be considered to be in arrears and subject to late penalty charges as per Schedule A.
- 23.11** A penalty will be applied to all charges, levies and previous penalties that are in arrears, on the first day of the month following the due date as set out in Section 23.9 above.
- 23.12** A final notice shall be issued to each Consumer and the Water Utility may be disconnected on the fifteenth day of the month following the due date as set out in Section 23.9 above.
- 23.13** An Administration fee as set out in Schedule A will be levied in the event that a transfer of utility account balance to the Property tax account is deemed necessary.
- 23.14** All Consumers receiving the Utility Services pursuant to the provisions of this Bylaw, shall pay the required charges, levies and fees set out in Schedule "A" of this Bylaw. Such charges, levies and fees are subject to change.
- 23.15** The Town may prepare and issue invoices for the Utility Services supplied to a Consumer on a monthly basis, unless an alternate billing period has been agreed between the Consumer and the Town in writing.
- 23.16** The Utility Services charges issued pursuant to this Bylaw to a Consumer shall be issued to the address for service provided by the Consumer at the time of the Application for the utility, and shall be deemed to have been received within seven (7) days of the date of mailing.
- 23.17** A Consumer is not relieved from paying the applicable Utility Services charges by reason of non-receipt of an invoice for that charge. A Consumer who does not receive an invoice for an applicable billing period shall contact the Town as soon as the Consumer is aware, or ought to have been aware, that the Utility Services charges have become due and payable.
- 23.18** Following written notification by a Consumer of their desire to terminate the Utility Services contract, the Town shall Shut Off the Utility Services as soon as reasonably practicable and the Consumer shall be liable for and shall pay all of the rates and charges payable until the time of such Shut Off including the costs of such Shut Off, as designated in the Rate Schedule A.
- 23.19** All Applications for connection or notification to terminate the Utility Services shall allow a minimum of two (2) Working Days before such Application or notification order is to become operative provided that such time period falls within the normal business hours of the Town.

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- 23.20** A Consumer who fails to provide written notice pursuant to Section 23.18, shall be liable for those charges in relation to the Provision of the Utility Services to the Property, notwithstanding that the Consumer no longer occupies the Property, that accrue up to the date that notice is provided by the Consumer pursuant to Section 23.18.
- 23.21** In case of default in payment of the rates herein provided the Town may enforce such payment by action in a court of competent jurisdiction, by distress upon seizure of goods and chattels of Owner or Consumer or by shutting off the utility being supplied to the utility customer or discontinuing the service thereof.
- a)** Where the Person is the Owner of the Property, the sum payable by him for the Utility Services supplied by the Town to him or for his use and all rates, costs and charges imposed or loans made to him are a preferential lien and charge on the Property and on the Personal Property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable.
- 23.22** In any case in which the Town has rendered an account based upon an estimate of water supplied, the Town shall, upon reading the Meter in respect of which the estimate was made, render an account for water supplied to that time and since the time the said Meter was last read by the Town after crediting all amounts received from the utility customer in respect of such estimated accounts.

SECTION 24 - APPEALS

- 24.1** Notwithstanding any other provision of this Bylaw, any Person who feels aggrieved in respect of rates charged under Schedule A may, within FOURTEEN (14) days of receiving the utility account forming the basis of the appeal, request in writing that the Town Manager review the rates charged. The Town Manager is not obligated to conduct an oral hearing and may conduct the review based on written material provided by the Person and Town employees.
- 24.2** Notwithstanding any other provision of this Bylaw, any Person who has filed an appeal of the rates charged pursuant to Section 24.1 may, within FOURTEEN (14) days of receipt of the decision of the Town Manager, request in writing that Council review the rates charged. Council is not obligated to conduct an oral hearing and may conduct the review based on written material provided by the Person, the Town Manager and any other Town employee.
- 24.3** The Town Manager or Council upon a review conducted pursuant to Sections 24.1 or 24.2 of this Bylaw may:
- a)** uphold the rates charged; or
- b)** vary the amount of the rates charged.
- 24.4** The decision of the Town Manager or Council shall be provided to the Person in writing within THIRTY (30) days of the review being conducted and may be served Personally or by registered mail on the Person. If the decision is sent by registered mail, but is unclaimed, the decision may be sent to the Person by regular mail and shall be deemed received SEVEN (7) days after the date of mailing.

