

THE TOWN OF CHESTERMERE
BY-LAW N0.95-401/1

A Bylaw of the Town of Chestermere to prescribe rules and regulations for the government and operation of the Waterworks Utility of the Town of Chestermere and the terms and conditions of contracts entered into by the Town for the sale and distribution of water.

WHEREAS it is deemed expedient and proper pursuant to the Municipal Government Act, being Chapter M-26.1, R.S.A., 1994 and amendments thereto, that Council shall issue a Bylaw to prescribe rules and regulations for the government and operation of the waterworks system of the Town of Chestermere and the terms and conditions entered into by the Town for the sale and distribution of water.

NOW THEREFORE the Municipal Council of the Corporation of the Town of Chestermere, in the Province of Alberta, duly assembled, enacts as follows:

INTERPRETATIONS AND APPLICATION

Definitions:

2. In this Bylaw, unless the context otherwise requires,

- (b) "Combined Water Service Connection" means a water service connection which supplies water for the domestic use of a consumer and also for a fire protection system in the same premises.
- (c) "Commercial or Industrial Premises" means premises principally used or proposed to be used for the conduct of some profession, business, trade, industry, occupation, employment or undertaking and includes, for the purpose of this Bylaw, premises from which goods or services are provided and any building or premises which is not a dwelling unit as defined from time to time in the Town of Chestermere Land Use Bylaw, or the premises connected therewith.
- (d) "Consumer" means any person or persons, corporate or other entity, any other municipal corporation, the Government of Alberta or the Government of Canada whose property is connected to the Water Utility or any lessee or occupant of such property or any person who obtains water from any Town owned hydrant stand pipe or fire station.
- (e) "Council" means the Municipal Council of the Town of Chestermere .
- (f) "Cross-connection" means any temporary, permanent or potential water connection that may allow, by backflow or otherwise, Water Contaminants, pollutants, infectious

- (g) "Downstream side of a meter" means that side of a water meter through which potable water normally exits the meter.
- (h) "Fire Chief" means the person appointed to the position and title of Fire Chief by the Municipal Council of the Town of Chestermere.
- (i) "Occupant" means the occupier of any premises who resides in or carries on any kind of business therein or any person or corporation residing therein or carrying on business therein as a lessee of the Owner or pursuant to a license of occupation granted by the Owner.
- (j) "Owner" means the registered owner of real property as designated on the Certificate of Title for one property.
- (k) "Point of Delivery" means the point of physical connection to a Consumer's water system at the property line of the street or boundary of an easement granted to the Town for its water system.
- (l) "Property Owner" means the owner of a parcel of land and the improvements to it and not the person in lawful possession of it.
- (m) "Public Works" means that department of the Town charged with the responsibility

Titles Office as set aside for a public thoroughfare; when used in distinction to a lane, it means the public thoroughfare on which the premises in question front.

- (o) "Town Water Main" means a water pipe in the street, or easement area granted to the Town which forms part of the Town operated potable water distribution network and delivers the potable water supply to the Water Service Connections.
- (p) "Upstream side of a meter" means that side of a water meter through which potable water normally enters the meter.
- (q) "Town" means the corporation of the Town of Chestermere or the area contained within the boundaries thereof, as the context requires.
- (r) "Water Contaminant" means any solid, liquid or gas, or combination of any of them in water, or heat in water resulting in a change in the temperature of surface water or underground fresh water.
- (s) "Water Meter" or "Meter" means any device approved by the Town Engineer and installed by the Town which is designed to measure the quantity of water used by a Consumer. A Water Meter may have attached to it a remote reading device as a component of the Meter.

- (u) "Water Service Valve" means the water valve on the Town owned portion of the Water Service Connection, located between the Town Water Main and the Street property line, installed for the purpose of enabling the Town to turn on or off the water supplied to a Consumer's premises.
- (v) "Water Shut-Off Valve" means the water valve within a building on a Consumer's premises, usually located near the water meter or point of entry of the Water Service Connection which, when closed, does not allow the flow of any water into the building or premises.
- (w) "Water Utility" means that system of water treatment plants feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, backflow prevention devices and all other equipment and machinery of whatever kind owned and operated by the Town for the purpose of delivering potable water to Consumers.

GENERAL

Town Water Supply:

3. (a) The Town having constructed, operated and maintained a Water Utility, shall, continue, insofar as there is sufficient plant capacity and supply of potable water, to supply potable water, upon such terms as Council considers advisable, to any

legislation passed in amendment to or substitution therefore, to supply water to the Owner's or Consumer's water system at the property line of the Street or the boundary of an Easement granted to the City for the City's Water Utility.

