

BYLAW 30-2011

A BYLAW OF STRATHCONA COUNTY, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR A WATER SYSTEM INCLUDING THE FIXING OF RATES, CHARGES AND CONDITIONS FOR THE SUPPLY OF POTABLE WATER.

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, as amended, provides for the provision of municipal public utility services subject to any terms, costs or charges established by Council; and

WHEREAS it is deemed necessary and expedient to establish a system of waterworks for Strathcona County and to set out the terms, costs and charges upon which the service will be provided;

NOW THEREFORE, THE COUNCIL OF STRATHCONA COUNTY IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. **SHORT TITLE:**

1.1 This Bylaw may be referred to as "The Water System Bylaw".

2. **DEFINITIONS:**

2.1 "**Account**" means an agreement between a Consumer and Strathcona County for the supply of water.

2.2 "**Active Utility Account**" means the commencement and turning on of water service for occupancy of a building or a property.

2.3 "**Approved**" means, unless otherwise provided, approved by the Director.

2.4 "**Approved Backflow Prevention Device**" means a mechanism that prevents backflow to avoid untreated or potentially contaminated water migration into the Waterworks System, approved by the Government of Alberta.

2.5 "**Bulk Water Outlet**" means the County overhead standpipe capable of dispensing potable water.

2.6 "**Bypass Valve**" means the valve on the piping that by-passes the water meter.

2.7 "**CC**" or "**Curb Cock**" means a shut-off valve constructed in line on the Water Service enabling shutting off water supply to a property.

2.8 "**Chief Commissioner**" means the Chief Administrative Officer of the County.

2.9 "**Combined Service Pipe**" means a waterline constructed for providing potable water and water for fire protection.

2.10 "**Construction Water**" means the availability of un-metered potable water through the building construction phase; that is, building permit through to occupancy.

2.11 "**Consumer**" means any Person who has applied for an Account or Service Connection, has received any Water Service or is otherwise responsible for paying for Water Services.

- 2.12 **"County"** means Strathcona County.
- 2.13 **"County Bylaw Enforcement Officer"** means a Bylaw Enforcement Officer appointed by the County pursuant to the Act to enforce the County Bylaws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable.
- 2.14 **"County Financial Services Department"** means the Financial Services department of the County.
- 2.15 **"County Water Main"** means a water pipe in the street, public thoroughfare or easement area granted to the County, which forms part of the County water distribution network and delivers the water supply to the Water Service Connections.
- 2.16 **"Cross Connection"** means any temporary, permanent, or potential water connection that may allow backflow to occur and includes swivel or changeover devices, removable sections, jumper connections, and bypass arrangements.
- 2.17 **"Department"** means the Utilities Department of the County.
- 2.18 **"Engineering Servicing Standards"** means the County's Engineering Servicing Standards as approved by Council from time to time.
- 2.19 **"Facilities"** means any physical facilities and infrastructure including, without limitation, transmission and distribution pipelines, valves, reservoirs, pumping stations, fire hydrants, chambers and pressure reducing valves, meters, measurement devices and other physical plant and piping appurtenances, owned and operated by the County, used to supply potable water.
- 2.20 **"Fees and Charges Bylaw"** means the Bylaw approved by Council that sets fees and charges from time to time.
- 2.21 **"Fire Hose Rack"** means the piping and apparatus through which water is provided for fire protection purposes.
- 2.22 **"Fire Service Pipe"** means that portion of a Service Pipe that is intended solely for the purpose of providing a standby supply of water for fire protection purposes.
- 2.23 **"Hydrant User"** means any person obtaining water from a fire hydrant for any purpose other than emergency fire protection.
- 2.24 **"Irrigation Account"** means an Account solely for the purpose of irrigation of existing landscaped properties or common areas.
- 2.25 **"Director"** means the Director of the Utilities Department of the County or his/her designate.
- 2.26 **"Master Control Valve"** means the privately owned valve typically installed on the Water Service Line inside a building.
- 2.27 **"Meter Pit"** means a pit-like enclosure that protects Water Meters installed outside of buildings and allows access for reading the Meters.

- 2.28 **"Meter Spacer"** means a length of pipe which can be removed from a Private Service pipe for the purpose of installing a Water Meter.
- 2.29 **"Owner"** means a person registered under the Land Titles Act as the owner of the fee simple estate in the land.
- 2.30 **"Person"** means a person, firm, partnership, corporation, organization, institute, government or other association, and includes an individual member thereof.
- 2.31 **"Planning and Development Services"** means the County department responsible for the approval of plumbing and gas installations within the County.
- 2.32 **"Point of Delivery"** means the point where the service connection occurs which is, in most cases, at or near the property line that defines the point that the Owner has the responsibility for ownership, maintenance and repair to the Private Service Line.
- 2.33 **"Private Service"** means all of the water facilities serving the premises downstream of the Point of Delivery and includes the pipes, fittings, valves and appurtenances owned by the Owner but does not include the Meter.
- 2.34 **"Public Health Inspector"** means the medical health officer of the Capital Health Authority, or his/her authorized representative.
- 2.35 **"Publication"** means publication of a notice in a newspaper in general circulation within Strathcona County or the mailing or delivering of a notice to a Person or Persons.
- 2.36 **"Remote Meter Reading Device"** means equipment installed to remotely read the Water Meter without obtaining access into the premise.
- 2.37 **"Rural Water Service Area"** means areas that are serviced at a maximum water delivery rate of 0.5 gallons per minute.
- 2.38 **"Service"** means provision of water.
- 2.39 **"Service Pipe"** means a pipe which carries water from the County Water System onto or across private property.
- 2.40 **"Street"** includes every road, roadway, avenue, boulevard, sidewalk, thoroughfare, bridge and highway under the County's direction, management and control.
- 2.41 **"Subsidiary Meter"** means a privately owned Water Meter installed at the Owner's expense and utilized strictly for the Owner's purposes.
- 2.42 **"Turn Off"** means the cessation or turning off of water service for a building or a property and may include a final meter reading.
- 2.43 **"Turn On"** means the process where the delivery of potable water to the private system is activated.
- 2.44 **"Water Demand Management Measures"** means restrictions upon the use of water for non-essential purposes, including but not limited to, irrigation, washing of vehicles, driveways or sidewalks, and any other purpose where water is utilized externally to a residence, place of business, apartment complex, or any other premise located within Strathcona County and on any

certain day or for a certain time period.