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SECTION 25 - PROHIBITIONS

25.1 No Person shall:

- a) operate, use, interfere with, obstruct or impede access to the Water Utility or Sewer Utility or any portion thereof in any manner not expressly permitted by this Bylaw;
- b) remove, operate, connect to or alter any portion of the Utility Services owned by the Town, except as authorized by the Town, and in accordance with the standards and policies established by the Town. A Consumer shall be responsible for all damage to the Water Utility or Sewer Utility resulting directly or indirectly from a breach of this bylaw;
- c) use the Utility Services in any manner that causes any interference or disturbance to any other Consumer's use of the Utility Services ;
- d) obstruct or impede free and direct access to the Utility Services; or
- e) install or allow to be installed any temporary or permanent structures that could interfere with the Property and safe maintenance and operation of the Utility Services result in any damage to the Utility Services .

25.2 No Person shall:

- a) lend, sell or otherwise dispose of water unless specifically licensed to do so;
- b) give away or permit water to be taken;
- c) increase the usage of water beyond that agreed upon with the Town; or
- d) wrongfully or improperly waste water.

25.3 No Person shall allow water from the Water Utility to run off the Property such that there is:

- a) a stream of water running into a Street or swale for a distance of thirty (30) metres or more from the Property line of the Property;
- b) a stream of water running into a Street or swale and directly into a catch basin; or
- c) a stream or spray of water running into or falling onto a Street.

25.4 Except as otherwise provided for in this Bylaw, no Person shall use water:

- a) in an illegal manner;
- b) in a manner that will impede its use by others;
- c) unless an account for the Water Utility has been established, if the Property is connected to the Water Main; and

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- d) unless the water first passes through a Water Meter, if the Property is connected to the Water Main.

25.5 No Person shall :

- a) cause, permit or allow to remain connected to their Service Connection any piping, fixture, fitting, container or other apparatus which may cause water from a source other than the Water Utility or any other harmful or deleterious liquid or substance to enter the Water Utility;
- b) do, or shall cause to be done, or shall permit to be done, any act or thing which may obstruct, interfere with or impede a direct and convenient access to a Meter for the purpose of installation, inspection, removal, repair, replacement, reading;
- c) other than the Town, install, test, remove, repair, replace or disconnect a Meter unless that Person has been granted the authority to do so in writing by the Town; or
- d) construct or alter a Service Connection so as to bypass a Meter;
- e) interrupt, interfere or tamper with the operation of a Meter, remote reading device, or seals placed by the Town on Water Main components.

25.6 Where water restrictions have been declared in effect pursuant to this Bylaw, no Person shall:

- a) wash any vehicle;
- b) wash the exterior of any house or other building;
- c) water any lawn or garden, except in accordance with a watering schedule as adopted by Resolution of Council; or
- d) use water in excess of such limits as may be imposed by Resolution of Council for the duration of the time period in which the water restrictions are in effect.

25.7 No Person shall :

- a) cause, permit or allow to be demolished or removed, a building connected to a water main until application has been made to the Town for the discontinuation for water service;
- b) in any manner obstruct the free access to any hydrant, valve or Curb Cock; or
- c) allow anything to be constructed, placed, erected, or planted adjacent to a fire hydrant, which may in any ways interfere with access to, use, maintenance or visibility of the hydrant.

25.8 No Person other than authorized Town employees or Persons so authorized by the Town shall open or close or operate or interfere with any valve, hydrant, curb cock, or draw water from anything associated with the Water Utility.