Consumer's Facilities:

- (b) A Consumer is responsible for providing such facilities as the Town considers necessary in order to have a continuous and uninterrupted supply of potable water for the Consumer's needs provided such facilities are approved by the Chief Administrative Officer and also provided that such facilities do not interfere with the operation of the Water Utility.

Alternate Water Supply:

- (c) No person or entity owning any building situated on land abutting any Street or public thoroughfare or public place wherein there is a Town Main shall use any alternate source of water supply other than the Water Utility without the written consent of the Chief Administrative Officer.

Terms and Conditions for Alternate Water Supply:

- (d) The Chief Administrative Officer may give consent on behalf of the Town for a person to use an alternate source of water subject to such terms and conditions as deemed necessary and notwithstanding the generality of the foregoing the Chief Administrative Officer may set a limit on the period of time for which an alternate supply of water may be used.
- (e) No person who has been given permission to use an alternate source of water supply

manner which, under any circumstances, may allow water, waste water, Water Contaminant, or any harmful liquid or substance to enter the Water Utility.

CONNECTIONS

Application for Water

4. (a) All persons desiring to be supplied with water by the Water Utility shall file an application in writing, in a form provided by the Chief Administrative Officer.
- (b) A deposit in accordance with Schedule "B" may be required by the Chief Administrative Officer prior to an applicant being supplied with water.

Town-owned Property:

5. (a) Subject to section 34 of the Municipal Government Act, 1994, R.S.A. c. M-26.1 and amendments thereto, or any legislation passed in amendment or substitution therefor, the Town shall install or cause to have installed, that portion of the Water Service Connection that is within any Street, easement or Town property and which runs from the Town Water Main to the property line of the Street or the boundary of an easement granted to the Town for its Water Utility.

Private Property:

any Water Service Connection, pipe line or water system on private property or at the boundary of private property and any Street or easement containing a Town Water Main and through which the supply of water is conveyed from the Water Utility.

Maintenance:

- (c) If the Owner of the property neglects, fails or refuses to maintain, repair or replace a Water Service Connection, pipe or water system as required by the Chief Administrative Officer pursuant to Subsection (b) of this Section, the Chief Administrative Officer may:
 - (i) turn off the water supply until the repairs have been made to stop the water loss; and
 - (ii) estimate the volume of water loss and require payment from the Owner for that amount of water estimated to have been lost and such payment shall become due and payable upon demand being made.

Waste, Leaks and Defects:

- (d) Where water has been shut off to a Consumer's premises for water wastage, or leaks or defects in the Consumer's portion of the Water Service Connection or in other water pipes on private property or in the interior plumbing system within the Consumer's premises, the Chief Administrative Officer may refuse to turn the water on again until

- (e) The Town is the owner of the Water Service Connection within any Street, easement or Town property.

Replacements and Relocations:

- (f) Any owner who wishes to have an existing Water Service Connection within any Street, easement or Town property replaced with a connection of a different size or relocated to a different location, shall apply to the Chief Administrative Officer in writing for approval and the Chief Administrative Officer may authorize the work to be carried out by the Town or its agents, subject to payment in advance, of the cost of the project as determined by the Chief Administrative Officer.

Frozen Connections:

- (g) If a Water Service Connection is frozen on private property, it shall be the Consumer's responsibility to have it thawed at the Consumer's expense.

WATER SYSTEMS

Water Systems:

- 6. (a) No person shall damage, destroy, remove or interfere in any way, with any pipe, pipe connection, valve, water meter, seal or other appurtenance forming part of, or attached to, the Water Utility.

noise, a pressure surge, contamination, or cause or permit Water Contamination to enter the Water Utility.

Boosting Devices:

7. No person shall use any devices for the purpose of increasing water pressure on any Water Service Connection, on the upstream side of a Water Meter or Water Shut-Off Valve.

Branch, Supply Lines, Outlets or Fixtures:

8. No person shall install branch supply lines, outlets or fixtures on the upstream side of a Water Meter or Shut-Off Valve, except for fire protection purposes. Any branch supply line, outlet or fixture installed on the upstream side of a Water Meter or Water Shut-Off Valve for fire protection shall only be installed with the written permission of the Chief Administrative Officer.

Seals:

9. No person shall tamper with, break or remove any seal installed by the Town on any valves of flagged outlets on Water Service Connections or water metering facilities except in case of an emergency.

Broken Seals:

10. In the event a person breaks a seal on a valve in order to obtain a supply a water for emergency purposes, that person shall notify the Chief Administrative Officer within twenty four hours.

Valves:

11. (a) No person, except someone authorized by the Chief Administrative Officer, shall turn on or off a Water Service Valve or any other valve or valves in the water Utility.
(b) No person, except someone authorized by the Chief Administrative Officer, shall turn

or for replacing a Water Service connection or piping on private property, shall first obtain permission from the Chief Administrative Officer.

