

BYLAW 16-2016

(Consolidated on March 1, 2022)

A BYLAW OF STRATHCONA COUNTY, IN THE PROVINCE OF ALBERTA, TO ESTABLISH TERMS FOR PROVIDING A WATER SYSTEM, INCLUDING CONDITIONS FOR PROVISION OF WATER.

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, provides that a municipality may pass bylaws respecting public utilities; and

WHEREAS the Council of Strathcona County desires to provide a water system within Strathcona County; and

WHEREAS it is deemed advisable 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:

PART 1 - INTERPRETATION

1 This bylaw may be referred to as the "Water System Bylaw".

2 In this bylaw,

(a) "account" means an agreement between a person and Strathcona County for the supply of water;

(S.12, Bylaw 59-2021, December 7, 2021)

(a.1) "account-holder" means a person who has an account;

(S.13, Bylaw 59-2021, December 7, 2021)

(b) "approved backflow prevention device" means a mechanism, approved by the Government of Alberta, that prevents backflow to avoid untreated or potentially contaminated water migration into the water system;

(c) "bulk water station" means a County-owned overhead standpipe capable of dispensing potable water into portable containers;

(c.1) "cross-connection" means an actual or potential connection between the County's water system and any other system that could present a source of contamination or pollution to the County's water system;

(S.14, Bylaw 59-2021, December 7, 2021)

- (d) "Chief Commissioner" means the Chief Administrative Officer of Strathcona County;
- (e) "curb stop valve" means a shut-off valve constructed in-line at the end of a water service pipe allowing the supply of water to a property to be shut off;
- (f) "control valve" means a valve that can be used to control flow and pressure of water supply to a pipe or series of pipes, but does not include a curb stop valve;
- (g) the "County" means the specialized municipality of Strathcona County;
- (h) "*Design and Construction Standards*" means the County's Design and Construction Standards document or its successor, as approved by Council from time to time;
- (i) "facilities" means any physical facilities and infrastructure including, but not limited to, 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;
- (j) "*Fees, Rates, and Charges Bylaw*" means the County's Bylaw 42-2015 and any successor bylaw;
- (k) "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 services;
- (l) "meter spacer" means a length of pipe which can be removed from a water service pipe for the purpose of installing a water meter;
- (m) "MGA" means the *Municipal Government Act*, RSA 2000, c M-26;

(S.15, Bylaw 59-2021, December 7, 2021)

- (m.1) "occupant" means a person residing in, or with control over, a property, and includes an owner, tenant, and lessee;

(S.16, Bylaw 59-2021, December 7, 2021)

- (n) "remote meter reading device" means equipment installed to remotely read a water meter without obtaining physical access to the water meter, and includes all wiring and accessories required to operate the device;
- (o) "service pipe" means a section of pipe that connects a water main to a private property;
- (p) "unauthorized use" means any use that is not:
 - (i) for construction purposes;
 - (ii) metered through a County-owned water meter;
 - (iii) emergency use; or
 - (iv) authorized by the Chief Commissioner;
- (q) "urban service area" means the territory described as the Sherwood Park Urban Service Area in Order in Council No. 761/95 as amended or repealed and replaced from time to time, or as the boundary of such territory is amended by Strathcona County Council from time to time;

(S.17, Bylaw 59-2021, December 7, 2021)
- (r) "water demand management measures" means restrictions on the use of water. The Chief Commissioner may set various levels of water demand management measures, and specify restricted uses of water;
- (s) "water main" means a water pipe in the street, public thoroughfare, or County easement, that forms part of the County's water distribution network and delivers the water supply to service lines;
- (t) "water meter" means any device which is designed to measure the quantity of water that flows through it or past it;
- (u) "water service connection" means the portion of a service pipe between the water main and the curb stop valve;
- (v) "water system" means a system of reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, pipes, valves, fittings, hydrants, meters, cross-connection control devices, and all other equipment and machinery that is required to supply and distribute water to properties and which is deemed to be a public utility within the meaning of the *MGA*.

- 3 The section numbers, marginal notes, and headings in this bylaw are for reference purposes only.

