

**TOWN OF TROCHU****BYLAW 2001-01****BEING A BYLAW OF THE TOWN OF TROCHU IN THE PROVINCE OF ALBERTA TO REGULATE THE SUPPLY AND DISTRIBUTION OF WATER AND TO REGULATE THE SANITARY SEWAGE COLLECTION SYSTEM AND TO REPEAL BYLAW #98-01 and TO BE KNOWN AS THE TOWN OF TROCHU "UTILITY BY-LAW"**

I. Whereas the Town of Trochu is desirous in implementing a By-law that regulates both water supply and distribution and the sanitary sewage collection system this By-law shall be deemed to be the "Utility By-law"

II. The provision of this Bylaw shall form part of any contract between the consumer and the Town for the supply of water or sewer collection services.

**SECTION I - DEFINITIONS**

- a) **CONSUMER** - means any person who uses water supplied by the Town.
- b) **COUNCIL** - refers to the Council of the Town of Trochu.
- c) **CURB STOP** - means the valve on a town service pipe.
- d) **DOMESTIC WASTEWATER** - means the wastewater that is the composite of liquid and water- carried wastes associated with the use of water for drinking, cooking, cleaning, washing, hygiene, sanitation or other domestic purposes, together with any infiltration and inflow wastewater, that is released into a wastewater collection system.
- e) **DISCRETE WASTEWATER STREAM** - means wastewater from an individual process or part thereof which, except by dilution upon mixing with other wastewater prior to entering the wastewater collection system, would not meet the concentration limit of 300 BOD or otherwise implied throughout this By-law., would not meet the temperature requirement of 150 degrees Fahrenheit or 65 degrees Celsius, or would contain a level of Fats Oils and Greases which would not be acceptable to the wastewater system. Waste water from these sources may be dealt with by individual agreement with the Town rather than by By-law, however if an agreement is not in place these processors shall adhere to this By-law.
- f) **INDUSTRIAL PROCESS AGREEMENT / BY-LAW** – A separate agreement and/or By-law which would make allowance for a Discrete Wastewater Stream .

- g) **METERS** - means 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.
- h) **MUNICIPAL ADMINISTRATOR** - means the Town Administrator, Chief Administrative Officer or his/her designate.
- i) **PERSON** - includes a partnership, a firm, a body corporate, a politic, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.
- j) **SEWER SERVICE LINE** - means that portion of a pipe used for the discharge of sewer to the sewer service main.
- k) **SHUT OFF** - means an interruption in or discontinuation of the supply of water.
- l) **TOWN** - refers to the Town of Trochu in the Province of Alberta.
- m) **WATER SERVICE PIPE** - means that portion of a pipe used for the supply of water which extends from the water main to the service valve.

## **SECTION II - WATER**

### **1. PLUMBING**

- a) No person except those authorized by the Town shall make any connection or communication whatsoever with any of the public pipes or mains. All tie ins must be inspected by an authorized Town employee prior to installation and connection.
- b) All water service pipes laid in private property, between the curb stop and the water meter, shall be of the material approved by the Municipality and attached to this By-law as "Schedule A". No connection may be made to the water service pipe between the curb stop and the meter.
- c) All plumbing, piping and sewer work in the Town shall be done in strict accordance with the regulations under the Public Health Act and the Safety Codes Act of the Province of Alberta, and amendments thereof, which regulations shall be considered as forming part of this Bylaw as if incorporated herein. All plumbing and sewer work shall be inspected by a qualified safety codes officer appointed by the Town of Trochu.
- d) The Town does not guarantee the pressure nor the continuous supply of water and the Town reserves the right any and all times without notice to change the operating water pressure and to shut off water and neither the Town, nor its

officers, employees or agents shall be liable for the change in water pressure or for the shutting off of water or by reason of the water containing sediments, deposits or other foreign matter.

- e) Consumers depending on processes requiring particularly clear or pure water shall provide such equipment as deemed necessary at their own cost.
- f) Owners of all buildings and mobile homes shall install a back flow preventer to protect their hot water tanks in the event water is shut off.