- 2.45 **"Water Meter"** or **"Meter"** means any Approved device installed by the County which is designed to measure the quantity of water used by a Consumer and which may have attached to it a Remote Meter Reading Device.
- 2.46 **"Water Service"** means the provision of water to Consumers and associated services contemplated by the Fees and Charges Bylaw offered to the Consumer under this Bylaw.
- 2.47 **"Water Service Connection"** means that lateral water Service Pipe which connects an Owner's premises to the County Water System with the Owner owning that portion of the Service Pipe lying within the boundaries of the Owner's premises excluding any Service Pipe lying within the boundaries of any easement area granted to the County for its Water System.
- 2.48 **"Water System"** or **"Water Utility"** means that system of water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, cross connection control devices and all other equipment and machinery of whatever kind owned by the County and which is required to supply and distribute water to all owners and which is deemed to be a public utility within the meaning of the *Municipal Government Act*, RSA 2000, c. M-26.

3. GENERAL:

- 3.1 The County having constructed, operated and maintained a Water System as a public utility shall continue, insofar as there is sufficient capacity and supply of water, to supply water, upon such terms as Council considers advisable, to any Owner within Strathcona County situated along the County Water Main.
- 3.2 In providing a service connection to County Watermains, the County shall provide and install all Facilities up to the Water Service Connection subject to the terms of this Bylaw. The County shall remain the owner of all Facilities provided by the County for a Service Connection unless the County and the Consumer have expressly agreed in writing otherwise. Any payment made by the Consumer reimbursing costs incurred by the County in installing Facilities does not entitle the Consumer to ownership of any such Facilities unless an agreement in writing between the County and the Consumer specifically provides otherwise.
- 3.3 An Owner is responsible for providing such facilities as considered necessary in order to have a continuous and uninterrupted supply of water for the Owner's specific needs provided such facilities are approved by Planning and Development Services under the *Safety Codes Act*, RSA 2000, c. S-1 and also provided that such facilities do not interfere with the operation of the Water System.

County's Right of Entry

- 3.4 The County's employees, agents and other representatives shall have the right to enter a Consumer's premises at all reasonable times for the purpose of installing, maintaining, inspecting, replacing, testing, monitoring, reading or removing the County's Facilities and for any other purpose incidental to the provision of a Service Connection. The Consumer shall not prevent or hinder the County's entry. Any Person failing to comply with the terms of this section shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.

- 3.5 The County has the right to enter a Consumer's premises at any reasonable hour in order to
- 3.5.1 Install, inspect, test, repair or remove County Facilities or equipment,
 - 3.5.2 Perform necessary maintenance to County Facilities or equipment,
 - 3.5.3 Investigate a Consumer complaint or query,
 - 3.5.4 Conduct a surprise inspection of a concern with unauthorized use of water or tampering with the Water System including but not limited to the Meter and Service.
- 3.6 Before entering premises, the County will make reasonable effort to notify the Consumer or other responsible Person who is at the premises and who appears to have sufficient authority to permit entry except:
- 3.6.1 In the case of emergency,
 - 3.6.2 Where entry is permitted by order of a court or administrative tribunal,
 - 3.6.3 Where otherwise legally empowered to enter,
 - 3.6.4 Where the purpose of the entry is in accordance with Sections 3.5.3 or 3.5.4 of this Bylaw.

Liability of County

- 3.7 The County shall not be liable for damages, including building losses:
- 3.7.1 Caused by a break within the County's Water System or;
 - 3.7.2 Caused by the interference or cessation of water supply necessary in connection with the repair or proper maintenance of the County Water System; or
 - 3.7.3 Generally for any accident due to the operation of the County Water System, unless such action has been shown to be directly due to the negligence of the County or its employees.

Alternate Source of Water Supply

- 3.8 No person shall use any alternate source of water supply other than the Water System without the written consent of the Director.
- 3.9 Notwithstanding Section 3.8:
- 3.9.1 The Director may give consent to an Owner to use an alternate source of water, subject to such terms and conditions as the Director deems necessary (including but not limited to) setting a limit on the period of time for which an alternate supply of water may be used.
 - 3.9.2 An Owner may use an alternate source of water in the Rural Water Service Area, where alternate sources of water are available. and the area is recognized by the County as a voluntary connection area.

- 3.10 No person who has been granted permission to use an alternate source of water supply shall allow the alternate source of water to be connected to the Water System.
- 3.11 Any Person failing to comply with the terms of the Section 3.8 shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.

4. DUTIES AND MANAGEMENT:

Director of Utilities

- 4.1 The Director is responsible for the administration and enforcement of this Bylaw including, without limiting the generality of the foregoing:
 - 4.1.1 The general installation, maintenance and management of the Water System;
 - 4.1.2 The distribution and use of water from the Water System;
 - 4.1.3 Enforcing terms and conditions under which water from the Water System is supplied to or made available for use by an Owner, and for shutting off the water or discontinuing the Water Service until the Owner complies with the terms and conditions so designated.
- 4.2 In addition to the Engineering Servicing Standards, the County may establish standards, guidelines and specifications for the design, construction and maintenance of the Water System.
- 4.3 For the purposes of administering or enforcing the provisions of this Bylaw, the Director may delegate his/her powers to one or more employees of the County and the said employees shall be deemed to be authorized agents of the Director. In that regard, employees of a third party engaged in Water Meter reading on behalf of the Director shall be deemed to be employees of the Department.

