

## BYLAW NO. 248-20

### **A BYLAW OF CLEAR HILLS COUNTY IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF GOVERNING THE USAGE OF THE WATER WORKS DISTRIBUTION SYSTEMS AND WASTE WATER COLLECTION SYSTEMS IN THE HAMLETS OF WORSLEY, CLEARDALE AND IN THE COMMUNITY OF BEAR CANYON AND REPEALING BYLAW 239-19.**

WHEREAS, Sections 7 (f) and (g) of the Municipal Government Act of Alberta, 2000 being Chapter M-26.1 authorizes the County to pass bylaws for county purposes respecting services provided by or on behalf of the county and public utilities; and

WHEREAS, the Council of Clear Hills County considers it desirable to maintain and manage the water distribution systems in the hamlets of Worsley and Cleardale and the community of Bear Canyon,

WHEREAS, the Council of Clear Hills County considers it desirable to maintain and establish waste water (sewer) service charges in the hamlets of Worsley and Cleardale,

WHEREAS, the Council of Clear Hills County considers it desirable to maintain and establish waste removal service charges in the hamlets of Worsley and Cleardale

NOW THEREFORE, the Council of Clear Hills County, in the Province of Alberta, duly assembled, enacts as follows:

#### **DEFINITIONS:**

The following definitions will apply to this bylaw:

- a) **CONSUMER** shall mean an owner, occupant, or lessee of property or a cardlock holder, who obtains water services from Clear Hills County in the hamlets of Worsley and/or Cleardale and/or the community of Bear Canyon.
- b) **CHIEF ADMINISTRATIVE OFFICER** shall mean the Chief Administrative Officer of Clear Hills County, in the Province of Alberta.
- c) **COUNTY** shall mean Clear Hills County.

#### **WATER**

1. The provisions of this Bylaw shall apply to anyone obtaining water from the water works systems operated by the County in the hamlets of Worsley and Cleardale and the Community of Bear Canyon.
2. All water service connections to the water works systems, requires a written submission on an application form provided by the County with the required connection fee as set out in the Water and Wastewater Service Charges.
3. All water outlets from a water service connection to any building must be metered and supplied with backflow prevention devices.
4. All water meters and backflow prevention devices will be supplied by the County, and will be installed by, and at the expense of, the consumer requiring the service. Qualified personnel shall carry out all water meter installations and

- each installation shall be subject to an inspection by a person authorized, or employed by the County.
5. All meters and backflow prevention devices will be made available for purchase to the consumer for cost plus freight.
  6. All water meters and backflow prevention devices must be installed in an approved location and readily accessible to authorized persons for the purpose of reading, inspecting or changing it.
    - a) Where it can be shown that a water meter cannot be installed in an accessible location for the purpose of reading, and where it can be shown that the installation of a water meter in an accessible location will cause unreasonable cost and inconvenience, the consumer must install a remote water meter reader;
    - b) All remote water meter readers must be installed in an approved location and be readily accessible to authorized persons for the purpose of reading or inspecting;
    - c) The installation of the remote water meter reader will remain at the discretion of the County.
    - d) Where a remote water meter reader is installed a person authorized or employed by the County will be granted access to the water meter as required, for the purpose of reading, inspecting, or changing it.
    - e) If practicable, all meters shall be read at least once every month. If any meter cannot be read within such period, the Chief Administrative Officer, or designated County representative may estimate the flow of water upon such basis as he considers to be fair and equitable and render on account;
    - f) In any event, every meter must be read at least once in each three (3) month period and if in any case a reading cannot be so made, the Chief Administrative Officer, or designated County representative may shut off the water supply to the meter in question until such time as the County is able to obtain a reading;
  7. Should an installation prove to be inadequate upon inspection, the consumer shall alter the installation to the satisfaction of the County and at the expense of the owner, tenant, or occupier requiring the water meter installation.
  8. The consumer shall give access to an authorized person or persons who may be under contract to the County, to a meter for the purpose of reading, inspecting or changing it and shall be responsible to keep the meter free from injury by frost.
  9. No person shall:
    - a) Interfere with the seals or tamper with any meter.
    - b) Tamper with any remote water meter reader or connections thereto.