## **2. METERS**

- a) Meters are to be supplied, installed and maintained only by personnel authorized by the Town. Meters are to be installed for the measuring of water. All owners, tenants, or occupiers shall give every facility for the introduction, placing, inspection, and reading of such meter, and shall protect it from interference or injury by frost or otherwise, and shall be liable for any damage which may occur to the meter. All meters shall be located on the consumers side of the approved shut off valve.
- b) If a water meter has failed to register accurately since the last reading, the water rate for the said period shall be adjusted and charged on the basis of the average charge of water supplied to the said premises during the preceding two (2) meter reading periods or such shorter period as may be available.
- c) Subsidiary meters - A consumer may, for his own benefit, install a meter between the meter supplied by the Town and the point of use of the water supply, provided that the Town shall not maintain such meter, nor shall such meter be read by the Town.
- d) Curb stops - The contractor and/or owner shall ensure that the curb stop is at finished grade prior to service being connected and must be kept accessible at all times..
- e) Remote reading devices - All buildings which require water meters, and for which building permits have been issued shall have provision on the outside of the building in a convenient location for a remote reading device.

## **3. TURNING ON WATER**

- a) Water shall be turned on and off only by an authorized employee of the Town.
- b) After a construction, reconstruction, alteration or change, or the completion of any work requiring a permit, water shall not be turned on to any building or premises until after the whole of the work has been done to the satisfaction of a Safety Codes Officer or Plumbing Inspector as recognized by the Town.

#### **4. TERMINATION**

- a) The supply of water to any consumer may be shut off for any or all of the following reasons:
- i) Repair
  - ii) Want of supply
  - iii) Non-payment of utility accounts rendered
  - iv) defective piping, or
  - v) for any reason which the Administrator or Council considers sufficient
- b) The Municipal Administrator or authorized personnel has authority to shut off water for any consumer or consumers for any reason which, in the opinion of the Municipal Administrator necessitates such shutting off, provided that the Municipal Administrator shall give notice of shut off.

It is hereby declared that no person shall have any claim for compensation or damages as the result of the Town shutting off the water without notice or from failure of the water supply from any cause whatsoever.

- c) No person shall interfere with, damage or make inaccessible any curb stop due to the construction of walks, driveways, or in any other way. If it is required to make any repairs or construction changes due to inaccessibility or damage to a curb stop, the owners of the property serviced by said curb stop shall be required to assume all costs involved.

#### **5. INTERFERENCE WITH HYDRANTS AND VALVES**

- a) No persons other than authorized employees of the Town shall open, close, operate, interfere or draw water from any valve, hydrant or fire plug.
- b) No person shall in any manner obstruct the free access to a hydrant or valve or stop cock. No vehicle, building, rubbish, or other matter which would cause such obstruction shall be placed nearer to a hydrant than the property line of the street in which the hydrant is located, not within twenty (20) feet, or 6.1 meters, of the hydrant in a direction parallel with the said property line.

#### **6. WASTAGE**

- a) No consumer shall cause, permit or allow the discharge of water so that it runs to waste, whether by reason of leakage from underground piping, a faulty plumbing system or otherwise.

- b) The Municipal Administrator may cause the water supply to any consumer who violates subsection 6(a) of this section to be shut off until such time as such consumer establishes to the satisfaction of the Administrator that steps have been taken to ensure that any water supplied to him by the Town will not run to waste.
- c) The Administrator shall give notice to such consumer prior to causing the water supply to such consumer to be shut off.
- d) Notwithstanding the foregoing, the Administrator may, under such condition as he/she may consider reasonable, allow a consumer to discharge water so that it runs to waste or useless if such consumers water service would otherwise be susceptible to freezing.

## **7. USE OF WATER**

- a) No consumer shall:
  - i) give away or permit water to be taken.
  - ii) use or apply any water to the use or benefit of others or to any other than his own use and benefit.
- b) No contractor/owner shall turn the water service on unless for testing purposes, and in such a case the Administrator shall be advised in advance of the intention in order to ensure the water service is turned off.
- c) Approval for all connections to the Town water system not specified in the Bylaw shall require the prior approval of the Town.

## **8. WATER CONSERVATION**

- a) The Town of Trochu shall promote the conservation of water.

## **SECTION III - SEWER**

### **1. USE AND PROTECTION OF SEWER SYSTEM**

- a) No person shall throw, deposit or leave in or upon any Town sewer, or any trap, basin, grating, manhole or other appurtenance of any Town sewer any butchers offal, garbage litter, manure, metal, seafood shells, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, diapers, socks, rags, cloth, cinders, ashes, tar, feathers, glass, plastic objects, toys, utensils, sanitary napkins, tampons or refuse matter of any kind except domestic wastewater or from an authorized discrete wastewater stream.
- b) No person shall permit to be discharged into any sewer, any liquid or liquids which would adversely affect the sewers, or the disposal of the sewage, or any

matter or substance by which the free flow of the sewage may be interfered with, or any chemical refuse or other trade water, or other liquids of a higher temperature than one hundred and fifty degrees Fahrenheit (150° F) or sixty-five degrees Celsius (65 °C).