Director of Financial Services

- 4.4 The Director of Financial Services for the County is responsible for:
 - 4.4.1 Entering into binding Accounts with Owners for the supply of water.
 - 4.4.2 The billing and collection of the rates, charges, fees, and rents in connection with the Water System including but not limited to charges for any work done or disconnection or replacement of any part of the Water System, or the Owner's Private Service.

5. CONSTRUCTION AND INSTALLATION OF SERVICE PIPE

- 5.1 All applications for construction and for all installations contemplated under this Bylaw shall be done or made in accordance with the provisions of the *Safety Codes Act*, RSA 2000, c. S-1 and regulations made thereunder and the Engineering Servicing Standards.
- 5.2 In other special circumstances the Director in his/her sole discretion may authorize the installation of more than one Service Pipe per lot.
- 5.3 No Person shall install or permit to be installed a Service Pipe between a Water Meter and the CC located at or near the property line. Any Person failing to comply with the terms of this section shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.

- 5.4 All plumbing fixtures set below the level of the ground surface of the adjoining street or property and which are connected with the municipal sewage system in the Hamlet of Sherwood Park shall be protected by an Approved Backflow Prevention Device.
- 5.5 No Backflow Prevention Device shall be installed in a building drain unless it is a type or model which has been approved for such installation by the Government of Alberta. Any Person failing to comply with the terms of this section shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.
- 5.6 The Owner of multiple housing and commercial developments shall submit Private Service design plans, duly signed by a Professional Engineer, to the Director for review and approval prior to construction start.
- 5.7 The Department shall provide technical advice for Private Service designs, to ensure acceptable standards in design, materials and construction.
- 5.8 An Owner shall furnish to the Director two (2) sets of "As Built" plans, together with a letter, duly signed by a Professional Engineer, indicating that the Private Service is fully operational and satisfactory bacteria sampling results have been provided.

6. SERVICE PIPE FOR DOMESTIC PURPOSES

- 6.1 Unless the Director determines otherwise, at the request of the Owner, a Service Pipe shall be constructed only to those properties which abut directly on the County Water System.
- 6.2 A Service Pipe shall not be extended from one lot to another.
- 6.3 When a Service Pipe becomes inadequate to supply the volume of water required at any building or premises and the Owner desires a larger Service Pipe, the said Owner shall apply by letter to that effect. The larger Service Pipe shall be installed provided that the Owner pays, in advance, the cost of the new Service Pipe plus the cost of abandoning the older Service Pipe.
- 6.4 If application is made for a Service Pipe of a size greater than the Director considers is warranted by foreseeable water demand, the Service Pipe for which application is made may be installed, providing the difference in cost between the size of the Service Pipe applied for and the size of the Service Pipe deemed necessary by the Director is paid in advance by the Owner.
- 6.5 Upon notice to any Owner that an existing Private Service fails to meet the requirements of this Bylaw, or for any reason is unsatisfactory to the Director, the Owner shall effect the changes required in the notice by the date specified in the notice at the expense of the Owner.
- 6.6 Additional construction costs to the Service Pipe and after Point of Delivery are the responsibility of the Owner. All additional costs of construction due to development on private property, including additional costs required for bridging or repairing of disturbed streets, shall be borne by the Owner on whose property development is occurring.

Damage to Service Pipes

- 6.7 An Owner shall be responsible to thaw out frozen Service Pipes. The County may provide the service and the Owner shall pay for the thawing of the Service Pipe.
- 6.8 When a Service Pipe passes through an excavation or backfill, or through a basement wall, finished or unfinished, or through a retaining wall, the County shall not be responsible for any

damage due to displacement, settlement, or any cause due to the Owner's operations, whether damage occurs during building operations or afterwards.

Temporary Service

- 6.9 Persons who wish temporary Service shall make application to Planning and Development Services in accordance with Section 5.1, and shall pay the County in advance the whole cost of Service construction, including the cost of removal when no longer required.
- 6.10 If required by the Director, a person requiring temporary Service shall provide a Meter Spacer meeting the requirements of Section 8.11 in an approved location.

Construction Water

- 6.11 Water used for any construction purposes shall be charged in accordance with rates and charges provided in the Fees and Charges Bylaw for unmetered rates for building construction, and paid together with the Building Permit Fee imposed pursuant to the Fees and Charges Bylaw, as amended or replaced from time to time.
- 6.12 Notwithstanding Section 6.11, the Director may require that Construction Water be metered and charged in accordance with the Fees and Charges Bylaw.

7. INSTRUCTIONS FOR PLUMBING AND MECHANICAL CONTRACTORS:

- 7.1 This section refers to that portion of a Service Pipe from the CC through to the Meter position and applies to both new construction and to any renewal, alteration or change in old construction. In addition, plumbers and contractors shall comply with the provisions of the *Safety Codes Act*, RSA 2000, c. S-2, and its regulations, as amended or replaced from time to time.
- 7.2 The Point of Delivery to private property as agreed to at the time of application for a Service Pipe shall be strictly adhered to. Any additional costs arising from the non-adherence to the above shall be borne by the Owner.
- 7.3 In the private portion of all Services, regardless of the size of Service Pipe, the Owner shall provide a Meter Spacer within 300 mm of the entrance of the Service Pipe into the Owner's building.
- 7.4 The Owner shall install a Master Control Valve in the Service Pipe ahead of the Meter Spacer.
- 7.5 The Owner at his/her expense shall install a pressure-reducing valve after the Master Control Valve at all locations where the supply pressure exceeds 700 KPA.
- 7.6 In addition to the Master Control Valve mentioned in section 7.4, in cases where the Meter size or Service Pipe size is 25 mm or greater, the Owner shall install a Master Control Valve after the Meter Spacer.
- 7.7 Meters shall be installed, and Meter bypasses constructed in accordance with Section 8 of this Bylaw.
- 7.8 The Owner shall at all times maintain the Master Control Valves in sound working order and protect them against frost or other damage.