PART 2 - OWNERSHIP

- 4 The County shall install and maintain a water system within Strathcona County, and may supply water to any owner in Strathcona County whose property is situated along a water main.
- 5 The Chief Commissioner may authorize, under such conditions as the Chief Commissioner deems necessary, the supply of water to a property that is not situated along a water main.
- 6 The County shall be responsible for the installation, maintenance, and management of all parts of the water system that are under the County's care and control, as set out in this Bylaw.
- 7 The County shall provide and install all facilities and equipment up to and including the curb stop valve.
- 8 The County shall maintain ownership of all:
 - (a) water mains;
 - (b) service lines, between the water main and the curb stop valve;
 - (c) water meters required by this bylaw; and
 - (d) curb stop valves.
- 9
 - (1) All items on an owner's property, including all pipes, valves, privately-owned meters, fixtures, and other items attached to the water system, except for those listed in section 8, shall be the property of the owner.
 - (2) An owner shall be responsible for the installation, inspection, repair, and maintenance of all items owned by the owner.
- 10
 - (1) An owner shall be responsible for the general care of a County-owned water meter and remote meter reading device installed on the owner's property, and shall take care to prevent damage from all sources including, but not limited to:
 - (a) frost;
 - (b) heat; or
 - (c) physical damage.

(2) The owner must notify the County if a water meter or remote meter reading device on that owner's property has been damaged.

(3) The owner must notify the County if conditions exist that may cause damage to a water meter or remote meter reading device, including, but not limited to:

- (a) unusual exposure to ambient temperatures below 0.56°C (33°F);
- (b) unusual exposure to ambient temperatures above 65°C (150°F); or
- (c) potential exposure to physical damage.

(4) If a water meter or remote meter reading device is lost or damaged through any act or negligence of the owner or occupant of a property, the owner shall be liable to the County for the cost of any removal, repair, replacement, or installation.

11 (1) No person other than a person authorized by the Chief Commissioner or by this Bylaw shall install, test, remove, repair, replace, or disconnect any part of the water system owned by the County.

(2) No person other than a person authorized by the Chief Commissioner or by this Bylaw shall interfere with, tamper with, or operate a water meter or a remote meter reading device.

PART 3 – USE OF WATER

12 No person shall use water from the County's water system, unless

- (a) the water first passes through a County-owned water meter;
- (b) the water is used for firefighting purposes;
- (c) the water is used for other emergency purposes;
- (d) the water is used for construction purposes, and the construction company has an account for the use; or
- (e) the Chief Commissioner has provided written permission to take or use water from the County's water system.

12.1 (1) Where the County is providing water services to a property, the County will generally provide the water services at a pressure within the range of pressures identified in the *Design and Construction Standards*, subject to unusual or extraordinary circumstances.

(2) The County does not guarantee that the water pressure will remain consistent.

(3) The owner of a property is responsible for ensuring that all items owned by the owner and connected to the water system operate as intended at the available water pressure.

(4) The County is not liable for any changes in water pressure in the operation of the water system.

(S.2, Bylaw 5-2022, March 1, 2022)

12.2 (1) Where a property contains, operates, or uses a fire protection system that uses water from the County's water system, the owner of the property must:

(a) ensure the fire protection system is inspected and maintained in accordance with the National Fire Code – Alberta Edition, including a certified hydrant flow test at least once every five years;

(b) keep records of the initial verification or test report for each fire protection system throughout the life of the system, and records of hydrant flow tests performed for at least ten years; and

(c) provide inspection and flow test records to the County upon request.

(2) If a hydrant flow test determines that the system will not operate at the available water pressure, the system is non-compliant.

(3) If a fire protection system is non-compliant, the property owner must, within 3 months, make whatever modifications to the system that are required to bring the system into compliance.

(S.3, Bylaw 5-2022, March 1, 2022)

PART 4 – AUTHORITY OF THE CHIEF COMMISSIONER

13 The Chief Commissioner may, with reasonable notice and at a reasonable hour, enter a premises in order to inspect or perform service on any part of the water system that is owned by the County.

14 The Chief Commissioner may establish standards, guidelines, and specifications for the design, construction, and maintenance of the water system, including or in addition to the *Design and Construction Standards*.

PART 5 – CONNECTING TO THE COUNTY'S WATER SYSTEM

- 15 All owners whose property is adjacent to a County water main may be connected to the County's water system.
- 16 An owner whose property is connected to the County water system may use an alternate water source only if:
- (a) the property is in an area connected to the water system, but the water delivery rate does not exceed 1.89 litres (0.5 gallons) per minute;
 - (b) the property is in a voluntary connection area; or
 - (c) the Chief Commissioner grants a permit, under whichever terms and conditions the Chief Commissioner deems necessary, for use of an alternate water source.