Trespassing

- (d) No person shall trespass on any Town property which forms part of the water Utility.

Contamination:

- (f) No person shall, in any manner whatsoever contaminate the water used in the Water Utility or do any act which causes or results in the contamination of water used in the Water Utility.

ONE SERVICE PIPE TO BE SUPPLIED

Number of Service Pipes:

12. Each building shall be serviced by a maximum of one service pipe of a size sufficient, in the opinion of the Chief Administrative Officer, to deliver an adequate supply of water. Where the Owner or Occupant requires more than one service pipe, such additional pipe or pipes shall be paid for by the owner or Occupant in advance. Where pipes are required over 5/8 inch in diameter, the extra expense shall be charged to the Owner or Occupant. Where an application is made for a larger service pipe, or change in the location of an existing service

13. All Water Service Connections shall be provided with a Water Shut-Off Valve placed immediately inside the outer wall of the Premises and on the inlet side of the Water Meter to enable a Consumer to shut off the supply of water in case of any emergency, or for the protection of the building, pipes, or fixtures, or to prevent flooding of the premises or in the event the premises are permanently or temporarily vacated. The Water Shut-Off Valve shall be maintained in good mechanical condition by the owner and easily accessible at all times to ensure that it is operable in case of emergency.

METERS

14. (a) All Water Service Connections shall be connected to Water Meters as supplied and installed by the Town, including lines used solely for private fire protection, as a condition of the supply or the continued supply of water unless otherwise permitted in writing by the Chief Administrative Officer.
- (b) Upon either a general or a specific recommendation of the Fire Chief, the Chief Administrative Officer may permit one or more pipelines or classes of pipelines used for private fire protection to operate unmetered provided that in the event of a fire:
- (i) the Fire Chief shall estimate the amount of water used and where the estimate is in excess of 10,000 gallons shall deliver his estimate to the Chief Administrative Officer, and
 - (ii) the Chief Administrative Officer shall establish the charges based upon

15. (a) All Water Meters supplied by the Town shall at all times be the property of the Town. Payment of an installation fee or other fee does not constitute a sale.
- (b) All Water Meters and remote readouts shall be supplied, installed, maintained, repaired, tested and replaced by the Town unless otherwise approved in writing by the Chief Administrative Officer. The Chief Administrative Officer may from time to time or at any time authorize an individual firm or corporation to install, maintain, repair and replace water meters.
- (c) The Water Meter and readout are to be installed and made operational by the Town in a location and manner as approved by the Chief Administrative Officer.
- (d) The applicant for connection to the Water Utility shall pay an installation charge established by Schedule "B" of this Bylaw.
- (e) The Owner shall pay the additional costs for supplying and installing Water Meters, where the installation as approved by the Chief Administrative Officer requires a fire service type water meter or other special type of Water Meter. Notwithstanding the payment of such additional costs, the Water Meter shall remain the property of the Town.

ACCESS TO PREMISES

Access to Premises:

16. For the purpose of conducting water use surveys; or sampling, leakage, flow and pressure

May or given in respect of special case, without notice, to all parts of every building or other premises in which water is delivered and consumed.

PROTECTION AND MAINTENANCE OF METERS & SERVICE PIPES

Protection of Meter Facilities:

17. An Owner is responsible for the safe-keeping of the Water Meter and any remote reading device that may be installed with the Water Meter on the Owner's property. An Owner shall protect the Water Meter and connecting valves and pipes from freezing, excessive heat, overheating of water, external and internal damage of any kind or any other thing which may affect the operation or reading of a Water Meter and shall pay the cost of repairing or replacing any water metering facilities supplied and installed by the Town that may be damaged from the foregoing causes or any other causes within the Owner's control.

Equipment Maintenance:

18. For the purposes set out in Section 16 of this By-Law or for the purpose of protecting, testing or regulating the use of any Water meter, backflow protection device, or other equipment forming part of the Water Utility, employees of the Town employed for that purpose, may set or alter the position of the Water Meter, remove readout or backflow prevention device, or any pipe, valve or fitting forming part of the Water Utility.

INSTALLATION AND OPERATION OF METER AND SERVICE PIPES

Suitable Site:

20. For all Water Service Connections of any size to any buildings, it is the Owner's responsibility to provide a suitable site for a Water Meter in a horizontal setting near the point of entry of the Water Service Connection and inside the building. The Town shall not be required to provide water service if the Owner fails to make available a site acceptable to the Town.