Plumbers

- 7.9 A plumber may operate a CC of 20 mm and 25 mm only for the purpose of:
- 7.9.1 The testing of his/her own Service Pipe in the case of new installations.
 - 7.9.2 The replacing or renewing of a Master Control Valve.
 - 7.9.3 Repairing or renewing Service Pipe between the CC and the Master Control Valve.
- 7.10 After completion of work under Section 7.9.1, a plumber shall immediately close the CC and remove the Meter Spacer. Meter Spacers shall only be left in place until construction is complete.
- 7.11 A plumber shall not operate any of the Department's Service Control Valves of 40 mm or larger in size for any purpose. Any Person failing to comply with the terms of this section shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.

8. WATER METERS

- 8.1 The County shall remain the owner of all metering facilities it provides to serve the Consumer, unless the County and the Consumer have expressly agreed in writing otherwise. Any payment made by the Consumer reimbursing costs incurred by the County in installing metering facilities does not entitle the Consumer to ownership of any such facilities unless an agreement in writing between the County and the Consumer specifically provides otherwise.
- 8.2 The owner shall determine the size, type and number of water meters to be supplied and installed by the County. The Owner shall ensure that the flow requirements are within the normal operating range of the meter sized for supply. The Director shall approve the metering requirements where water is supplied for fire protection purposes.
- 8.3 Except as provided in Section 8.4, the County shall supply, install, own and maintain all Water Meters and Meter Pits in accordance with manufacturers' specifications.
- 8.4 Notwithstanding Section 8.3, an Owner may install a Subsidiary Meter on his/her property, at his/her own expense.
- 8.5 The County will not read or maintain a Subsidiary Meter.
- 8.6 With respect to the installation of Water Meters under Section 8.2, the Owner shall allow the County to install a Water Meter within one week of occupancy of the premises.
- 8.7 No Person, other than an employee of the Department or a person authorized in writing by the Director, shall install, test, remove, repair, replace, or disconnect a Water Meter.
- 8.8 No person shall interfere with or tamper with the operation of any Water Meter or Remote Meter Reading Device.
- 8.9 All Bypass Valves on Water Meter installations shall be sealed by the County and no one shall open such Bypass Valves except for emergency use. The Director is to be notified within twenty-four (24) hours if a seal is broken for the emergency operation of a Bypass Valve.

Owner's responsibilities

- 8.10 The County may charge for and recover from the Owner the cost of supplying, installing, altering, repairing, relocating or replacing a Water Meter. Any such charge may be collected in the same manner as water rates.
- 8.11 As provided in section 7, at the Owners expense, the Owner of any building to which Service is provided shall ensure:
- 8.11.1 that every Service Pipe entering the building has a horizontal Meter Spacer;
 - 8.11.2 that the Meter Setting is constructed in accordance with specifications provided by the Department;
 - 8.11.3 that for a Meter having a pipe size of 50 mm or larger, there is an adequately constructed Bypass Valve in accordance with specifications provided by the Department.
- 8.12 For all Water Service Connections of any size to buildings, with or without basements, if an Owner fails to make available a site acceptable to the Director or does not make the installation in an Approved manner, the County:
- 8.12.1 may enter the premises to construct, maintain or repair the Water Service Connection; or
 - 8.12.2 shall have the right to refuse to supply water to the premises.
- 8.13 No Owner shall relocate, alter, or change any existing Water Metering facilities without the written approval of the Director. The Owner shall submit plans and specifications for any proposed relocation of Water Metering facilities and, if approved by the Director, the Owner shall pay the entire cost, including any costs incurred by the County, in making any such relocation, alteration, or change.

Damage to Meters

- 8.14 The Owner of a building in which a Meter is located shall;
- 8.14.1 comply with all directions of the Department to prevent Meter damage due to frost, heat or other causes.
 - 8.14.2 refrain from taking any action that causes Meter damage due to frost, heat or other causes.
 - 8.14.3 promptly notify the Department of any condition or event which may cause Meter damage due to frost, heat or other causes.
- 8.15 If a Meter is lost, damaged or destroyed, the Owner of the building in which the Meter is located shall pay for the entire cost of the Meter removal, repair and re-installation or for the cost of replacing the Meter.

Meter Pits

- 8.16 Should the Director determine that a Meter Spacer should not be positioned inside a building to which Service is provided, the Owner shall construct a Meter Pit on the Owner's property near the property line at the Owner's expense, and in accordance with the Engineering Servicing Standards.
- 8.17 Meter Pits shall be positioned at a location satisfactory to the Director and be constructed in accordance with the Engineering Servicing Standards.
- 8.18 Unless otherwise determined by the Director, for single family dwellings and for single unit commercial or industrial buildings, a single Water Service Connection shall be constructed, and a single Meter shall be installed by the Department in the Meter Spacer provided.