17 No person who is utilizing an alternate water source shall allow the alternate water source to be connected to the County's water system.

17.1 (1) A person is not permitted to make a cross-connection without written authorization from the Chief Commissioner.

(2) Every cross-connection must be controlled by an approved backflow prevention device that prevents any water or other thing from entering the County's water system.

(S.18, Bylaw 59-2021, December 7, 2021)

17.2 (1) The responsibility for the maintenance and inspection of each cross-connection and each approved backflow prevention device lies with the property owner.

(2) The property owner must ensure that each approved backflow prevention device is tested and maintained in accordance with the manufacturer's recommendations.

(3) The property owner must keep a record of the maintenance and testing of each approved backflow prevention device for at least 2 years.

(4) Within 30 days of each test, the property owner must submit to the Chief Commissioner each passed test result for each approved backflow prevention device.

(5) If an approved backflow prevention device fails a test, the property owner must submit that test result to the Chief Commissioner within 2 days.

(S.19, Bylaw 59-2021, December 7, 2021)

17.3 (1) The Chief Commissioner is authorized to inspect, at reasonable times and with reasonable notice, each cross-connection and each approved backflow prevention device.

(2) If the Chief Commissioner determines that a cross-connection or an approved backflow prevention device is not operating correctly, the Chief Commissioner may require that owner to repair or replace the cross-connection or backflow prevention device.

(S.20, Bylaw 59-2021, December 7, 2021)

18 A property owner who wishes to disconnect from the County's water system or from an alternate water source must, at the owner's cost:

(a) apply to the Chief Commissioner in writing for authority to disconnect;

(b) remove the connection;

(c) fill and cap both ends of the abandoned connection;

(d) submit as-built drawings of the completed abandoned connection to the Chief Commissioner; and

(e) comply with any other requirements set out by the Chief Commissioner.

PART 6 – WATER SERVICE CONNECTIONS

19 Only one water service connection will be provided per lot.

20 A service pipe shall not be extended from one lot to another lot.

21 (1) The owner of a property that is connected to the County's water system may apply to the Chief Commissioner for a larger water service connection and service pipe.

(2) The owner shall pay a deposit in advance of the County upgrading the size of a water service connection and service pipe.

(3) The owner shall pay all of the County's reasonable costs associated with upgrading the size of a water service connection and service pipe.

PART 7 – NEW CONSTRUCTION

22 This part applies to new building construction only.

23 The owner of a property where new construction is occurring, and which will subsequently be connected to the County's water system, must ensure that:

- (a) a meter spacer is placed within 300mm of the entrance of the service pipe into the building;
- (b) a control valve is installed in the service pipe, upstream of the meter spacer or water meter, as close as practicable to the meter spacer or water meter;
- (c) if the pressure in the service pipe exceeds 700kPa, a pressure-reducing valve, which reduces the pressure to 700kPa or less, is installed on the service pipe downstream of the water meter;
- (d) if the service pipe diameter is 25mm or greater, a second control valve is installed downstream of the meter spacer or water meter, as close as practicable to the meter spacer or water meter;
- (e) if the service pipe diameter is 50mm or greater, a bypass line that bypasses the meter spacer or water meter is installed, in accordance with the *Design and Construction Standards*;
- (f) where it is impossible or impracticable to place a water meter or meter spacer inside a building, a meter pit or meter vault structure is constructed near the property line, in accordance with the *Design and Construction Standards*;
- (g) on service pipes that will supply combined water and fire service pipe, a control valve is installed before the fire service pipe connection point, and no other valve is placed between that control valve and the fire service pipe control valve; and
- (h) stranded, 22 gauge, 3-conductor wire is run from the meter or meter spacer to an exterior location on the side of the building facing the street, where the County can install a remote water meter reader.

24 (1) Where a water meter bypass line is installed, the bypass valve shall be sealed and may only be operated:

- (a) in case of an emergency;
- (b) by the Chief Commissioner or the Chief Commissioner's designate; or
- (c) with written permission from the Chief Commissioner.

(2) Any person who operates a water meter bypass in the event of an emergency must notify the County of the operation within 24 hours of the start of the emergency.