- c) No person shall make or cause to make any connection with any Town sewer, or house drain, or appurtenance thereof for the purpose of conveying, or which may convey, into the same, any inflammable or explosive material, storm water, roof drainage, cistern or tank overflow, condensing or cooling water.
- d) No person shall discharge the contents of any privy vault, manure pit, vacuum truck or cesspool, directly or indirectly, into any Town sewer or house drain connected therewith.
- e) No person shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of the Town sewer, except duly authorized employees of the Town.
- f) No person shall cut, break, pierce, or tap any Town sewer or appurtenance thereof, or introduce any pipe, tube, trough or conduit into any Town sewer.
- g) No person shall interfere with the free discharge of any Town sewer, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any Town sewer or appurtenance thereof.
- h) The Public Works Maintenance employee or authorized person of the Town shall have the right at all reasonable times to enter houses or other places which have been connected with Town sewers, and facilities must be given him to ascertain whether or not any improper material or liquid is being discharged into the sewers, and he shall have 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 injure the sewers or obstruct the flow of sewage.

## **2. INDUSTRIAL AND TRADE WASTES**

- a) No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged into any Town sewer without such previous treatment as shall be prescribed by the Council. The necessary treatment works so prescribed shall be completely installed by the applicant, at his expense, prior to the construction of the sewer connection, and thereafter shall be continuously maintained and operated by the occupant.
- b) The Town of Trochu shall maintain sewer BOD levels as prescribed by Alberta Environment and maintains the right to sample all industrial and trade wastes to determine these levels. The concentration limit is 300 BOD .

- c) "Discrete Wastewater Streams" may be allowed but under separate agreement with Council known as an "INDUSTRIAL PROCESS AGREEMENT / BY-LAW"

### **3. INTERCEPTORS**

- a) Grease, oil, sand, or mud, sumps or interceptors shall be provided by the owner, wherein the opinion of the Town they are necessary for the proper handling of liquid wastes containing grease, oil, sand, mud or other harmful ingredients.

### **4. GREASE TRAPS**

- a) Grease traps of sufficient size and approved design shall be placed on the waste pipes from all hotels, restaurants, Laundromat wash racks, and other such places as the Council, under advisement, may direct.

### **5. SEWER CONNECTIONS**

- a) No person other than duly authorized employees of the Town shall make any connections to, or shall cut or otherwise tamper in any way with a public or Town sewer.

### **6. SEWER SERVICE LINES**

- a) If a person requests the Town to clear any plugged sewer service line, the person making such requests shall be charged the rate as set out in Section VI of the Bylaw and shall be liable to costs incurred by the Town in clearing the said plugged sewer service line if the plug is located from that property to the sewer main in the street.
- b) Should any person claim that any sewer service line between the street main and the property line is plugging because it is not laid according to good practice, the said person shall be liable to pay all costs so incurred by the Town in opening the said sewer line, should the said sewer service line be found properly laid according to good work practice.

## **SECTION IV - SERVICE INFORMATION**

### **1. BILLING REGULATIONS**

- a) Invoices outlining basic utility charges, consumption of water, meter readings, estimates, flat rates, utility rates, deposits, re-connection fees where applicable, deposits, due date, interest penalty for late payment, and arrears shall be issued to the consumer and payment made in accordance with "Schedule B" to be known as the fee regulation schedule.

An invoice showing the current service charges to the user every two (2) months (February, April, June, August, October and December) and payment for the amount due for water, sewer charges shall be issued at the first of the month following the end of the two (2) month consumption period or as otherwise required. Said charges shall be due and payable when the account is rendered, with payment to be made at the Town office or at such other place as may be designated from time to time by Council motion. Failure to receive an account shall in no way affect the liability of the consumer to pay the amount.

- b) The schedule of water and sewer rates, deposits and penalties, shall be periodically reviewed and passed by motion of Council and attached to this Bylaw.
- c) Mobile homes - all mobile homes shall be billed a flat rate for water unless a meter has been installed.

## **2. RECONNECTION OF SERVICE**

- a) In the event that a water service has been shut off, as provided for under Section IV (1), by reason of non-payment, a reconnection fee in the amount specified in Schedule "B" shall be charged and shall be payable in advance of turning on of the service.
- b) When the water service has been shut off because of non-payment of account and the same consumer or his or her spouse requires reconnection, all arrears shall be paid together with reconnection fee before the water is turned on.