9. SERVICE CONNECTIONS FOR FIRE PROTECTION, MULTI-RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PURPOSES

Fire Protection Services

- 9.1 When an Owner wishes to provide fire protection by means of sprinkler heads, Fire Hydrants, or outlets for hose lines, or in some other manner, application for a Fire Service Pipe shall be made in accordance with Section 5.1.
- 9.2 Under this section the ownership and maintenance of all piping and fittings or apparatus on County streets up to the Point of Delivery together with Meter(s) on property shall become the property and responsibility of the County.
- 9.3 Fees for Fire Service Pipe and Combined Service Pipe constructed in accordance with this Bylaw shall be charged in accordance with the Fees and Charges Bylaw.
- 9.4 On all Combined Service Pipe and Fire Hose Rack services, a Master Control Valve shall be installed before the Point of Delivery. No Control Valve shall be permitted between the Master Control Valve and the Fire Hose Rack valve.
- 9.5 The Department may seal Fire Hose Rack valves. No person, other than authorized employees of the Department shall break such a seal, except in case of emergency. In such case, the Owner or occupant shall immediately notify the Department that the seal has been broken.

Multi-Family Residential Buildings

- 9.6 Unless otherwise determined by the Director, for multi-family residential buildings, the Water Service Connections and Meters constructed shall be the following.
 - 9.6.1 up and down duplexes - one (1) Water Service Connection and one Meter per unit.
 - 9.6.2 side by side duplexes (semi-detached) - one (1) Water Service Connection and one (1) Meter on each side.
 - 9.6.3 apartment building – one (1) Water Service Connection and one (1) Meter only.
 - 9.6.4 multiple housing units consisting of three (3) or more side by side units may have one (1) Water Service Connection and one (1) Meter per unit from a common header.

- 9.6.5 multiple housing units consisting of three (3) or more clustered or stacked units may have one (1) Water Service Connection and one (1) Meter for each unit providing approval is given by the Director.

Industrial and Commercial Buildings

- 9.7 Unless otherwise determined by the Director, for industrial and commercial buildings the County shall at its expense provide the following Meters:
- 9.7.1 Subject to subsection 9.6, for multiple side-by-side units - one Meter per unit, but all Meters banked at a location where the Service enters the building;
- 9.7.2 Meters may be installed for industrial units, providing a Service Pipe is located outside the building, and each unit has its own CC.

Remote Meter Reading Devices

- 9.8 A Remote Meter Reading Device shall be owned and maintained by the County.
- 9.9 Wiring for a Remote Meter Reading Device for each Meter shall be installed with any new construction. The Owner will be responsible for the cost of the wire and its installation.
- 9.10 Where wiring for a Remote Meter Reading Device is installed as provided in Section 9.9, the wire shall be 22 gauge, stranded, and 3 conductor wire. The wiring shall be installed from the Meter Spacer to a location in the front of the house facing the Street, typically on the walkway or driveway side.

Meter Readings

- 9.11 Water Meters shall be read at the discretion of the Director. If a Meter reader cannot enter the premises to read the Water Meter, he/she may leave a card with instructions requesting the Owner to notify the County as soon as possible of the Water Meter reading. In the event a consumer refuses to allow a Meter to be read for a period in excess of six (6) months, the Director may shut off the supply of water to that Meter.
- 9.12 If a Consumer experiences abnormally high water consumption estimates arising out of a failure to provide a Meter reading, the Director may adjust the water bill to reflect the average monthly consumption for that customer class for a period not exceeding the prior twelve (12) months upon condition that the Consumer provides a Meter reading or permits access for a Meter reading.
- 9.13 No Person shall do, or shall cause to be done, or shall permit to be done, any act which may obstruct or impede direct safe and convenient access to a Meter for the purpose of installation, inspection, removal, repair, replacement, reading or the like at all times. Any Person failing to comply with the terms of this section shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.
- 9.14 If access to a Meter cannot be obtained, the County will send estimated bills. If after six (6) successive attempts, access is still not afforded, a special Meter reading fee as provided in the Fees & Charges Bylaw may be applied.
- 9.15 Upon entry to a Consumer's premises, County employees shall provide an identification card upon request.

- 9.16 If so required for any reason, County employees may request to have a County Bylaw Enforcement Officer accompany them to any Consumer's residence or business for any reason.

Meter Testing

- 9.17 In the event of a discrepancy between the Remote Meter Reading Device and the Meter, the Meter shall be deemed correct.
- 9.18 If a Owner doubts the accuracy of a Meter installed in a building he owns or occupies, the Department shall have the Meter tested by an Approved external agency.
- 9.19 If the test shows the Meter is recording between 98.5% and 101.5% of true consumption, the Owner shall pay the entire cost of the testing.
- 9.20 The Owner may be notified of test results and receive a copy of the test results.

10. HYDRANTS

Use of Water from Hydrants

- 10.1 No Person shall take Water from a County fire hydrant except:

- 10.1.1 with County approval, and
- 10.1.2 in an emergency fire fighting situation.

Any un-metered water usage from fire hydrants may be considered unauthorized use of water and the Person shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.

- 10.2 Any person using water from a fire hydrant other than for fire fighting emergency purposes will:
- 10.2.1 Use a County supplied fire hydrant Meter.
 - 10.2.2 Take appropriate steps to prevent damage to County infrastructure, tools, and equipment.
 - 10.2.3 When extending hydrant hoses onto roadways provide vehicle ramps and road signage.
 - 10.2.4 Prevent water wastage.
 - 10.2.5 Have an Approved Backflow Prevention Device in place when connecting to structures that have been connected to a non potable water source.
 - 10.2.6 Take steps to prevent water quality degradation in County Water System.
 - 10.2.7 Pay meter rental charge and per m³ consumption rates as set out in the Fees and Charges Bylaw.
 - 10.2.8 Report any hydrant deficiencies to County immediately.
- 10.3 Fire hydrant Water Meters may be issued for seasonal usage required for construction and landscaping purposes.