25.9 No Person shall discharge, cause or permit to be discharged into the Sewer Utility any matter or Wastewater:

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- a) In contravention of any federal, provincial or municipal legislation;
 - b) Which would interfere with the proper operation of the Sewer Utility;
 - c) Which may impair or interfere with the treatment process; or
 - d) May result in a hazard to Persons, Property or animals,
- unless otherwise authorized in this Bylaw or in writing by the Town.
- 25.10** Without limiting the generality of this section, no Person shall discharge, cause or permit to be discharged into the Sewer Utility any matter or Wastewater as set out in Schedule B and Schedule C of this Bylaw.
- 25.11** No Person shall throw, deposit or leave any garbage, litter, refuse, manure, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, paper or ashes on or in any part, component or appurtenances of the Sewer Utility or Sewer Main.
- 25.12** No Person shall discharge into the Sewer Main or a Service Connection:
- a) Hazardous Waste or other liquids which may detrimentally effect the Sewer Utility;
 - b) any substance which may impact the flow through the Sewer Main or Service Connection;
 - c) chemical refuse, trade waste, waste stream, condensing water, or any liquids whose temperature is one hundred and seventy seven (77) degrees Celsius or over;
 - d) inflammable or explosive material;
 - e) storm water;
 - f) roof drainage;
 - g) cistern or tank overflow; or
 - h) condensing or cooling water.
- 25.13** No Person shall discharge into the Sewer Main or a Service Connection the contents of a:
- a) Privy vault;
 - b) Manure pit; or
 - c) Cesspool
- excluding a recreational vehicle at an approved dumping station.
- 25.14** Unless authorized by the Town, no Person shall:

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- a) turn, lift, remove, raise or tamper with any component of the Sewer Utility, including but not limited to, manholes, ventilators or other appurtenances;
- b) cut, break, pierce or cap the Sewer Main or an approved Service Connection; or
- c) interfere with the free discharge of any Sewer Main or part thereof, or do any act or thing which may impede or obstruct the flow from the Sewer Main or Service Connection.

25.15 No Person shall release or permit the release of hauled Wastewater that contains any of the following:

- a) grit or skimmings from interceptors, catch basins, pre-treatment facilities or private Wastewater disposal systems; or
- b) sludge from interceptors, catch basins, pre-treatment facilities or private Wastewater disposal systems.

25.16 No unauthorized Person shall cut, break, pierce, or tap any part of the Town's Sewer Utility or accessories, or introduce any pipe, tubes conduit into any component of the Town's Sewer Utility.

25.17 No Person shall:

- a) interfere with the free discharge of the Town's Sewer Utility, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any part of the Town's Sewer Utility or accessories thereof;
- b) dilute Wastewater so as to avoid the requirements of this Bylaw;
- c) use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor; or
- d) deposit, cause, or allow any interceptor residue to be deposited into the sewer system.

SECTION 26 - CONNECTION TO UTILITY SERVICE

26.1 Service Connections located within the Property boundaries of a Property are owned by the Owner of the Property, and the Owner shall be responsible for the construction, maintenance and repair of that portion of the Service Connection.

26.2 The Town shall, at all times, remain the Owner of that portion of the Service Connection between the Town's Water Main or Sewer Main and the Property line of the road or boundary of an easement granted to the Town for its Utility Service, notwithstanding that the Town's portion of the Service Connection may have been constructed by, or its construction funded by, some Person other than the Town.

26.3 Nothing in this Bylaw shall be interpreted as preventing the Subdivision or Development Authority from imposing as a condition of subdivision or development approval, an obligation upon the applicant for subdivision or development approval to pay for the cost of installation of a portion of the Water Utility necessary to service the lands subject to the Application, including the Water Main and those portions of the Service Connection owned by the Town, and located between the Town's Water Main and the Property line.

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- 26.4** As a condition of receiving Utility Service from the Town, the Owner shall maintain, in a state of good repair, free from leakage, infiltration and/or other forms of loss, with sufficient protection from freezing, all parts of the Service Connection to the satisfaction of the Town Manager, through which Wastewater is conveyed from outlets or Fixtures located on or within the Property to the Sewer Main or which the supply of water is conveyed from the Town's Water System to water supply outlets or fixtures located on or within the Property, as the case may be.
- 26.5** An Owner shall:
- a)** prior to constructing a Service Connection obtain all necessary municipal and provincial approvals, including a development permit and Safety Codes Permits;
 - b)** ensure all components of the Service Connection located within the boundaries of a Property be constructed to the same standard and with same or equivalent materials as the Service Connection located between the Water Main or Sewer Main and the Property boundary;
 - c)** not backfill the excavation until the work has been inspected by the appropriate Designated Officer; and
 - d)** ensure all work or service upon a Private Service, Service Connection or the plumbing system attached thereto complies with the provisions of the Safety Codes Act, the Public Health Act and any applicable Town Bylaws, policies and Design Standards including but not limited to the Town of Westlock Procedures and Design Standards for Development.
- 26.6** The provision of Utility Service shall not commence until the Town has received copies of all required approvals under the *Safety Codes Act* and all required inspection reports.
- 26.7** Where the Owner of a Property fails or refuses to maintain, repair or replace all, or any component of the Service Connection as required pursuant to this Bylaw, the Town may:
- a)** disconnect the Sewer Utility to the Property, on twenty four (24) hours notice to the Owner and Occupant, until necessary repairs have been made, at the Owner's expense, or the Service Connection has otherwise been restored to a condition satisfactory to the Town;
 - b)** Shut Off the supply of water to the Property, on twenty four (24) hours notice to the Owner and Occupant, until necessary repairs, at the Owner's expense, have been made to stop the loss of water, or otherwise restore the Service Connection to a condition satisfactory to the Town;
 - c)** prepare an estimate of the volume of water lost and demand payment from the Consumer for the estimated amount of water lost as a result of the lack of maintenance and repair of the Service Connection.
- 26.8** Payment for the amount of water estimated lost pursuant to subsection 26.7(c), shall become due and payable upon receipt of a demand, in writing, from the Town, and may be recovered from the Owner in accordance with the terms of this Bylaw and the *Municipal Government Act*.