## **3. DISCOUNT**

- a) A 5% discount shall be allowed on Water/Sewer flat rates charged providing the customer pays the total yearly water and sewer flat rate charges in advance on or before the 21st day of March of each year.
- b) If the services are discontinued and the consumer requests a refund of the prepaid balance the consumer will be assessed the flat rate charge for each month of service up to the date of the disconnect and this amount will be deducted from the total prepaid. The remaining prepaid balance will be refunded to the consumer upon approval from Town Council.

## **4. DISCONTINUANCE OF SERVICE**

- a) Any person intending to vacate the premises that have been supplied with water from the waterworks or who is desirous of discontinuing the use thereof shall provide notice of the same at the Town office, otherwise the rates thereof shall be

charged until such notice is given or the water turned off, but no rebate shall be made for a fractional part of a month in which such notice was given.

#### **5. DEPOSIT FEE**

- a) A renter shall be charged a non - refundable Deposit Fee, in the amount specified in Schedule "B", on all accounts prior to receiving water service.
- b) Homeowners who reside in their dwelling shall be charged a deposit in the amount specified in Schedule "B". The deposit will be refunded after a 12 month period.
- c) No interest shall be paid on the deposit.

#### **6. BOILER SERVICE**

- a) In all cases where boilers are supplied with water, the Town shall not be liable for any damage which may result to any person or premises from shutting off the water main or service, or from failure of the water supply, for any purpose or cause whatsoever, even where no notice is given, and no deductions from water bills will be made in consequence thereof. All users of steam or hot water boilers must protect themselves by installing a storage tank, sufficient to provide at least twelve (12) hour supply for each steam or hot water boiler.
- b) In any case where a boiler or equipment of a nature similar to that of a boiler is supplied directly from a service, such boiler or other equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent the collapse or explosion thereof in the event the water supply thereto is shut off.

#### **7. WATER RESTRICTIONS**

- a) When an emergency in the Water Supply occurs, the Town may restrict the use of water from the Town supply system. When said restrictions are in effect, no persons shall water any lawns, gardens, streets or grounds or use a hose or similar device to wash vehicles or the exterior of houses or other buildings during such times that may be fixed by an authorized person of the Town, provided that notice of the times during which the use of water for the purpose specified herein is prohibited shall be given to the public in an announcement in the local newspaper and/or by mailing notices.

The foregoing restrictions do not apply to a person using an ordinary sprinkling can or pail, where said water is used only for the watering of plants or shrubs.

An authorized person of the Town or Town Council in fixing restrictions on the use of water for the purpose set out in this section may vary the hours and days of use for differing portions of the Town or may attach such other conditions as they deem necessary.

Any person failing to obey the preceding regulations will be given one written notice of warning to discontinue violation of the regulations. If the person fails to obey the written notice the Town shall have the right to discontinue water service to the said person.

#### **SECTION V - LIEN ON PROPERTY**

1) Any Utility Accounts which are in arrears as set out in "Schedule B" can be charged to the taxes assessed against the real property to which the water or sewer services have been supplied, and may be collected in any way provided for the collection of taxes, according to the Municipal Government Act, M26.1, and amendments thereto.

The charges for a municipal utility service provided to a parcel of land are an amount owing to the municipality by the owner of the parcel. (Section 42 (1) of the Municipal Government Act.

The Town of Trochu agrees to provide municipal utility services to a parcel of land where there is an occupant only if the owner of the parcel agrees to accept responsibility of the utility account. Notice shall be given to the Municipality of who the occupant (renter) is, his current mailing address, phone number and that the owner agrees to accept responsibility for this account.

Any water rates in arrears for water supplied by the Town or any sewer rates in arrears for sewer service supplied the Town to any land or premises may be added to the taxes assessed against the real property to which the water or sewer services have been supplied, and may be collected in any way provided for the collection of taxes, according to the Municipal Government Act, M26.1, and amendments thereto.

- 2) In addition to the methods outlined herein for the recovery of outstanding rates or charges, the Town reserves the right to discontinue service to any property where any charges for services or work remain outstanding for a period of more than thirty (30) days.

#### **SECTION VI - PENALTIES**

- 1) A 3% penalty shall be levied on any utility account which has not been paid by the 30th of the month in which the utility bill has been issued and subsequent penalties of 1% monthly thereafter.
- 2) Any person who commits a breach of this Bylaw shall be liable upon summary conviction thereof to a fine and/or penalties not exceeding \$250.00 or unless otherwise stipulated in the section of the By-law.