Installation of Water Meters:

21. The Owner shall make provision for installation of Water Meters in a horizontal position in accordance with the Town of Chestermere standard specifications for water mains and services. If an Owner wishes to have installed other metering, piping or valving arrangements, prior to installation he shall apply to the Chief Administrative Officer for approval in writing. If an inspection indicates the installations as shown on the standard drawings or any modified drawing approved by the Chief Administrative Officer have not been carried out, the Owner shall correct or modify the installation in the manner approved by the Town, and the Town shall have the right to refuse to supply water to the premises. Any such installation shall be at the Owner's sole responsibility and expense. The Town shall accept no responsibility for such installation and the approval by the Chief Administrative Officer shall not be an acceptance of responsibility. The Chief Administrative Officer may, in sole judgement, require the Owner indemnify the Town prior to installation of other metering, piping, or valve

may submit plans and specifications for any proposed relocation of Water Metering facilities and, if approved by the Chief Administrative Officer, the Owner shall pay the entire cost, including any costs incurred by the Town, in making any such relocation, alteration or change.

Size, Type and Number:

23. The Chief Administrative Officer shall determine the size, type and number of Water Meters to be supplied and installed by the Town. Where the water supplied through a Water Meter is for fire protection purposes or for combined fire protection and other uses, then subject to Section 15, of this Bylaw the Water Meter shall be of a fire service type, approved by the Chief Administrative Officer.

Private Meters:

24. An Owner, with the approval in writing of the Chief Administrative Officer, may install at his own risk and expense, an additional Water Meter or meters to register subdivision of the main incoming water supply. The Chief Administrative Officer may, in sole judgement, require the Owner to indemnify the Town prior to installation of additional water meters. Such additional meters shall be private meters and shall be installed on the downstream side of the Water Meter supplied and installed by the Town. The Owner shall maintain such additional meters, and the readings of the amount of water passing through such additional meters will not be recognized by the Town for billing purposes and no accounts will be rendered by the Town in connection therewith.

Multiple Meters:

25. Where the Town agrees to supply and install two or more Water Meters for a single Water Service Connection, all Water Meters shall be installed adjacent to each other as close as possible to the place where the Water Service Connection enters the building.

Building Alterations and Relocations:

26. If the Town is dissatisfied with the location of any Water Meter due to alterations to a building, it may require that the Water Meter be relocated to a more suitable or convenient location near the point of entry of the Water Service Connection. All costs associated with relocating the Water Meter, including Town costs shall be paid for by the Owner.

Meter site and to determine if the site is suitable and acceptable to the Town for installing, reading, maintaining and repairing the Water Meter and related facilities.

Meter Buildings:

- (b) Where a Water Meter cannot be installed in a building, it is the Owner's responsibility to provide a building to house the Water Meter on the Owner's property at the Owner's expense and in accordance with the Town of Chestermere standard specifications for water mains and services. The Owner shall maintain and repair the meter building at his expense. If the Owner, after receiving written notice from the Chief Administrative Officer, neglects to repair or improve his meter building or vault, the Chief Administrative Officer may either authorize the necessary repairs be carried out, and the Owner will be charged the costs incurred, or to shut off the supply water until the repairs are carried out to the Chief Administrative Officer's satisfaction.

Location of Remote Readout:

28. The remote readout shall be located as directed by the Chief Administrative Officer.

Relocation of Water Meter Remote Readout:

29. If the Town is dissatisfied with the location of any Water Meter or remote readout due to alterations to a building, it may require that the remote readout be relocated to a more suitable or convenient location. All costs associated with relocating the remote readout including the

Removed or Stolen Meter:

31. If a Water Meter or remote readout is removed or stolen, the Owner of the premises shall pay the cost of replacing the Water Meter including installation. If not paid, the cost may be added to the taxes levied on the property and collected in the same manner as municipal taxes.

Interference or Tampering with Equipment:

32. No person shall interfere or tamper with the operation of any Water Meter or remote readout device. All by-pass valves on Water Meter installations shall be sealed by the Town and no one shall open such by-pass valves except for emergency use. The Chief Administrative Officer is to be notified within twenty four (24) hours if a seal is broken for emergency operation of a by-pass valve.

Meter Spacers:

33. Where the use of a Water Meter is mandatory under this Bylaw, no person shall use a meter spacer in place thereof except for testing, as approved by the Chief Administrative Officer, of a new plumbing system or a Water Meter.

Temporary and Seasonal Water Service Connections:

34. Unless otherwise approved by the Town, all water supplied through temporary and seasonal Water Service Connections shall pass through a Water Meter installed by the Town. The

Meter Readings:

35. (a) Each Water Meter shall be read at such times or intervals as the Chief Administrative Officer may designate.
- (b) If any Water Meter has, in the opinion of the Chief Administrative Officer, failed to accurately register the flow of the water through the meter since the last reading, the water charge shall be adjusted to the greater of the recorded amount or the minimum rate for water supplied to that premises.
- (c) In the event that the Town is unable to read the Water Meter due to the inaccessibility of the Water Meter, or for any other reason, the Chief Administrative Officer shall estimate and establish the charges based on:
- (i) the average consumption of the previous three (3) billing periods; or,
 - (ii) the minimum rate for water supplied to that premises,
- whichever is greater. Payment of an estimated amount shall not excuse the Consumer from liability for payment of a greater amount which may be owing after a meter is read. In the event an Occupant refuses to allow a Water Meter to be read for a period of six months or more, the Chief Administrative Officer may shut off the supply of water to that premises.