- 25 Subject to section 26, the County will install, at the owner's expense, the water meters requested by the owner, subject to a probable peak water demand study for the property.
- 26 (1) The County will provide a single water service connection and a single water meter for:
- (a) a single family dwelling;
 - (b) a single commercial unit;
 - (c) a single-inhabited industrial building;
 - (d) each unit in a side-by-side duplex;
 - (e) each unit in an up-and-down duplex;
 - (f) each unit in a row housing building;
 - (g) each entire apartment building;
 - (h) each entire multi-storey commercial or industrial building;
 - (i) each unit in a side-by-side industrial or commercial building;
- (2) Upon application by the owner of a multiple-unit building, the Chief Commissioner may approve the installation of one water service connection and one water meter per unit in the building.
- (3) Where multiple service connections and multiple water meters are required or approved for a multiple-unit building, the Chief Commissioner may require that the water meters be placed in a common, clustered location.
- 27 The owner of a property must allow the County access to install a water meter for a unit or building within one week of occupancy of the unit or building.
- 28 The owner of a property may request that a water meter be moved. The owner shall reimburse the County for the cost of the move, and shall be responsible for ensuring any required plumbing modifications are completed prior to the move.

PART 8 – METER READINGS

- 29 Water meter readings will be taken at the discretion of the Chief Commissioner, but at least one actual, non-estimated reading must be taken every 6 months;
- 30 On months when actual water meter readings are taken they will be used to determine water system charges on the monthly utility bill.
- 31 (1) If access to a water meter or remote water meter reading point cannot be obtained, or if the Chief Commissioner elects to use an estimated water meter reading, the Chief Commissioner may send a monthly utility bill with estimated water usage.
- (2) Estimated water usage will be based on historical usage for the property.
- 32 Where, based on a subsequent actual water meter reading, the estimated water usage has resulted in an overcharge, the overcharged amount will appear on the monthly utility bill as a credit to the customer.
- 33 If any person obstructs, impedes, or refuses to allow access to a water meter for a reading, installation, removal, repair, replacement, or inspection, the Chief Commissioner may:
- (a) shut off water supply to the unit;
 - (b) charge a special water meter reading fee, as set out in the *Fees, Rates, and Charges Bylaw*;
 - (c) issue a violation tag or violation ticket, pursuant to Part 14 of this Bylaw;
 - (d) enter the property in order to inspect the water meter and obtain the water meter reading; or
 - (e) apply for an Order under section 543 of the *MGA*.
- 34 If a remote water meter reading device and the property's water meter disagree, the water meter shall be deemed to be correct.

PART 9 – TESTING WATER METERS

- 35 (1) The owner of a property may request that a water meter on that property be tested.
- (2) The Chief Commissioner shall arrange and schedule a test requested under this section.

(3) If a test under this section reveals that the water meter is reading between 95% and 101.5% accuracy, the owner that requested the test shall be liable to the County for the cost of the test, including the County's costs.

(4) The owner requesting a test under this section shall be provided a copy of the test results within 10 business days of the County's receipt of the results.

PART 10 - HYDRANTS

36 No person shall take water from a hydrant except:

(a) with written permission from the Chief Commissioner, and under such conditions as are set out in this bylaw and by the Chief Commissioner;

(b) for firefighting purposes; or

(c) in an emergency.

37 No person shall perform a hydrant flow test except with written permission from the Chief Commissioner, and under such conditions as are set out in this bylaw and by the Chief Commissioner.

38 (1) The owner of a property may install a private hydrant on that property.

(2) A hydrant installed under this section may only be installed with written permission from the Chief Commissioner, and under such conditions as are set out in this bylaw and by the Chief Commissioner.

(3) The installation of a private hydrant shall be the sole responsibility of the owner of the property.

(4) The Chief Commissioner shall perform inspections and maintenance on private hydrants at the rates listed in the *Fees, Rates, and Charges Bylaw*.

(5) Despite subsection (4), the Chief Commissioner shall not perform inspections and maintenance on private hydrants on industrial lands.

39 (1) No person shall obstruct access to a fire hydrant or hydrant isolation valve.

(2) No person shall construct, erect, place, or plant any thing within 1.0m to all sides or above a fire hydrant or hydrant isolation valve.

40 The owner of a property on which a hydrant or hydrant isolation valve is located, or the owner of a property within 1.0m of a hydrant or hydrant

isolation valve, shall maintain a clearance of 1.0m on all sides of and above that hydrant or hydrant isolation valve, on that owner's property.