- 3) Any person found to be violating any provision of this ordinance shall be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall within the period of time stated in such notice, permanently cease all violations.
- 4) Any person who shall continue any violation beyond the time limit provided for in Section VI (c) shall be guilty of a misdemeanor, and a conviction shall be fixed in the amount not exceeding two hundred and fifty dollars. (\$250.00) for each violation. Each day in which a violation shall continue shall be deemed a separate offense.
- 5) Any person violating any of the provisions of this Bylaw shall become liable to the Town for any expense, loss, or damage occasioned to the Town by reason of such violations.

**AMENDMENTS**

**The Council of the Town of Trochu may, by Bylaw or resolution in Council, alter, amend or repeal any or all of the schedules which form part of the Bylaw.**

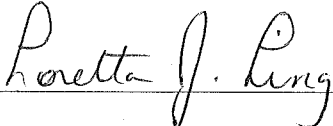
This Bylaw shall take effect upon the date of final passage thereof.

Read a first time this 18 th day of June, 2001.

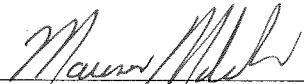
Read a second time this 18th day of June, 2001

Read a third time and finally passed this 9<sup>th</sup> day of July, 2001.

Town of Trochu

  
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Mayor, Loretta Ling

  
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Administrator M. Malaka

**“Schedule A”**

**Approved Piping Between Curb Stop and Water Meter on Private Property**

**Refer to the latest addition of the National Plumbing Code for both Water and Sanitary Services (Sewer)**

*July 9/2001  
See also attached letter  
MPE recommendations.  
Maureen Mclachlan*

Schedule "B"Water and Sewer Rates – Utility By-law 2001-01 (passed July 9, 2001)(Rate Schedule – Amended by Motion of Council Sep. 14, 2009)

\* All rates are based on a two month billing period

Utility Service Basic Rate

All utility service accounts shall pay a basic service charge of \$20.00 per billing period. If a residential customer wishes to put their accounts "on Holiday" (Vacation Rate) because they will be away from their residence of a period exceeding three months they may do so by giving the Town Office notice in writing and there will be no utilities charged except for the basic service charge.

**WATER**Water RatesAll Consumers unless by special motion of Council

- Residential and Light Commercial will pay a flat fee of \$19.00 for a min of 2000 gallons of water. Usage over and above 2000 gallons will be charged at \$9.50 per 1000 gallons of water used.
- \$42.50 on all unmetered residential accounts
- \$50.00 flat rate for all other unmetered accounts
- \$500.00 flat rate for Trochu Valley Manor
- Trochu Meat Processors will pay a flat fee of \$19.00 for a min of 1588 gallons of water. Usage over and above 1588 gallons will be charged at \$9.50 per 1000 gallons of water used.
- Trochu Golf and Country Club will be charged at \$6.60 per 1000 gallons of water used.

Refundable Water Deposits

- \$200.00 for renters payable prior to service being provided or \$200.00 by satisfactory credit arrangement with the Town of Trochu. If service is provided without notice being given to the Town, the Town retains the right to immediately shut off the service. Deposits for rental accounts will be refunded based on arrears outstanding at the time of discontinuance of service and refunded proportionately at the end of the next billing period. Deposits will be refunded on rental accounts providing the account has been kept current for a period of two years.

- \$100.00 for homeowners payable prior to service being provided. Deposits for homeowners shall be returned following one year providing the account has been kept current.
- No interest is payable on deposits

**Utility Account Penalties**

- 3% on total utility bill if not paid by due date and 1% every billing thereafter if not paid in full.

**Reconnection Fee**

- \$100.00 payable prior to water being reconnected.

**SEWER**

<b><u>Residential and Light Commercial</u></b>	- \$20.00
<b><u>Washbays/ Garages/ Laundromats</u></b>	- \$50.00
<b><u>Carwashes</u></b>	- \$100.00
<b><u>Restaurants/ Food Processing/ Food Services</u></b>	
<b><u>Convenience Stores</u></b>	- \$35.00
<b><u>Trochu Valley Manor</u></b>	- \$560.00 (based on 28 rental units)
<b><u>Hotels/ Motels</u></b>	- \$100.00
<b><u>Apartments</u></b>	
<b>(under 10 units)</b>	- \$75.00
<b>(over 10 units)</b>	- \$150.00
<b><u>Mobile Home Parks</u></b>	- \$150.00
<b><u>School</u></b>	- \$150.00
<b><u>St. Mary's Health Care Centre</u></b>	- \$300.00

All consumers whose average use is over three million gallons of water shall pay a sewer charge of \$2.00 per thousand gallons of water used with the exception of the golf course.

It is noted that for billing purposes Garbage rates at this time are:  
\$25.00 Residential and \$50.00 Commercial for each billing period.