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- 26.9** Any person complaining of a failure or interruption of the Utility Service, the investigation of which necessitates the opening up or excavation of a Street, prior to such opening up or excavation, shall deposit with the Town the costs, as estimated by the Town Manager, for such work.
- 26.10** The Town shall be responsible for all costs incurred in respect to any investigation of the cause, and the repair of the obstruction, where the obstruction is determined to be located between the Water Main or Sewer Main and the boundary line of the Property. Where the obstruction is located inside the boundary line of the Property, the Owner of the Property shall be solely responsible for the costs of investigation of the cause and the repairs to the Service Connection.
- 26.11** The Town shall not be liable for damages caused by any blockage or damage caused by tree roots infiltrating a Service Connection whether the roots originate from trees on Town owned Property or private Property.
- 26.12** On any new Service Connection connected to the Water Main, the Owner shall install a Curb Cock of an approved pattern by the Town on every Service Connection on the out flowing side of the Water Meter and shall set the Stop Valve two decimal fifty four (2.54) cm below the finished landscaped surface and keep the area clear of all obstructions.
- 26.13** Every Service Connection connected to the Water Main, shall have an accessible Curb Cock at the Property boundary between the Water Main and the Water Meter.
- 26.14** An Owner shall install a Back Flow Valve on the Service Connection connected to the Sewer Main, as per the Town of Westlock Procedures and Design Standards for Development, on every Service Connection to prevent Wastewater backup into the Property from the Sewer Main.
- 26.15** Upon request, the Town shall provide to the Owner, information on the method and manner of installing the Service Connection and associated apparatus.
- 26.16** When a Service Connection for the Utility Service is no longer required, the Owner shall obtain written permission from the Town to disconnect from the Water Main or Sewer Main. The Owner shall disconnect in compliance with the directions of the Town relative to the method and location and shall bear all responsibility and costs associated with the disconnection.
- 26.17** For all new or replacement water services, the Curb Cock valve shall only be opened by Town Personnel.

SECTION 27 - OFFENCES

- 27.1** Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to a penalty as set out in Schedule "D" herein.
- 27.2** Notwithstanding section 27.1 of this Bylaw, any Person who commits a second, third or subsequent offence under this Bylaw within one (1) year of committing the first offence is liable for the increased penalty as set out in Schedule "D" herein.
- 27.3** Under no circumstances shall any Person contravening any provision of this Bylaw be subject to a penalty of imprisonment.

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SECTION 28 - VIOLATION TAGS

- 28.1** A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any Person, whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 28.2** A Violation Tag may be issued to such Person:
- a)** either Personally; or
 - b)** by mailing a copy, via registered mail, to such Person at his or her last known postal address.
- 28.3** The Violation Tag shall be in a form approved by the Town Manager and shall state:
- a)** the name of the Person;
 - b)** a description of the offence and the applicable Bylaw section;
 - c)** the appropriate penalty for the offence as specified in Schedule "A" of this Bylaw;
 - d)** that the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag in order to avoid prosecution; and
 - e)** any other information as may be required by the Town Manager.
- 28.4** Where a Violation Tag has been issued pursuant to section 28.1, the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town Office, the penalty specified on the Violation Tag.
- 28.5** In the event that a Violation Tag has been issued and the penalty specified on the Violation Tag has not been paid within the prescribed time, a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedure Act* to the Person to whom the Violation Tag was issued.