- 10.4 A hydrant User shall protect the Approved Backflow Prevention Device, Water Meter and connecting valves and pipes from freezing, external and internal damage of any kind or any other thing which may affect the operation or reading of the Water Meter or Backflow Prevention Device and shall pay the cost of repairing or replacing all or any portion of the Backflow Prevention Device supplied by the County that may be damaged from the foregoing causes or any other causes within the Hydrant User's control.

Hydrant flow tests

- 10.5 Any Person requiring hydrant flow tests will require County authorization and will perform the tests at the Owner's expense, with a County representative present in attendance to witness the test.

Private Hydrants

- 10.6 Any Person who wishes to install a hydrant on private property may, upon obtaining approval for the installation from the County, do so at the Owner's expense.
- 10.7 The County will perform the maintenance and inspection of a fire hydrant on private property, except as noted hereafter, at the Owner's expense, as outlined in the Fees & Charges Bylaw.
- 10.8 The County shall not perform maintenance or inspection of fire hydrants on any industrial lands within the County.

Interference with Hydrants

- 10.9 No Person shall do anything to obstruct access to a fire hydrant or to interfere with the operations of a fire hydrant. Any Person failing to comply with the terms of the sections 10.9 and 10.10 shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.
- 10.10 Any Person who owns property on which a fire hydrant is located or property which is adjacent to property on which a fire hydrant is located shall maintain a clearance of one (1) meter around a fire hydrant and shall not permit anything to be constructed, erected, placed or planted within that clearance.

11. UNAUTHORIZED USE, INTERFERENCE OR OBSTRUCTION

- 11.1 Except as permitted in section 7.9, no Person, other than County employees or agents shall operate, handle or interfere with the County's provision of a Service including the County's CCs, valves, and pipes; nor shall any unauthorized Person operate, handle or interfere with a County Meter.
- 11.2 Except as permitted in section 7.9, no Person, other than County employees or agents authorized by the Director, shall make, keep, use or dispose of any key or wrench, the purpose of which is to operate any valve, CC, Fire Hydrant, Meter Pit, or any other appurtenances on the County's Water System.
- 11.3 No Person shall obstruct or impede direct and free access to the County's Water System. Costs of removing obstructions or impediments shall be borne by the offending party, and may be added to a monthly utility bill.

- 11.4 Any Person failing to comply with the terms of the sections 11 or 12.5 shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw. Penalties shall apply where a person:
- 11.4.1 Interferes with any of the Facilities,
 - 11.4.2 Lays or causes to be laid any pipe to connect with any Water Main or in any way obtains or uses any water from the Water System without the written consent of the County,
 - 11.4.3 Does not test an Approved Backflow Prevention Device where required,
 - 11.4.4 Installs or allows to exist a Cross-Connection.
- 11.5 The County may enforce any contravention of this Bylaw by written order pursuant to Section 545 of the *Municipal Government Act*, RSA 2000, c. M-26, as amended.

12. AUTHORITY TO RESTRICT OR SHUT OFF SUPPLY

- 12.1 The Director may without notice shut off the water supply to any part of the County should he decide an emergency situation makes such action necessary.
- 12.2 The Director may in a non-emergent situation shut off water supply to any part of the County provided reasonable notice of such intended shut off is given to all affected Owners. The Director shall have the sole discretion to determine what reasonable notice in the circumstance is.
- 12.3 The Director may restrict and regulate the hours or time during which water may be used for any purpose other than for fire fighting.

Water Demand Management Measures

- 12.4 The Director may, by Publication upon reasonable notice, implement Water Demand Management Measures.
- 12.5 After Publication of any Water Demand Management Measures, it shall be an offence for a Person to use water in contravention of the declared Water Demand Management Measures.

Wastage of Water

- 12.6 No Person shall allow the wastage of water.
- 12.7 If the Director determines that water is being wasted, he may give notice to the Owner of his/her intent to discontinue Service.
- 12.8 In giving notice to discontinue a Service, the Director shall bear in mind all the circumstances of the particular case including, but not limited to, the estimated rate of wastage, the age of piping, the possibility of damage to adjacent property and the season of the year. The time allowed for stopping the wastage shall be reasonable, but at the discretion of the Director. Any Person failing to comply with the terms of the section 12.6 or 12.8 shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.

13. MISCELLANEOUS MATTERS

- 13.1 The Department shall not carry out any work pertaining to the construction or repair or renewal of Service Pipe on private property, except with the authority of the Director and then only after

satisfactory arrangements have been made with the Owner for payment for doing such work.

- 13.2 If the Owner of a remotely situated property makes application for a Service Pipe, on the County's behalf the Director may enter into a Water Service Contract providing the contract includes, among other things, the following conditions:
- 13.2.1 The Owner shall pay all costs of construction, operation and maintenance of the extended Service.
- 13.2.2 The Service provided shall meet specifications determined by the Director.
- 13.2.3 The Owner shall indemnify the County for damages which the County may incur through the provision of the Service.
- 13.3 The Director may, at his/her discretion and with just cause, restrict or deny use of a Bulk Water Outlet to any Person if receiving tanks, trucks, or hoses are in a condition deemed not sanitary for the transference of water from the Bulk Water Outlet.
- 13.4 A minimum air gap of twice the pipe diameter of the downspout piping shall be maintained at all times while transferring water from the Bulk Water Outlet.
- 13.5 Commercial tanks and vessels used for water transportation to offsite locations for human consumption must be inspected, approved and have a permit issued by the local Public Health Inspector. Any Person failing to comply with any of the terms of the section 13.3, 13.4 or 13.5 shall be liable for penalties in accordance with Schedule "A" attached to this Bylaw.