PART 11 – USE OF THE WATER SYSTEM

- 41 No person shall engage in unauthorized use of water or the County's water system.
- 42 No person, except as authorized by the Chief Commissioner or this Bylaw, shall;
- (a) operate, handle, or interfere with the County's provision of water, or operation of the water system;
 - (a.1) interfere with another person's access to the County's water system;
- (S.21, Bylaw 59-2021, December 7, 2021)
- (b) operate the County's curb stop valves, valves, pipes, or other parts of the water system; or
 - (c) impede access to the water system.
- 43 (1) The Chief Commissioner may implement water demand management measures.
- (2) The Chief Commissioner must provide reasonable notice prior to implementing water demand management measures.
- (3) The Chief Commissioner must include, in the notice of implementation of water demand management measures, what steps must be taken to implement the water demand management measures.
- (4) It is an offense for any person to fail to comply with any requirement set out in an active water demand management measure.
- 44 (1) No person shall waste water.
- (2) For the purposes of this section, wasting water means excessive use of water for non-human consumption, over and above the daily requirements for normal use.
- 45 (1) The Chief Commissioner may allow or deny any person access to bulk water stations.

(2) The Chief Commissioner shall consider the condition of receiving tanks, vehicles, hoses, and other parts of a person's water transportation system when deciding whether or not to permit a person to use a bulk water station.

(3) A minimum air gap of two times the downspout pipe diameter must be maintained between the downspout fill hose and the receptacle container when receiving water from a bulk water station supplying potable water.

PART 12 – ACCOUNTS AND CHARGES

46 The rates and charges to be charged for water services shall be set out from time to time in the *Fees, Rates, and Charges Bylaw*.

47 All water service charges and all associated fees will be set out in the monthly utility bill.

48 Property owners subscribing or re-subscribing to the County's water service will be subject to a connection fee as set out in the *Fees, Rates, and Charges Bylaw*.

49 (1) A property's owner or occupant must open an account with the County before the County's water service is provided.

(2) An occupant that is not the owner of a property may only open an account with the property owner's written authorization.

(3) If an account is opened with an occupant that is not the owner of the property, the occupant must agree to a pre-authorized payment method.

(S.22, Bylaw 59-2021, December 7, 2021)

50 (1) A construction account may be set up with the County for non-metered water. The account will be set up under such terms and conditions as are set out by the Chief Commissioner.

(2) A property owner may set up a construction account with the County either in person, or in writing.

(3) Water used pursuant to a construction account shall be charged in accordance with the fees and rates set out in the *Fees, Rates, and Charges Bylaw*.

51 (1) An account-holder may request that the invoice for the account be sent to either the account-holder's address, or to the service address.

(2) The account-holder remains responsible for the account and shall ensure that all charges, fees, and bills are paid.

(3) The property owner and the account-holder are jointly and severally liable for ensuring that all requirements of this Bylaw are adhered to.

(S.23, Bylaw 59-2021, December 7, 2021)

52 A request for a temporary or permanent water disconnect must be made by the property owner.

53 (1) As a condition of providing water service the County may require a guarantee deposit from the account-holder in the amount of three consecutive billing periods, as determined by the Chief Commissioner.

(S.24, Bylaw 59-2021, December 7, 2021)

(2) A guarantee deposit is non-transferable and may be in the form of a letter of credit, cash, or a certified cheque.

(3) If a guarantee deposit has been provided under this section, upon discontinuance of service the deposit shall be returned to the account-holder within 30 days of the last date of service.

(S.24, Bylaw 59-2021, December 7, 2021)

(4) If a guarantee deposit provided under this section is returned, the County shall return the deposit amount plus interest, calculated at a rate of one-half percent (0.5%) below the County's weighted average rate of return from the previous year.

54 (1) All utility bills will be due and payable as specified on the bill and payments may be made as specified on the utility bill or as otherwise specified or permitted by the Chief Commissioner.

(2) No reduction in water service rates will be made due to interruption of water service from any cause.

(2.1) In the event a utility bill remains unpaid after the date fixed for payment, a penalty of 1.5% on all outstanding charges may be added to the amount outstanding and shall form part of the rates levied.

(S.25, Bylaw 59-2021, December 7, 2021)

(3) In the event a utility bill remains unpaid more than 60 days after the date fixed for payment the Chief Commissioner may serve written notice, by registered mail, on the account-holder advising that unless the account is paid in full within 10 days of receiving the notice the County may proceed with collection measures.