SECTION 29 - VIOLATION TICKETS

- 29.1** Notwithstanding section 28.1, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person to whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 29.2** A Violation Ticket issued with respect to a violation of this Bylaw may be served upon the Person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 29.3** The Person to whom the Violation Ticket has been issued may plead guilty by making voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial

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appearance date, the Violation Ticket together with an amount equal to the specified penalty for the offence as provided by this Bylaw.

29.4 Where a Clerk of the Court records in the court records the receipt of a voluntary payment pursuant to this Bylaw and the Provincial Offences Procedure Act, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and imposition of a fine in the amount of the specified penalty.

SECTION 30 - VALIDITY

30.1 By-law 2008-03 and amendments thereto are hereby repealed.

30.2 The invalidity of any section, clause, sentence or provision of this Bylaw shall not affect the validity of any other part of this Bylaw, which can be given effect with such invalid part or parts.

SECTION 31 - AMENDMENTS

31.1 Council may, by Bylaw or resolution in Council, alter, amend or repeal any or all of the Schedules, which form part of the Bylaw.

SECTION 32 - EFFECTIVE

32.1 This Bylaw shall come into force and take effect upon third and final reading.

READ A FIRST TIME THIS **27th** DAY OF **September**, A.D. 2010.

READ A SECOND TIME THIS **12th** DAY OF **October** , A.D. 2010.

Unanimous consent for third reading _____ DAY OF _____, A.D. 2010.

READ A THIRD TIME THIS **25th** DAY OF **October** , A.D. 2010.

MAYOR, Bruce Lennon

TOWN MANAGER, Darrell Garceau

BEING A BY-LAW OF THE TOWN OF WESTLOCK IN THE PROVINCE OF ALBERTA TO REGULATE THE SUPPLY AND DISTRIBUTION OF WATER AND TO REGULATE THE SANITARY SEWAGE COLLECTION SYSTEM

SCHEDULE "A"

For purposes of Schedule "A" – the normal business hours shall be 8:00 a.m. – 4:30 p.m. Monday through Friday, excluding declared or statutory holidays.

UTILITY RATES

The Water and Sewer Utility charges for shall be computed and rendered bi monthly as follows:

Water Distribution Charges

	Jan 1 2012	Jan 1 2013
a) Single Family Residential, per Meter	\$23.00	\$25.00
b) Duplex, Manufactured Homes, Multi-Family Residential per dwelling unit	\$23.00	\$25.00
c) Commercial/Industrial, per Meter	\$40.00	\$42.00
d) Institutional per Meter	\$50.00	\$52.00

Water Commodity Charge: per cubic meter

January 1, 2012 - \$2.00 per cubic meter
 January 1, 2013 - \$2.20 per cubic meter

Sewer Distribution Charges

a) Single Family Residential, per Meter	\$6.75	\$6.75
b) Duplex, Manufactured Homes, Multi-Family Residential per dwelling unit	\$6.75	\$6.75
c) Commercial/Industrial, per Meter	\$7.75	\$7.75
d) Institutional per Meter	\$7.75	\$7.75

Sewer Rates: Percentage of metered water consumption

a) Single Family Residential	30%	30%
b) Duplex, Manufactured Homes Multi-Family Residential per dwelling unit	30%	30%
c) Commercial/Industrial	30%	30%
d) Institutional	30%	30%

Bulk Water Rates

Card operated consumption per cubic meter	\$6.00	\$6.50
Coin operated consumption per cubic meter	\$6.00	\$6.50
Deposit on card to reactivate due to non payment.	\$100.00	\$100.00

FEES and CHARGES effective date of passing of Bylaw to December 31, 2013

a) Remote water Meter reader installation	\$ 75.00/hr
b) Camera inspection rates (sanitary lateral) minimum 1 hour	\$160.00/hr
d) Water supply Shut Off at the cc during normal business hours	\$ 75.00/hr
e) Water supply Shut Off at the cc other than normal business hours	\$150.00/hr