- c) Lay or cause to be laid or attach any pipe, main, wire or rod, to communicate any pipe, main, wire or rod, of the water works or use any water thereof, without consent of the County.
  - d) Willfully, and without authority, hinder, interrupt or cut off the supply of water.
10. Any damage caused to meters and/or remote water meter readers through abuse, tampering or freezing shall be considered the responsibility of the consumer to whom the meter and/or remote water meter reader has been assigned. The damage will be repaired and/or the meter and/or remote water meter reader replaced by the County with all costs being assigned to the account of the consumer.
  11. Should any person claim a meter is not working properly and is over reading, said person shall deposit with the County the required Meter Testing Deposit. The meter will then be removed from service and given a proper bench test. Should the meter be found to over read by more than 3%, the deposit shall be refunded. Any meter, which meets the requirements previously stated, shall be considered adequate and the person shall forfeit the deposit to the County to cover the costs of removal and testing of the meter. All conveniences during business hours shall be afforded the person to witness meter tests.
  12. Water shall not be turned on to any building or premise after any construction, reconstruction, alteration or change or the completion of any work requiring a permit, until the work has been done to the satisfaction of an authorized person.
  13. Water shall be turned on or off at the curb stop, by an authorized person only.
  14. The consumer shall not vend, sell or dispose of water, or give away or permit the same to be taken or carried away, from any house, building or other premises which is supplied with water from the County owned waterworks system.
  15. Except as hereinafter provided, no persons other than authorized persons shall open, close, operate or interfere with any valve, hydrant or fire plug or draw water there from.
  16. The Chief of a Rural Fire Protection Association or of a Voluntary Fire Brigade, his assistants and officers are authorized to use the hydrants or plugs for the purpose of extinguishing fires or for making trial of hose pipe or for fire protection. All such uses shall be under the direction and supervision of the said Chief or his duly authorized assistants and in no event shall an inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant or plug. No person shall, in any manner, obstruct the free access to any hydrant or valve or curb stop.
  17. No vehicle, building, rubbish or any other matter which could cause such obstruction shall be placed nearer to a hydrant than the property line of the street in which the hydrant is located, nor within twenty (20) feet of the hydrant in the direction parallel with the said property line.

18. Water Service charges or rates shall be levied and collected monthly from all persons, corporations or other such entities connected to and utilizing the water supply systems.
19. The Chief Administrative Officer, or any designated County personnel, may shut off or discontinue water service for non-payment of account or failure to make application for water.

#### **WASTE WATER (Sewer)**

1. Sewer service charges shall be levied monthly and collected from all occupants of property serviced by the sewer systems situated in the hamlets of Worsley and Cleardale in Clear Hills County.

#### **GENERAL**

1. Failure to receive a statement of account, shall in no way affect the liability of the consumer to pay such levies and charges.
2. Any person who contravenes any provision of this Bylaw shall be responsible for all fines, penalties and costs resulting from that act.
3. A person who contravenes a provision of the Bylaw is guilty of an offense and liable on summary conviction to the payment of a fine of not more than \$500.00.
4. Utility services are provided for the property, therefore the owner is responsible for the municipal utility service and the charges related to it. Any charges for damages, penalties and/or fees levied shall be collected as outlined in Section 553, 1 (a) of the Municipal Government Act.
5. Utility accounts shall be payable to Clear Hills County at the County office in Worsley, or such other places as designated by Council.
6. A person who has their service deactivated for non-payment or has an account in arrears shall not be allowed to open a new account until the outstanding balance has been paid in full even in the event the balance has been transferred to the tax roll.