Maintenance and Testing:

36. Water Meters may be removed by the Town for maintenance and testing on a periodic basis. The Town may require that a Water Meter be tested on site, or be removed and tested.

Consumer shall pay the fee established by Schedule "B" of this Bylaw. otherwise the Town shall not charge the Consumer for the meter test.

Equipment Removal:

38. Where any Owner, Occupant or Consumer discontinues the use of the Water Utility furnished by the Town, or the Town refuses to continue to supply it, any employee of the Town employed for that purpose, may at all reasonable times enter the premises in or upon which such Owner, Occupant or Consumer was supplied with the Water Utility for the purpose of removal therefrom any fittings, machines, apparatus, meters, pipes, outside readouts or other things that are the property of the Town in or upon such premises and may remove them therefrom.

PAYMENT

Applicable Rates:

39. The water rates or rent to be charged by, and payable to the Town under the terms of this Bylaw for water consumed, shall be those set forth in Schedule "A" attached. Property owners are responsible for the payment of the utilities and will be the only ones billed by the Town.

No Reductions for Interruption:

41. If at any time it appears that a wrong statement or misstatement has been made by any applicant as to the purposes for which the water applied for was to be used, or if at any time water is used without proper permission or if any addition to, or alterations of the fixtures to the land or premises, in or upon which the water supplied has been taken or used, the Chief Administrative Officer may direct that any proper corrections and charges against the consumer be made so as to correct any error arising from any such wrong or mis-statement, addition or alteration, and the consumer shall pay any extra or additional charges made for the time such land or premises has been incorrectly charged.

Water for Building:

42. (a) Any person or persons who requires water for building purposes shall make application in writing to the Town and the required Water Meter, where possible, will be installed (at the Owner's cost and expense) by the Town at the rate established in Schedule "B" to this Bylaw. Billings for water consumption shall commence immediately upon installation at the prescribed minimums and charges pursuant to the provisions in Schedule "A" of this Bylaw will be effective immediately.

Bulk Water Sales:

- (b) Any bulk water sales shall at all times be subject to the discretion of the Chief Administrative Officer.

General Payment of Water Bills:

43. The rates and rents set out in Schedule "A" attached are hereby imposed for water supplied by the Town. All rates and rents are payable by the Property owner unless otherwise established by the Chief Administrative Officer at the Town office and are due and payable upon the rendering of the account by the Town. All rates and rents not paid within thirty (30) days of rendering shall bear interest at the rate set out in Schedule "B".

Non-Payment of Rents:

44. (a) In case of default of payment of any water rates thirty (30) days after the expiration

- (iii) by distress and sale of the goods and chattels of the Consumer owing monies for water or service related thereto being supplied to them.
- (b) Where the water supply has been shut off because of default of payment, the water supply shall not be turned on until payment of the arrears has been received by the Town and the posting of any required deposit has been made as prescribed in Schedule "B" of this Bylaw.
- (c) In addition to the condition in subsection (b), there shall be an additional charge as set out in Schedule "B" for reconnection to the Water Utility.

Discontinuance of Water Use:

45. (a) Any Consumer about to vacate land or premises that has been supplied with water, or who wishes to discontinue the use of the water supply, must give notice in writing to the Chief Administrative Officer requesting that the Town shut off the water supply.
- (b) Where the discontinuance of the water supply has been requested in writing there shall be a shut off charge as set out in Schedule "B".
- (c) If notice pursuant to subsection (a) is not given, the owner will be liable for the accruing rates, and for all damages suffered or sustained by the Town caused by failure to give notice.
- (d) Notwithstanding subsection (a) or (b) above, the fact that a premise or land is vacant is not reason for nonpayment of specified levies.

- (b) The Owner of the land from which a building connected to the Town water mains is to be removed shall pay to the Town the appropriate charge as provided in Schedule "B" before a permit for moving the building is issued pursuant to the Building Permit Bylaw.
- (c) If it is necessary for the Town to permanently disconnect any land or premise from the Town Water Utility, and if the appropriate charge set out in Schedule "B" has not been paid, the Chief Administrative Officer may collect the charge from the Owner of the land or premises which has been disconnected from the water mains in the same manner as provided in section 44 of the Bylaw.