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- f) Water supply turned on at the cc during normal business hours \$ 75.00/hr
- g) Water supply turned on at the cc other than normal business hours \$150.00/hr
- h) Turn on for reinstatement of service after Shut Off for non payment plus all outstanding rates or charges on account
 - i) During normal business hours \$ 75.00/hr
 - ii) Other than normal business hours \$150.00/hr
- i) Request service calls during normal business hours \$ 75.00 per hour
- j) Request service calls after normal business hours \$150.00 per hour
- k) Remote water Meter reader installation \$ 75.00/hr
- l) Camera inspection rates (sanitary lateral) minimum 1 hour \$160.00/hr
- m) Meter damaged by frost or otherwise – per Meter \$160.00/hour plus costs
- n) Thawing of Water Utility line, minimum one hour \$160.00/hour
- o) Requested service call and Town Employee unable to enter premises during normal business hours \$ 45.00
- p) Requested service call and Town Employees unable to enter premise during all times other than normal business hours. \$ 90.00
- q) Meter Test \$200.00 per meter

WELLS

- a) Permit to use well as water source \$ 25.00
- b) Permit to use well for purposes of watering lawns, gardens \$ 10.00
- c) Permit to construct a new well \$100.00

PENALTIES

5% penalty will be applied to all charges, levies, and previous penalties that are in arrears, on the day following the due date.

ADMINISTRATION FEES

- Levied in the event that a transfer of utility account balance to the Property tax account is deemed necessary \$25.00 per account
- Non sufficient funds (NSF) charges for each cheque or automatic withdrawal for which there insufficient funds to cover the amount of the payment \$30.00 per item

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VACANT SERVICES AND TEMPORARY DISCONNECTION

Town or Owner discontinues the Utility Service the following bi monthly fees and charges will apply, including charges for shutting off and turning on the Utility Services.

- a) Water Utility Distribution Charge
- b) Water Consumption
- c) Sewer Distribution Charge
- d) Sewer Usage
- e) Environmental Surcharge Fee
- f) Infrastructure Fee
- g) Waste and Recycle Collection Fees as set out in Bylaw 2008-10 Waste Collection and Disposal Bylaw.

Water Meter is removed from the Property, the Owner shall be responsible for the following bi monthly fees and charges.

- a) Environmental Surcharge Fee
- b) Infrastructure Fee
- c) Waste and Recycle Collection Fees as set out in Bylaw 2008-10 Waste Collection and Disposal Bylaw.



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SCHEDULE "B"**Prohibited Wastes**

The following are designated as Prohibited Wastes:

1. Any matter in a concentration that may cause a hazard to human health.
2. Any flammable liquid or explosive matter which, by itself or in combination with any other substance, is capable of causing or contributing to an explosion or supporting combustion.
3. Any matter which by itself or in combination with another substance is capable of obstructing the flow of or interfering with the operation or performance of the sewage system, waste water facility including, but not limited to:
 - a) agricultural wastes;
 - b) animals, including fish and fowl or portions thereof that will not pass a two centimetre screen;
 - c) ashes;
 - d) asphalt;
 - e) gardening wastes;
 - f) glass;
 - g) gravel, into the sanitary sewage system;
 - h) metal;
 - i) plastics;
 - j) rags and cloth;
 - k) wood, sawdust or shavings from wood.
4. Any matter with corrosive properties which, by itself or in combination with another substance, may cause damage to any sewage system or Wastewater treatment facility.
5. Any matter, other than domestic Wastewater, which by itself or in combination with another substance, is capable of creating an air pollution problem outside a sewage system or in and around a Wastewater treatment facility.
6. Any matter which, by itself or in combination with another substance, is capable of preventing safe entry into a sewage system or Wastewater treatment facility.
7. Any matter which, by itself or in combination with another substance, is detrimental to the operation or performance of the sewage system, Wastewater treatment facility or the environment including, but not limited to:
 - a) biological waste;
 - b) elemental mercury;
 - c) paint, stains, coatings including oil and water based;
 - d) prescription drugs;

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- e) used automotive and machine oils and lubricants.
8. Radioactive material in solid form.
9. Effluent from an industrial garbage grinder.
10. Any matter which may:
- a) cause a hazard to human health and that cannot be effectively mitigated by Wastewater treatment;
 - b) cause a hazard to the environment;
 - c) cause a hazard to the Town workers responsible for operating and maintaining the sewage system or the Wastewater treatment facilities;
 - d) cause an adverse effect to the sewage system;
 - e) cause an adverse effect to the Wastewater treatment facilities;
 - f) result in the Wastewater being released by the Town's Wastewater treatment facilities being in contravention of provincial regulatory requirements.