**Schedule of Fees establishing fees for water rates, penalties, deposits and connection fees and sewer service charges for Clear Hills County are as follows:**

**WATER AND WASTEWATER SERVICE CHARGES**

**(a) Water & Wastewater Rates – Monthly**

- \$.021 per gallon for domestic potable water use at the Worsley, Cleardale and Bear Canyon water systems
- \$.05 per gallon for industrial potable water use at the Worsley, Cleardale and Bear Canyon water systems
- \$.04 per gallon for industrial non-potable water use at the Worsley non-potable truck fill.
- \$.0060 per gallon wastewater fee for water used at locations serviced with county sewer in Worsley and Cleardale.

**(b) Penalties – Past Due Accounts**

- (i) There shall be added to, by way of penalty, an amount equal to 2% of the outstanding balance owing at the close of business on the 27<sup>th</sup> day of the month of billing. Postmarks will not be accepted as the date payment is received.
- (ii) Unauthorized use of Municipal Water/Waste Water Works \$500.00

**(c) Non-refundable fees**

- (i) Transfer from One Service to Another \$25.00
- (ii) Service Activation/Reactivation \$45.00
- (iii) Service Reactivation (due to non-payment) \$200.00
- (iv) Emergency Call Out \$200.00
- (v) Deposit for Meter Testing (Section 12) 50% of new meter purchase price.
  - 5/8 x 3/4 inch \$167.50
  - 1 inch to 1 1/2 inch \$695.50
  - 2 inches or greater \$1,005.00
- (vi) Meter Purchases
  - 5/8 x 3/4 inch \$335.00
  - 1 inch to 1 1/2 inch \$1,385.00
  - 2 inches or greater \$2,010.00
- (vii) Replacement or additional card lock cards (each) \$40.00
- (viii) Monthly service charge on card lock accounts \$5.00

- (ix) Non-Refundable Regional Water Line Tie-In Application Fee - This fee is due at time of application and will be applied to the installation costs for the Water Line tie-in connection and curb stop valve.  
Non-Refundable Application Fee \$2,000.00
- (x) Non-Refundable Hamlet Water System Tie-In Application Fee - This fee is due at time of application and will be applied to the installation costs for the Water System tie-in connection and curb stop valve.  
Non-Refundable Application Fee \$2,000.00

**(d) Refundable fees**

- (i) Card lock account activation
  - County landowners (must provide land location) \$100.00
  - Non-county \$1,000.00

Upon disconnection of the service, return of all cards associated with card lock account and full payment of the account; the activation fee shall be returned to the customer within forty (40) days.

If in any case the activation fee with the County remains unclaimed for a period of five years after the account of the utility customer is discontinued the amount of the fee that qualifies for refund shall be transferred to the general revenue account of the County.

The County remains liable to repay the amount of the activation fee that qualifies for refund to the person lawfully entitled thereto for a period of ten years next following the discontinuance of the account. After the ten year period the refundable portion of the fee becomes the absolute property of the County free from any claim in respect thereof.

1. Bylaw No. 117-08 is hereby rescinded.
2. Bylaw No. 129-10 is hereby rescinded.
3. Bylaw No. 133-10 is hereby rescinded.
4. Bylaw No. 161-12 is hereby rescinded.
5. Bylaw No. 171-13 is hereby rescinded.
6. Bylaw No. 181-14 is hereby rescinded.
7. Bylaw No. 196-15 is hereby rescinded.
8. Bylaw No. 214-17 is hereby rescinded.
9. Bylaw No. 221-17 is hereby rescinded.
10. Bylaw No. 239-19 is hereby rescinded.

Governing the Usage of the Water Works Distribution and Waste Water Collection Systems  
in the Hamlets of Worsley and Cleardale and the Community of Bear Canyon

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11. This Bylaw shall come into force and effect on the date of final reading hereof.

READ a first time this 21 day of April A.D., 2020.

  
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Miron Croy, Reeve

  
\_\_\_\_\_  
Allan Rowe, Chief Administrative Officer

READ a second time this 21 day of April A.D., 2020.

  
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Miron Croy, Reeve

  
\_\_\_\_\_  
Allan Rowe, Chief Administrative Officer

READ a third time this 21 day of April A.D., 2020.

  
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Miron Croy, Reeve

  
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Allan Rowe, Chief Administrative Officer