FIXTURES

Fixtures Approved:

- 47. All hoses, jets, cocks, or fixtures permanently affixed to the Water Utility used by Consumers of water shall be subject to the approval of the Chief Administrative Officer.

Non Delivery of Water:

- 48. The Town shall not be liable for any damage which may result in 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 deduction from water bills shall be made in consequence thereof.

49. In the event of an emergency, the Chief Administrative Officer may shut off the water, without prior notice.

Water Shortage:

50. (a) In the event the Chief Administrative Officer believes there may be shortage of water, the Chief Administrative Officer may regulate the distribution and use of water from the Water Utility to all Consumers or any of them including the time or times of day when the use of water may be allowed or prohibited.

Publication for Restrictive Water Consumption:

- (b) Where the Chief Administrative Officer believes there is a water shortage and regulates the use of water, the Administrator shall cause notice in any newspaper being distributed in the Town at least once weekly and no person shall water any lawns, gardens, streets, yards, or grounds, or use a hose or other similar devices to wash vehicles or the exteriors of houses or other buildings during such time as may be fixed by the Chief Administrative Officer. The Chief Administrative Officer, in fixing restriction on the use of water, may vary the hours and days of use for different portions of the Town, or may attach other conditions deemed necessary.

Liability for Damages Incurred:

51. Except as provided for in the Municipal Government Act, 1994, R.S.A. c. M-26.1, as amended, or other relevant legislation, the Town is not liable in an action based on nuisance, or

(b) a dike, ditch or dam

HYDRANTS

Use of Hydrants:

52. No person or persons, except those designated by the Chief Administrative Officer or those acting with the Administrator permission, or members of the Fire Department, in the course of their duties, shall open, close or interfere with any hydrant or valve connected with the Water Utility. The Chief Administrative Officer or the designate shall have the right to enter upon private property to inspect private fire systems and to require the Owner to undertake whatever repairs or maintenance, or both, that may be necessary to provide an operational system and should the Owner refuse to neglect to undertake such repairs or maintenance as required by the Chief Administrative Officer, the Chief Administrative Officer or the designate may enter upon the premises, complete the work and recover all the costs as a debt due to the Municipality. Collection shall be effected in the same manner as provided for in section 44 of this Bylaw.

Fire Hydrant Obstructions:

53. Subject to the provisions of the Alberta Fire Code, no person shall do anything to obstruct access to a fire hydrant or to interfere with the operation of a fire hydrant.

Fire Hydrants-Other Uses:

54. No person shall, without the written permission of the Chief Administrative Officer authorize

55. Any person who wishes to have a fire hydrant relocated which is situated on property owned by the Town may request in writing to the Chief Administrative Officer that the hydrant be relocated, or raised or lowered in elevation. If the Town considers it feasible to relocate the hydrant, the person making the request shall pay the estimated cost as calculated by the Town subject to a refund or additional payment, depending upon the actual cost when the work has been completed.

Interference With Access:

56. (a) Subject to the provisions of the Alberta Fire Code, no person shall allow anything to be constructed, erected or planted adjacent to a fire hydrant, which may in any way interfere with the access to, the use, maintenance or visibility of the hydrant.

Private Installations:

- (b) The Town may require that a fire hydrant be installed on private property at the expense of the Owner of the property. The approval for, and installation, use, control and maintenance of fire hydrants on privately owned property shall conform to the requirements as established by the Chief Administrative Officer.

Fire Hydrant Connections:

- (c) Subject to section 14 of this Bylaw, no person or persons shall use water from a Water Service Connection, that supplies water to private fire hydrants, for any

- (d) An Owner of any property upon which a fire hydrant is installed shall pay the monthly charge for each hydrant set out in accordance with Schedule "A" unless the water delivered to the hydrant is delivered through a Water Meter.

Fire Damage and Loss:

- (e) The Town shall not be liable for loss or damage suffered by any person or property by reason of low water pressure, or by interruption to, or failure of, the Water Utility to deliver water in adequate volume and pressure for supplying water for fire protection purposes.

Town Ownership:

- (f) All fire hydrants, except fire hydrants situated on private property, are the property of the Town.

CROSS CONNECTIONS AND BACKFLOW PREVENTION

Prohibitions:

- 57. No Owner, Consumer or other person shall connect, cause to be connected, or allow to remain connected to the water Utility, whether directly or indirectly, any piping, fixture, fitting, container or appliance, in a manner which, under any circumstances, may allow water, waste water, Water Contaminant, or any other liquid, chemical or substance to enter the Water Utility.

Inspection and Issuance Orders:

- 58. (a) If a condition is found to exist which is contrary to Section 57 of this Bylaw, the Chief

- (b) The Chief Administrative Officer may, in addition to or in substitution for any order by the Provincial Plumbing and Gas Inspector, issue such order or orders as may be required to obtain compliance with section 57 of this Bylaw.