(S.26, Bylaw 59-2021, December 7, 2021)

(4) Any utility bill remaining unpaid under this section will constitute a debt owing to the County and is recoverable by:

- (a) action in a court of competent jurisdiction;
- (b) shutting off or discontinuing the County's water service;
- (c) collecting in a like manner such as through municipal rates and taxes;

(5) In the event of a foreclosure the billing account shall be managed by the Chief Commissioner by undertaking all reasonable actions to reduce the County's exposure to financial loss.

- 55 When the ownership of a residential property changes through sale or any other method the outgoing owner's account will automatically be closed, and the incoming owner's account will automatically be opened, on the day of transfer of ownership.
- 56 Where there is service charge for water services, those service charges shall be included in the monthly utility bill.
- 57 Where water service is added or deleted during a billing period, utility bills may be prorated in accordance with the actual number of days of service that are provided by the County in the billing period.
- 58 Where a utility bill has been prepaid and water service is subsequently discontinued the County will provide a pro-rated refund based on the number of days of service that have been provided and the number of days of service that are remaining.

PART 13 – DISCONNECTING WATER SERVICE

- 59 (1) The Chief Commissioner may disconnect or shut off the water supply to a property if:

- (a) the owner fails to open an account;
- (b) the Chief Commissioner believes an emergency exists;
- (c) the property's facilities are unsafe, defective, leak excessively, or cause contamination or deterioration of the water system;
- (d) the owner of the property fails to comply with water demand management measures;
- (e) the owner of the property fails or refuses to rectify a water wasting problem under section 44;
- (f) the water system requires repair or maintenance;
- (g) any appurtenance on private property carries the potential to harm, cause over-pressure to, or otherwise creates potential to damage the County's water system in any way;
 - (g.1) an unauthorized cross-connection is added on the property;

(S.27, Bylaw 59-2021, December 7, 2021)
 - (g.2) an authorized backflow prevention device is not installed, operated, or maintained correctly, or is not functioning correctly;

(S.27, Bylaw 59-2021, December 7, 2021)
- (h) the property owner fails to provide the Chief Commissioner adequate access to the water system on the property for the purpose of performing water meter readings or inspections; or
- (i) in the opinion of the Chief Commissioner, it is reasonable to do so.

(2) If the Chief Commissioner intends to disconnect or shut off the water supply under paragraphs a, e, f, h, or i in subsection (1), the Chief Commissioner must first provide reasonable notice to the owner of the property.

60 (1) The Chief Commissioner may at any time, upon 48 hours' notice to the account-holder and the owner, turn off the County's water service or refuse to open an account if the account-holder or the owner:

- (a) refuses to pay any charges levied pursuant to this Bylaw or the *Fees, Rates, and Charges Bylaw*; or

(b) contravenes any section of this Bylaw.

(2) If the County's water service to an account-holder is disconnected at one location for non-payment of assessed fees, the Chief Commissioner may disconnect service to that account-holder at any or all other properties where the account-holder has an account.

(3) The reconnect fee, as specified in the *Fees, Rates, and Charges Bylaw*, must be paid by the account-holder before the County's water service will be reconnected.

(S.28, Bylaw 59-2021, December 7, 2021)

PART 14 - OFFENCES AND PENALTIES

- 61 If any person fails to comply with or contravenes a provision in this Bylaw the Chief Commissioner or a Bylaw Enforcement Officer may issue any order under section 545 of the *MGA* requiring the person to remedy the contravention.
- 62 Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable to a fine in an amount not less than that established in Schedule "A" of this Bylaw.
- 63 Any person who commits a second or subsequent offence within one year of committing an offence under this Bylaw is liable to a fine in an amount not less than double the amount set out in Schedule "A" of this Bylaw.
- 64 A person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided is liable to a fine of not less than one hundred dollars (\$100.00) and not more than ten thousand dollars (\$10,000.00).
- 65 A person contravening any provision of this Bylaw shall not be subject to imprisonment as a penalty for that offence.
- 66 Nothing in this Bylaw will be construed as curtailing or abridging the right of the County to obtain compensation for, or to maintain an action for, loss of or damage to property from or against the person or persons responsible.