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SCHEDULE “C”

Restricted Wastes

The following are designated as restricted wastes when present in Wastewater, storm water or subsurface water being released to the sanitary sewage system at a concentration in excess of the levels set out below, with concentrations being expressed as total concentrations unless specified otherwise.

1.

a) Contaminants

(i) Biochemical oxygen demand (B.O.D.)	10,000 mg/L
(ii) Chemical oxygen demand (C.O.D.)	20,000 mg/L
(iii) Oil and grease	800 mg/L
(iv) Phosphorus	200 mg/L
(v) Suspended solids	5,000 mg/L

b) Inorganic Constituents

(i) Hydrogen ion less than 6.0 or greater than 11.5	
(ii) Arsenic	1.0 mg/L
(iii) Cadmium	0.10mg/L
(iv) Chlorine (free)	5.0 mg/L
(v) Cobalt	5.0 mg/L
(vi) Copper	1.0 mg/L
(vii) Cyanide	2.0 mg/L
(viii) Lead	1.0 mg/L
(ix) Mercury	0.10mg/L
(x) Zinc	2.0 mg/L

c) Organic Compounds

(i) Hydrocarbons	50 mg/L
(ii) Phenols	1.0 mg/L

d) Physical Property

(i) temperature greater than 75 degrees Celsius	
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2. Radioactive materials in concentrations greater than allowed under the Atomic Energy Control Act and the Atomic Control Regulations as amended from time to time.

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SCHEDULE “D”

Fines

	<u>Sections</u>	
Use of Water – unlawful use	6.1, 25.2, 25.4	\$250.00
Contamination of water supply system	9	not more than \$10,000.00
Meter interference	6.1, 25.5	\$1,000.00
Water Restrictions not adhered	11.2, 25.3, 25.6	\$250.00
Release of Matter not in accordance with Schedule “B”	20.2	not more than \$10,000.00
Release of Matter not in accordance with Schedule “C”	20.2	not more than \$10,000.00

Any work carried out by the Town and the costs charged to the Owner will be invoiced to the Owner, and in default of payment the Town may recover the same as debt due to the Town.

- i)** \$100.00 for any offence for which a fine is not otherwise established in this section;
- ii)** A penalty of two (2) times applicable fine as provided in this Bylaw shall be levied against an owner who commits, for a second time, any infraction of this Bylaw, providing that such infraction is committed within one (1) year of the committing of the first infraction;
- iii)** A penalty of three (3) times applicable fine as provided in this Bylaw shall be levied against a Person who commits, for a third or subsequent time, any infraction of this Bylaw, providing that such infraction is committed within one (1) year of the committing of the first infraction;
- iv)** Administrative surcharge if payment of penalty charged is not received by the municipality within thirty (30) days of date of issuance of specified penalty, \$20.00 or 20% of the Violation Tag whichever amount is greater.

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SCHEDULE “E”

Water Conservation Watering Schedule

All outdoor water use, including watering lawns, washing cars, sidewalks, pads, exteriors of buildings, recreational use of sprinklers and like water toys, is permitted according to the following schedule;

Using the last number of your address (odd or even) determines which days you may water your lawn.

ODD: Numbered addresses may use water for these purposes on odd calendar days

EVEN: Numbered addresses may use water for these purposes on even calendar days

WATERING – may only occur during the following hours:

7:00 p.m. and 7:00 a.m.

Flowerbeds and vegetable gardens may be watered by hand, at any time, using a watering can or a hose with a nozzle with a trigger Shut Off to restrict water flow. Sprinklers and like water toys may be used for recreational purposes by children as long as children are present during use. Children’s pools (capacity not more than 1000 liters may be used).

Water Emergency Restriction Schedule

All outdoor water use is prohibited (washing cars, sidewalk, pads, exteriors of buildings and lawns).

Excepting:

Flowerbeds and vegetable gardens may be watered by hand, at any time, using a watering can or a hose with a nozzle with a trigger shut off to restrict water flow.

Bulk Water Sales are suspended.