14. WATER RATES AND CHARGES, OPENING AND CLOSING OF ACCOUNTS

Opening Accounts

- 14.1 With the exception of unmetered Construction Water, an Account must be opened before water is used.
- 14.2 A Consumer may set up a domestic Account with the County Financial Services Department in person, by telephone or in writing.
- 14.3 Notwithstanding 14.2, effective March 1, 2007 new Accounts for Service shall only be entered into with the Owner of a parcel. Property renters shall not be permitted to apply for Accounts in their own name.
- 14.4 A Person may set up a commercial and/or industrial Account with the County Financial Services Department in person or in writing.
- 14.5 An Owner may set up an Irrigation Account with the County Financial Services Department in person or in writing.
- 14.6 Persons who use water without opening an Account will be liable for the cost of water consumed as estimated by the County Financial Services Department.
- 14.7 Where an Owner has set up an Account for Service, an Owner may request that the invoice for the Account be sent directly to the service address as identified by the Owner. Notwithstanding this section, the Owner remains the Account holder responsible for all debts incurred under that Account.

14.8 A Consumer shall:

- 14.8.1 Pay all charges, fees and bills for Water Services performed by the County in accordance with the Fees and Charges Bylaw;
- 14.8.2 Adhere to the requirements of this Bylaw;
- 14.8.3 Promptly pay their Account or any penalties assessed.

Discontinuance of Service

14.9 A Consumer may contact the County for temporary or permanent Turn Off of Water Service.

14.10 The Director may Turn Off Service without notice for any of the following reasons:

- 14.10.1 failure to open an Account,
- 14.10.2 if, in the opinion of the Director, an emergency exists,
- 14.10.3 the Consumer's facilities are unsafe or defective, leak excessively or cause contamination or deterioration to the Water System,
- 14.10.4 for the purposes of repairing and maintaining the Water System,
- 14.10.5 the Consumer fails to provide the County adequate access to the Water System on property or access to the premises for the purposes of reading, verification, testing, repairing, replicating or inspection of the meter as required, or
- 14.10.6 if, in the opinion of the Director, it is reasonable to do so.

14.11 The Director may at any time, upon endeavouring to provide Forty Eight (48) hours notice to a Consumer and without any further notice Turn Off a Water Service or refuse to open an Account, if the Consumer:

- 14.11.1 neglects or refuses to pay when due any charges levied pursuant to this Bylaw
- 14.11.2 fails to perform any term of an Account
- 14.11.3 contravenes of any other section in this Bylaw
- 14.11.4 fails to comply with notice to discontinue water use during Water Demand Management Measures or
- 14.11.5 fails to comply with notice to discontinue wastage of water.

14.12 If Service to a Consumer results in Turn Off for non-payment of an Account at one location, the County may Turn Off Service to the same Consumer at another location or at any other locations.

14.13 A reconnect fee as specified in the Fees & Charges Bylaw will be levied before reconnection of a Service.

Guarantee deposits

- 14.14 As a condition of providing Service, the Director of the County Financial Services Department may require a guarantee deposit from the Owner.
- 14.15 A Ninety (90) day billing period upon which the guarantee deposit is to be based, shall be determined by the Director of the County Financial Services Department.
- 14.16 A guarantee deposit is non-transferable and may be in the form of a security bond or letter of credit, cash or certified cheque.
- 14.17 The Director of the County Financial Services Department may at any time require that the guarantee deposit be increased.
- 14.18 Upon discontinuance of Service, the deposit shall be returned to the Consumer within thirty (30) days together with interest, as set out in 14.19 herein, after deducting therefrom all outstanding charges for the supply of Service, including the cost of Turning Off or discontinuing Service for non-payment of Accounts.
- 14.19 Any interest due to the Consumer as set out in 14.18 above, shall be paid by the County to the Consumer, at the rate equal to half a percent (0.5%) Percent below the County's weighted average rate of return from the prior year. The County weighted average rate of return will be set in January of each year for that year's payment of deposit interest.

Monthly water bill

- 14.20 All Consumers shall pay for their water consumption and all other rates and charges as provided for in the Fees and Charges Bylaw.
- 14.21 No reduction in rates will be made in the monthly charge for water supplied to or made available for use by any Consumer because of any interruption due to any cause whatsoever of the water supply.
- 14.22 All rates and charges shall be included in a monthly water bill provided to the Consumer and shall be due and payable monthly in the manner herein provided.
- 14.23 In the event a water bill remains unpaid after the date fixed for payment, a penalty of one and a half percent (1.5%) of all outstanding charges shall be added to the outstanding balance thereto and form part of the rates levied.
- 14.24 In the event that the water bill remains unpaid for a period of sixty (60) days after the date of mailing of the bill, the County may cause a written notice to be served by way of prepaid registered mail on the Owner at his/her last known address, advising that unless the Account is paid in full within seven (7) days from the date of mailing the said notice, the County will proceed with collection measures as provided by this section.
- 14.25 Any water bill remaining unpaid under this Bylaw will constitute a debt owing to the County and is recoverable by any or all of the following methods, namely:
 - 14.25.1 by action, in any Court of competent jurisdiction, or
 - 14.25.2 by distress and the sale of the goods and chattels of the Person owing the rates, charges, tolls, fares or rents wherever they may be found in the County; or

- 14.25.3 by discontinuance of water supply within the County, plus imposition of a re-connection fee as specified in the Fees and Charges Bylaw, or
 - 14.25.4 by collecting in a like manner as municipal rates and taxes.
 - 14.25.5 in the event of a foreclosure, the billing account will be managed by the Director of Financial Services by undertaking all necessary actions deemed appropriate to effectively reduce the County's exposure to financial loss.
- 14.26 The County shall Turn On Irrigation Accounts May 1 and Turn Off Irrigation Accounts on November 1 of each year once Service has been requested by the Owner.
- 14.27 The Irrigation Account and Services will continue, as provided by section 14.26 above, until the Owner requests in writing that an Irrigation Account be discontinued.

