

# TOWN OF SPIRIT RIVER

## BYLAW NO. 905 WATER AND WASTEWATER

*A BYLAW of the Town of Spirit River in the Province of Alberta For the purpose of regulating and controlling **WATER AND WASTEWATER** use in the Town of Spirit River.*

WHEREAS the Municipal Government Act, Chapter, M-26 2000 and amendments thereto, provide for the passing of a bylaw by a Municipal Council respecting Public Utilities within the Town, and

WHEREAS Waterworks and Wastewater are defined as a Public Utility.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE TOWN OF SPIRIT RIVER, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

### SHORT TITLE

This Bylaw may be referred to as the WATER AND WASTEWATER BYLAW.

### SECTION 1 -USE AND CONTROL

The Use and Control of all Public Waterworks, Water Treatment Systems, and Common Wastewater and of any Sewage Disposal Works connected therewith shall be in accordance with this Bylaw.

### SECTION 2 – AREA OF RESPONSIBILITY

All Waterworks, Sanitary Wastewater System, Storm Wastewater System, Drains and Wastewater Disposal Works, belonging to the Town now installed or hereafter installed shall be under the direct control of the Town of Spirit River.

### SECTION 3 – DEFINITIONS

**AUTHORIZED PERSON** means any employee of the Town of Spirit River or outside contractor authorized by the CAO for the purpose of providing water, sewer or water management service

**BULK WATER** means water dispensed through the bulk dispensing plant operated by the Town

**BULK WATER CONSUMERS** means a person, firm or corporation, who purchases water from a Bulk Water Station

**BULK WATER STATION** means the key and coin operated facilities operated by the Town

**CAO OR CHIEF ADMINISTRATIVE OFFICER** means the person appointed by Council to that position

**COMMERCIAL** means for the purpose of billing in this bylaw is a building used as a place of business excluding home-based businesses, but includes industrial, institutional, recreational, apartment buildings and mobile home parks. Also included are multi-use premises, which are structures, which are combination of any of the above-noted

**COMMERCIAL PREMISES** means site, including any building erected thereon of any cafe, restaurant, hotel, store, warehouse, wholesale or retail business place, office building, factory, industry, or any other site or building except one that is used or intended to be used for residential purposes

**CONSUMER OR CUSTOMER** means any person who has entered into a contract with the Town for utility services or who is the owner of occupant of any premises connected to or provided with utility services under this Bylaw

**COUNCIL** means the Municipal Council of the Town of Spirit River

**MINIMUM RATE** means the rate established in the Master Rates and Schedule Bylaw for this Water and Wastewater Bylaw No. 905

**MULTI-OCCUPIED BUILDING** means a building, which is either occupied or intended to be occupied by more than three (3) families living independently of one another in the building in separate units

**MULTIPLE DWELLING** means a dwelling place comprised of more than one self contained dwelling unit, and without restricting the generality of the foregoing, includes apartment buildings, duplex houses, and single family homes with ancillary suites containing cooking, living, dining, sleeping and toilet facilities, whether or not such ancillary suites have a private outside entrance

**OWNER** means the person, corporation, business who holds the title of a parcel of land

**PERSON** means firm, corporation, owner, occupier, lessee or tenant

**PROPERTY** means a lot or combination of contiguous lots upon which development may be constructed

**PROPRIETOR** means the owner, occupant, manager, lessee, tenant or any other person in charge of commercial premises

**RAW WATER** means water stored in the water cells intended for treatment for the Town of Spirit River distribution

**RENTER** means someone who is temporarily residing on another person's property in exchange for rent under a lease or similar arrangement

**RESIDENTIAL** for the purpose of billing in this Bylaw means all buildings which are designed and used exclusively for living accommodations including but not exclusive to single and multi-family dwellings and condominiums

**RESIDENTIAL PREMISES** means any site, including any building, that exists thereupon that is used or intended for use for residential purposes including but not limited to both single family and multiple family dwellings

**WASTEWATER SERVICE LINE** means the sewer pipe or line extending between the connection to the street main and the property line of the service site

**WATER SERVICE LINE** means the water pipe or line extending between the connection to the main in the street and the property line of the service site

**STREET MAIN** means the water and/or wastewater pipe or line that feeds water or collects wastewater through the service lines to the service sites

**TOWN** means the Town of Spirit River

**UTILITY** means a system or works used to provide one or more of the following for public consumption, benefit, convenience or use:

- i. water
- ii. sewer

#### SECTION 4 – GENERAL PROVISIONS

- 4.1 No person other than the Town shall provide the same or similar type of utility outlined in this Bylaw in any part of the Town except where special permission is approved by Council.
- 4.2 Except where authorized by the Town no person shall open, close or interfere with any hydrant valve connected to the Town water/wastewater system.
- 4.2.1 The Chief and members of the Fire Department of the Town are authorized to use the hydrants or plugs for the purpose of extinguishing fires, or for making trial testing of hose pipe, or for fire protection.
- 4.3 No commercial water retreating or resale will be allowed without permit issued by the Town.
- 4.3.1 Excepting sale of bulk water from the Town operated utility.
- 4.4 Private commercial utility systems will not be permitted in the Town of Spirit River.
- 4.5 The rates for all services provided under this Bylaw will be set out in the Master Rate Schedule Bylaw of the Town of Spirit River and include:
- i. Water, sewer, and bulk water,
  - ii. Water meter and bulk key rental contracts,
  - iii. Connection and reconnection of water services,
  - iv. Testing of meters,
  - v. Penalties on overdue accounts,
  - vi. Account deposits.
- 4.6 Council may, by resolution, choose to exempt certain users from provisions of all or portions of this Bylaw.

#### SECTION 5 - INSTALLATION OF WATER/WASTEWATER SERVICES

- 5.1 A private water connection cannot be made to the Town's Water System until approval is granted by the Town. Permission can be obtained only after the owner or his/her agent has entered into a standard servicing agreement with the Town that establishes standards for construction practices and materials, as outlined in Policy. A fee as stated in the Town of Spirit River Rate Bylaw shall be paid to the Town to recover the cost of processing and reviewing each agreement.
- 5.1.1 No person without first having obtained a permit to do so, shall make connection or communication whatsoever with any of the service lines or street mains.
- 5.2 A private Wastewater connection cannot be made to the Town's Wastewater System until the Town grants approval. Permission can be obtained only after the owner or his/her agent has entered into a standard servicing agreement with the Town that establishes standards for construction practices and materials, as outlined in Policy.
- 5.2.1 A fee as stated in the Town of Spirit River Master Rates and Schedule Bylaw shall be paid to the Town to recover the cost of processing and reviewing each agreement.

#### SECTION 6 – SERVICE OF WATER/ WASTEWATER LINES

- 6.1 The Town shall service water/ wastewater connections and water/wastewater service lines as outlined in the Service of Water/Wastewater Lines Policy.

#### SECTION 7 – USE AND PROTECTION OF THE WASTEWATER SYSTEM

- 7.1 No person shall interfere with, or deliberately adversely affect the Wastewater System of the Town as outlined in the Use and Protection of Wastewater System Policy.

#### SECTION 8 – UTILITY SERVICE ACCOUNTS

- 8.1 All Customer Water Accounts (Residential & Commercial) shall be applied for according to the Utility Service Account Policy.
- 8.2 Rates for all utility services will be established by Council in the Master Rate Bylaw for the Town of Spirit River.
- 8.3 Utility billings will be in the form prescribed in the Utility Service Account Policy.
- 8.4 Utility accounts will be collectible as set out in the Utility Service Account Policy.

#### SECTION 9 – SHUT OFF AND/OR CONSERVATION OF WATER

- 9.1 The Town may shut off or restrict the water supplied to the land or premises or any consumer as outlined in the Shut Off and Restriction of Water Policy.

#### SECTION 10 – LOW WATER USE FIXTURES

- 10.1 Owners responsible for new construction and renovation projects involving a plumbing permit shall ensure that such construction and renovation follows the Low Water Use Fixtures Policy.

#### SECTION 11 – BULK WATER SERVICES

- 11.1 Consumers wishing to access the bulk water services offered by the Town, whether through the coin operated system or through the key account system must do so as set out in the Bulk Water Policy of the Town of Spirit River.

#### SECTION 12 – PENALTIES AND ENFORCEMENT

- 12.1 Owners, occupants, and consumers shall be liable for enforcement of penalties as set out in the Master Rate Schedule Bylaw.
- 12.2 Enforcement of this Bylaw shall be contingent upon policy considerations such as budget and staffing.

#### SECTION 13 - GENERAL

- 13.1 Should any provision of this Bylaw be found invalid, the invalid portion shall be severed and the remaining Bylaw shall be maintained.
- 13.2 All other Bylaws preceding this bylaw relevant to this matter and dated prior to the date of final reading shall hereby be repealed.

13.3 This Bylaw shall come into force and effect on the day of third and final reading.

Read a first time this 20<sup>th</sup> day of July, 2009

Read a second time this 10<sup>th</sup> day of August, 2009

Read a third time and passed this 8<sup>th</sup> day of September, 2009

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MAYOR

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ADMINISTRATOR

PASSED BY RESOLUTION