Compliance Orders:

- (c) If the Owner, Consumer, or other person to whom the Chief Administrative Officer or the Provincial Plumbing and Gas Inspector has issued an order, fails to comply with that order, the Chief Administrative Officer in the discretion may:
 - (i) Give notice to the Owner, Consumer or other person to correct the fault at his expense within a specified time period and if the notice is not complied with, the Chief Administrative Officer may then shut off the water service or services; or,
 - (ii) Without prior notice, shut off the water service or services.
59. Notwithstanding Sections 57 and 58 of this Bylaw, where a hazard exists, which in the opinion of the Chief Administrative Officer creates a serious risk of contamination to the Water Utility, the Chief Administrative Officer may require that an Owner shall immediately install on his Water Service Connection a Cross-connection control device approved by the Chief Administrative Officer in addition to any Cross-connection control devices installed in the Consumer's water system at the source of potential contamination. If the Owner fails to install the required device as directed, the Chief Administrative Officer shall shut off the water service without further notice.

shall submit a report on a form approved by the Chief Administrative Officer on any or all tests performed on a Cross-connection control device within thirty (30) days of a test and report card issued by the Chief Administrative Officer shall be displayed in or adjacent to the Cross-connection control device on which the tester shall record the name and address of the Owner, the owner of the device, the location, type of manufacturer, serial number and size of the device, and the test date, the tester's initials, the tester's name (if self employed) or the name of the employer and tester's license number. The tester, in all cases, shall be a plumber with a Cross Connection Control License.

Repairs and Replacements:

61. When the results of a test referred to in Section 60 of this Bylaw, show that a Cross-connection control device is not in good working condition the Owner shall, when so directed by the Chief Administrative Officer, make repairs or replace the device within ninety six (96) hours. If the Owner fails to comply with the direction given by the Chief Administrative Officer, the Chief Administrative Officer may shut off the water service or water services.

Failure to Test:

62. (a) If an Owner fails to have a Cross-connection control device tested, the Chief Administrative Officer may notify the Owner that the Cross-connection control device must be tested within ninety six (96) hours of the Owner receiving the notice.

connection control device has been tested and approved as required by Section 60 of this Bylaw.

Inspection Prior to Occupancy:

63. No person shall turn on a Water Service Valve to provide water to the occupants of any newly renovated or constructed or reconstructed premises until the plumbing system in such premises has been inspected for Cross-connection by the Provincial Plumbing and Gas Inspector.

Selling and Supplying of Water:

64. (a) No person unless authorized by the Chief Administrative Officer shall:
- (i) Sell water obtained from the Water Utility;
 - (ii) Supply water obtained from the Water Utility to any person who intends to sell the water; or,
 - (iii) Supply water, by pipe or a hose, from the Water Utility or otherwise to any other premises which could be supplied with water through its own Water Service Connection.
- (b) No person shall waste water.

Allowable Water Uses:

65. The Chief Administrative Officer may allow a Consumer to run water for:

- (d) Training programs for Fire Fighters employed by the Town's Fire Department; or
 - (e) Such other purposes as may be approved by the Town Administrator from time to time;
- provided the consumer agrees to pay the costs associated with the use of the water.

Wilful Act Prohibitions:

66 (a) No person or persons shall:

- (i) Wilfully or maliciously hinder or interrupt or cause or procure to be hindered or interrupted, the Town or its contractors, servants, agents, workmen, or any of them, in the exercise of any of the powers and duties related to the Water Utility and authorized by or contained in this Bylaw;
- (ii) Throw or deposit any injurious, noxious or offensive matter or Water Contaminant into the water or Water Utility, or upon the ice in case such water is frozen, or in any way foul the water or commit any wilful damage or injury to the water or Water Utility or encourage the same to be done.
- (iii) Wilfully alter or tamper with in any way, any Water Meter so as to lessen or alter the amount of water registered thereby, unless specifically authorized by the Chief Administrative Officer for that particular purpose;
- (v) Attach or connect any pipe to any pipe or main of the Water Utility or in any other way obtain or use any water thereof in a manner contrary to this Bylaw without the written consent of the Chief Administrative Officer;

- (a) establish regulations for the general maintenance or management or conduct, or any of them, of the Water Utility and of the officers and other employees employed in connection with the Water Utility;
- (b) fix, in connection with the Water Utility, the times and places where rates, charges, tolls, fares and rents under this Bylaw are payable;
- (c) provide for the rent of fittings, machines, apparatus, meters or other things leased to consumers;
- (d) enforce payments of those rates, charges, tolls, fares or rents by all or any of the following methods, namely:
 - (i) by action in any court of competent jurisdiction;
 - (ii) by shutting off the water being supplied to the consumer or discontinuing the service thereof;
 - (iii) by distress and sale of the goods and chattels of the person owing the rates, charges, tolls, fares or rents wherever they may be found in the municipality;
- (e) enforce the terms and conditions under which the Water Utility is being supplied to the Consumer or discontinuing the service thereof until the Consumer complies with the terms and conditions of this Bylaw.