Closing accounts

- 14.28 Consumers wishing to close their Accounts must request a Turn Off order at least two working days before the order is to become effective.
- 14.29 The County may continue to levy charges in accordance with the Fees & Charges Bylaw until an Account is closed.

Removal of County Property

- 14.30 Where any Consumer discontinues the use of the Water System furnished by the County, or the County lawfully refuses to continue any longer to supply it, any employee of the County employed for that purpose may at all reasonable times enter the premises in or upon which such consumer was supplied with the Water Utility for the purpose of removing any fittings, machines, apparatus, meters, pipes or other things that are the property of the County in or upon such premises and may remove them.

15. APPLICATION OF BYLAW TO WATER SERVICE ACCOUNT

- 15.1 The provisions of this Bylaw shall form a part of every Account.

16. OFFENCES AND PENALTIES

- 16.1 Any Person who contravenes any provision or requirement of this Bylaw is guilty of an offence and is liable under the *Provincial Offences Procedures Act* RSA 2000, c. P-34 to a fine as set out Schedule "A" to this Bylaw.
- 16.2 Except as otherwise provided in this Bylaw and subject to the provisions of subsection 16.4, a person who contravenes any provision of this Bylaw and any other person liable for such contravention shall, and where no specified fine has been assessed, upon summary conviction before a Court, be liable to a fine or not more than Two Thousand Five Hundred Dollars (\$2,500).
- 16.3 Whenever a County Bylaw Enforcement Officer has reason to believe or does believe a Person has contravened any provision of this Bylaw, as listed on the attached Schedule "A" the County Bylaw Enforcement Officer may issue a violation ticket for each offence.
- 16.4 Under no circumstances shall any person contravening any provision of this Bylaw be subject to the penalty of imprisonment.

17. VIOLATION TAGS

- 17.1 A County Bylaw Enforcement Officer is hereby authorized and empowered to issue a violation tag to any person who the County Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 17.2 A violation tag may be issued to such person:
- 17.2.1 either personally, or
 - 17.2.2 by mailing a copy to such person at his/her last known post office address.
- 17.3 The violation tag shall be in a form approved by the Chief Commissioner and shall state:
- 17.3.1 the name of the person;
 - 17.3.2 the offence;
 - 17.3.3 the appropriate penalty for the offence as set out in this Bylaw;
 - 17.3.4 that the penalty shall be paid within thirty (30) days of the issuance of the violation tag;
 - 17.3.5 any other information as may be required by the Chief Commissioner.
- 17.4 Where a contravention of this Bylaw is of a continuing nature, further violation tags may be issued by the County Bylaw Enforcement Officer, provided that no more than one violation tag shall be issued for each day that the contravention continues.
- 17.5 Where a violation tag is issued pursuant to this Bylaw, the Person to whom the violation tag is issued may, in lieu of being prosecuted for the offence, pay to the County Treasurer the penalty specified on the violation tag.
- 17.6 Nothing in this Bylaw shall prevent a County Bylaw Enforcement Officer from immediately issuing a violation ticket for the mandatory Court appearance of any Person who contravenes any provision of this Bylaw.

18. VIOLATION TICKET

- 18.1 If the penalty specified on a violation tag is not paid within the prescribed time period then a County Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34.
- 18.2 Notwithstanding Section 17.1 of this Bylaw, a County Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended, to any person who the County Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

19. REPEAL

- 19.1 This Bylaw repeals Bylaw 6-2006.

20. EFFECTIVE DATE


20.1 This Bylaw comes into effect after third reading and upon being signed.

Read a first time this 28 day of June 2011.

Read a second time this 28 day of June 2011.

Read a third time this 28 day of June 2011 and finally passed.

STRATHCONA COUNTY


MAYOR


DIRECTOR, LEGISLATIVE & LEGAL SERVICES

Date Signed: July 6, 2011

SCHEDULE "A"**OFFENCES, PENALTIES & FINES**

SECTION	OFFENCE	FINE
3.4	Consumer prevents or hinders County's entry.	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence
3.8	Uses any alternate source of water supply without consent.	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence
5.3	Installs Service Pipe between Water Meter and Curb Cock.	1 st offence \$500 2 nd & subsequent offences double the fine for a 1 st offence
5.5	Installs unapproved Backflow Prevention Device	1 st offence \$250 2 nd & subsequent offences double the fine for a 1 st offence
7.11	Operates any of the County's Service Control Valves of 40 mm or larger.	1 st offence \$1,000 2 nd & subsequent offences double the fine for a 1 st offence
9.13	Person obstructs, or impedes safe access to Meter	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence
10.1	Unauthorized use of water	1 st offence \$200 2 nd & subsequent offences double the fine for a 1 st offence
10.10	Obstructs access to a Fire Hydrant.	1 st offence \$200 2 nd & subsequent offences double the fine for a 1 st offence
11.4.1	Interferes with any of the Facilities	1 st offence \$200 2 nd & subsequent offences double the fine for a 1 st offence
11.4.2	Lays or cause to be laid any pipe to connect with any Watermain or in any way obtain or uses any water from the Water System without written consent of the County	1 st offence \$500 2 nd & subsequent offences double the fine for a 1 st offence
11.4.3	Fails to test a Back Flow Prevention Device when required	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence

11.4.4	Installs or allows to exist a Cross-Connection	1 st offence \$1,000 2 nd & subsequent offences double the fine for a 1 st offence
12.5	Uses water in contravention of a declared Water Demand Management Measures.	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence
12.6 & 12.8	Wastage of water.	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence
13.3	Improper use of Bulk Water Outlet.	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence
13.4	Maintains less than required air gap.	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence
13.5	Fails to obtain permit or fails to be properly inspected and approved for water transportation.	1 st offence \$100 2 nd & subsequent offences double the fine for a 1 st offence