Violation Tag

- 67 A Bylaw Enforcement Officer is hereby authorized to issue a violation tag to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 68 A violation tag may be issued either personally or by mailing a copy to the last known address of the person who has contravened the provision of this Bylaw.
- 69 A violation tag shall be in a form approved by the Chief Commissioner and shall state
- (a) the name of the person;
 - (b) the offence;
 - (c) the date of the offence;
 - (d) the penalty, as set out in Schedule "A" and in accordance with sections 62-65;
 - (e) that the penalty must be paid within 30 days of the issuance of the violation tag; and
 - (f) any other information as may be required by the Chief Commissioner.
- 70 No more than one violation tag may be issued to a person each day for the same offence.
- 71 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 the penalty specified on the violation tag.

Violation Ticket

- 72 In those cases where a violation tag has been issued, and the penalty specified on the violation tag has not been paid within the prescribed time, a Peace Officer is authorized to issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended or repealed and replaced from time to time.
- (S.29, Bylaw 59-2021, December 7, 2021)
- 73 A Peace Officer is hereby authorized to issue a violation ticket pursuant to Part II of the *Provincial Offences Procedure Act*, RSA 2000, c. P-34, as amended or repealed and replaced from time to time, to any person who the

Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

(S.29, Bylaw 59-2021, December 7, 2021)

74 Where a violation ticket has been issued to a person pursuant to this Bylaw that person may plead guilty to the offence by submitting to the Clerk of the Provincial Court, prior to the appearance date specified on the violation ticket, the specified penalty set out on the violation ticket.

75 A Peace Officer has the discretion to require a mandatory court appearance by a person who has committed an offence under this Bylaw.

(S.29, Bylaw 59-2021, December 7, 2021)

SEVERABILITY PROVISION

76 Should any provision of this Bylaw be invalid then such provision shall be severed and the remaining Bylaw shall be maintained.

GENERAL

77 Nothing in this Bylaw shall operate to relieve any person from complying with any Federal, Provincial, or other County law, order, regulation, or Bylaw.

78 Bylaw 31-2011 is hereby repealed.

79 This Bylaw will come into force and effect after third reading and upon being signed.

NOTE: Consolidation made under Section 69 of the Municipal Government Act, R.S.A. 2000, c.M-26 and Bylaw 21-2015 Section 8, and printed under the Chief Commissioner's authority

Bylaw 16-2016, passed by Council November 8, 2016

Amendments

Bylaw 59-2021, December 7, 2021

Bylaw 5-2022, March 1, 2022

SCHEDULE "A"
BYLAW 16-2016
WATER SYSTEM BYLAW
SPECIFIED PENALTIES

Section	Offence	Specified Penalty
11(1)	Install, test, remove, repair, replace, or disconnect part of water system without authorization	\$200
11(2)	Interfere with, tamper with, or operate a remote reading device without authorization	\$200
12	Use water from County's water system without authorization	\$200
16	Use of alternate water source without authorization	\$100
17	Connect alternate water source to the County's water system	\$500
17.1(1)	Unauthorized cross-connection between County and private water systems	\$2000
17.1(2)	Failure to install backflow prevention device on a cross-connection	\$2000
17.2(2)	Failure to test and maintain backflow prevention device	\$1000
17.2(3)	Failure to keep backflow prevention device test records for 2 years	\$250
17.2(4)	Failure to submit backflow prevention device test record with 30 days	\$500
17.2(5)	Failure to submit a failed backflow prevention device test with 2 days	\$500
17.3(2)	Failure to replace a backflow prevention device when required by the Chief Commissioner	\$1000
20	Extend service pipe from one lot to another lot	\$1000
23	Improper construction of parts of water system or plumbing system on a private property	\$250
24(1)	Unauthorized use of bypass valve	\$200
33	Obstruct or impede access to water meter	\$100
36	Unauthorized use of water from a hydrant	\$200
37	Performing an unauthorized hydrant flow test	\$100
39(1)	Obstruct access to a fire hydrant or hydrant isolation valve	\$100
39(2)	Construct, erect, place, or plant any thing within 1.0m of a hydrant or hydrant isolation valve	\$200
40	Failure to maintain clearance around a fire hydrant or hydrant isolation valve	\$200
41	Unauthorized use of water from County's water system	\$500

42(a), (b)	Unauthorized operation of County's water system	\$1000
42(a.1)	Interfere with another person's access to the water system	\$100
42(c)	Impede access to water system	\$100
43(4)	Fail to comply with water demand management measures	\$250
44(1)	Wasting water	\$100
45(1)	Use of bulk water station when prohibited	\$100
45(3)	Failure to maintain minimum air gap at bulk water station	\$100

(S.46, Bylaw 59-2021, December 7, 2021)