Notice:

68. In any case in which the Chief Administrative Officer or Town are required to notify a Consumer or Owner pursuant to this Bylaw, the Town or the designate shall effect such

- (b) by causing a written copy of the notice to be mailed or delivered to the last known address of the Owner as disclosed in the land registry system established by the Land Titles Act of Alberta as shall appear to the Chief Administrative Officer most appropriate in the circumstances.

PENALTIES

69. Any person or persons guilty of a breach of any of the provisions of this Bylaw shall, on Summary Conviction thereof, be liable to a fine of not less than one hundred dollars (\$100.00) nor greater than two thousand five hundred dollars (\$2,500.00) or to imprisonment for not more than six (6) months for any one offence together with the costs of prosecution.

SEVERANCE

70. If any term, clause or condition of this Bylaw or application thereof, to any thing or circumstance shall to any extent be invalid or unenforceable, the remainder of this Bylaw or application of such term, clause or condition be any thing or circumstance, other than those to which it is held as invalid or unenforceable, shall not be affected therefore and each other term, clause or condition of this Bylaw shall be enforced to the fullest extent permitted.
71. By-Law 91-162, 92-002, 93-401/3, 93-401/2 are hereby repealed.
72. This By-Law comes into effect on the date of third reading and is executed in accordance with Section 213 (3).

First Reading, passed this 21st day of August, 1995, on a motion by Councillor Herring.

Second Reading, passed this 21st day of August, 1995, on a motion by Councillor Hutchison.

Third Reading, passed this 21st day of August, 1995, on a motion by Councillor Bow.

BY-LAW NO. 95-401/1**SCHEDULE "A"**

For metered water consumed the following monthly rates are established for industrial, commercial and residential users:

Property owners are responsible for payment of utilities and will be the only ones billed by the Town of Chestermere.

RESIDENTIAL

BASIC CHARGE	\$16.47
1st 18 Cubic Meters	X 0.70 per cubic meter
18 Cubic Meters & Over	X 0.95 per cubic meter

COMMERCIAL

BASIC CHARGE	\$37.33
1st 100 Cubic Meters	X 0.851 per cubic meter
100 Cubic Meters & Over	X 0.95 per cubic meter

Residential Users: shall be billed on a bi-monthly basis

Means any building or premises which is a dwelling unit as defined in the Town of Chestermere Land Use By-Law No. 94-600, and amendments thereto.

Commercial Users:

Means any building or premises or operation which is not a dwelling unit as defined in the Town of Chestermere Land Use By-Law No. 94-600, and amendments thereto.

Water Rates for users other than Residential and Commercial metered consumers.

- (a) Bulk Sales \$10.00 + 0.95 per cubic meter

- (b) The use of water for flushing water mains, hydrant leads and water service connections in order to clean and disinfect them shall be metered and the rate shall be 0.70 per cubic meter.

BYLAW NO 95-401/1
SCHEDULE "B"

Section 1 - Meter Installations

Pursuant to Section 15(d) and 42(a) of the Bylaw, the fee for installations of water meters and remote readouts shall be equal to the cost of the meters plus the installation charge.

Section 2 - Meter Testing

Pursuant to Section 37 of the Bylaw, the meter testing fee shall be \$100.00 for commercial or industrial premises and \$75.00 for all others.

Section 3 - Payment of Water Bills

Pursuant to Section 43 of the Bylaw, all rates and rents not paid within thirty (30) days of rendering shall bear interest at the rate of ten (10%) percent.

Section 4 - Shut Off Fee

Pursuant to Section 45(b) of the Bylaw, the shut off fee shall be seventeen dollars and fifty cents (\$17.50).

Section 5 - Deposits

Pursuant to Section 4(b) and 44(b) of the Bylaw, the deposit shall be as follows:

Residential Deposit	\$100.00
Commercial Deposit	\$250.00

Section 6 - Reconnection Fee

Pursuant to Sections 5(d) and 44(c) of the Bylaw, the reconnection fee shall be twenty seven dollars and fifty cents (\$27.50).

The fees for

Sections 5(f), 12, 19 and 46 shall be established by the Chief Administrative Officer based upon the actual cost incurred by the Town, whether directly or indirectly, and shall include, but not be limited to, direct costs such as direct labour cost of the use of vehicles and equipment, materials, contracted or consulting services plus any administrative cost equal to ten percent (10%) of the direct costs.