

CITY OF COLD LAKE
BYLAW # 441-UT-12 – Unofficial Consolidation

Please note: in a bylaw that is “Unofficially Consolidated”, the original approved bylaw is updated to include all of the approved amendments to that bylaw.

A BYLAW OF THE CITY OF COLD LAKE, IN THE PROVINCE OF ALBERTA, RESPECTING THE WATER AND SEWER SYSTEM TO REGULATE THE WATER AND SEWER SERVICES, SET SERVICES FEES, PROVIDE FOR PENALTIES ON UNPAID UTILITY ACCOUNTS AND TO PROVIDE FOR INTEREST ON SECURITY DEPOSITS ON THE SUPPLY OF UTILITIES BY THE CITY OF COLD LAKE.

WHEREAS the City of Cold Lake, being a Municipal Corporation in the Province of Alberta, owns and operates a water and sewer system as a public utility for the purposes of providing and distributing water and sewer to residential, industrial and commercial users;

AND WHEREAS the City of Cold Lake has the authority pursuant to the *Municipal Government Act*, being Chapter M-26.1 of the Statutes of Alberta 1994, to pass bylaws respecting public utilities, specifically the public utility known as the “Water and Sewer System”;

NOW THEREFORE pursuant to the authority of the *Municipal Government Act*, RSA Chapter M-26.1, the Council of the City of Cold Lake, duly assembled, enacts as follows:

1. TITLE - This Bylaw may be cited as the “Water and Sewer Bylaw”.

2. DEFINITIONS

In this Bylaw, unless context otherwise requires, the expression:

- (a) “Adverse effect” means impairment of or damage to the environment, human health or safety and/or property;
- (b) “Backflow” means the reversal of the direction of water flow in either the water system or the consumer’s water system;
- (c) “Biochemical oxygen demand” means the quantity of oxygen utilized in the biochemical oxidation of matter as set forth in the Standard Methods;
- (d) “Biological waste” means waste from a hospital, medical clinic, medical laboratory, dental laboratory, dental clinic, health care facility, necropsy facility, research laboratory, biological research facility which contains or may contain one or more of the following:
 - (i) pathogenic materials, substances or agents which will not or cannot be treated to acceptable levels by the wastewater treatment process, or
 - (ii) experimental biological materials, substances or agents which will not or cannot be treated to acceptable levels by the wastewater treatment process and may be hazardous to human health, or cause an adverse effect;
- (e) “City” means the municipal corporation of the City of Cold Lake or where the context requires means the area contained within the boundaries of the City of Cold Lake;
- (f) “City Official” means the Chief Administrative Officer of the City or his/her designate;
- (g) “Chemical oxygen demand” means a measure of the oxygen equivalent of the organic content of a sample susceptible to oxidation by a chemical oxidant as set forth in the Standard Methods;
- (h) “Construction water” means unmetered water used during the construction, alteration or repairing of a building where a metered account has not been established upon application by a consumer to the City;

- (i) “Consumer” means any person or persons, corporation, or any other municipal corporation, whose property is connected to the water system or any person who obtains water from any City owned hydrant or stand pipe;
- (j) “Consumer’s water system” means the system of pipes, fittings, valves and appurtenances that conveys water between the water service connection and the water supply outlets;
- (k) “Council” means the Council of the City;
- (l) “Cross connection” means any temporary, permanent or potential water connection that may allow backflow to occur and includes swivel or changeover devices, removable sections, jumper connections and by-pass arrangements;
- (m) “Cross connection control device” means a device approved by the City that prevents backflow;
- (n) “Domestic wastewater” means the wastewater that is the composite of liquid and water-carried wastes associated with the use of water for drinking, cooking, cleaning, washing, hygiene, sanitation or other domestic purposes, together with any infiltration and inflow wastewater, that is released into a wastewater collection system;
- (o) “Duplex dwelling” or “Two-family residence” means a development consisting of a building containing only two dwellings, with one dwelling placed over the other in whole or in part, with individual and separate access to each dwelling. This type of development shall be designed and constructed as two dwellings at the time of initial construction of the building and intended as a permanent residence;
- (p) “Enforcement officer” means a member of the Cold Lake R.C.M.P. Detachment or a Peace Officer of the City or any other person so appointed by the City;
- (q) “Flammable liquid” means a substance that is a liquid, a mixture of liquids or a liquid containing solids in solution or suspension that has a flash point not greater than 61° C as determined by American Society for Testing Materials (A.S.T.M.) method D93-48 for flash point by Pensky-Martens closed cup tester;
- (r) “Floor area” means the greatest horizontal area of a building above grade within the outside surface of exterior walls or within the glass line of exterior walls and the centre line of fire walls but not including the floor areas of basements, attached garages, sheds, open porches or breezeways;
- (s) “Hauled wastewater” means wastewater which is transported to a designated site for disposal to the wastewater collection system;
- (t) “Hazardous waste” means waste defined as hazardous waste under the *Environmental Protection and Enhancement Act*;
- (u) “Interceptor” means a receptacle approved by the City and designed to prevent oil, grease, sand or other matter from passing from the source thereof into the wastewater collection system;
- (v) “Non-residential property” means a property where the occupant carries on any kind of business excluding a home-based business;
- (w) “Occupant” means the owner of any premises or person who resides or carries on any kind of business therein;
- (x) “Oil and grease” means solvent extractable matter as set forth in the Standard Methods;
- (y) “Outside water use” means the use of water for residential irrigation purposes, including, but not limited to, the watering of grass and gardens, washing vehicles, driveways, sidewalks or other outdoor surfaces or structures or any other purpose

where water is utilized externally to a residence, place of business, apartment complex, condominium or any other premises;

- (z) “Owner” means the registered owner of real property as designated on the Certificate of Title for the property;
 - (aa) “Permit” means a permit issued by the City;
 - (bb) “Person” means any individual, partnership or corporation and includes heirs, executors, administrators or legal representative of a person;
 - (cc) “Plumbing and Gas Inspector” means the person appointed under the *Safety Codes Act* to conduct plumbing and gas inspections for the City;
 - (dd) “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 City for its water system;
 - (ee) “Premises” means land or buildings or both or a part thereof;
 - (ff) “Public stand pipe” means any approved location in the City where a consumer may obtain water for filling large containers, trucks or similar holding devices including, but not limited to, coin operated dispensers, key-lock locations, any overhead filling locations and fire hydrants;
 - (gg) “Radioactive substance” means substances defined in the *Atomic Energy Control Act* and the regulations passed thereunder, as amended from time to time;
 - (hh) “Single detached dwelling” means a residential building containing one dwelling unit and intended as a permanent resident. A single detached dwelling may include a building that has been constructed off-site (modular home);
 - (ii) “Standard Methods” means the analytical and examination procedures
 - (i) set out in the current edition of “Standard Methods for the Examination of Water and Wastewater” published jointly, from time to time, by the American Public Health Association and the American Water Works Association and the Water Environment Federation, and
 - (ii) includes those procedures approved by the City.
- and in the event of a conflict between those procedures described in Section 2(hh)(i) and the procedures approved by the City, the procedure approved by the City shall prevail;
- (jj) “Storm drainage” means storm drainage resulting from precipitation;
 - (kk) “Storm drainage collection system” means the system of sewers, valves, fittings, pumping stations and appurtenances owned by the City and used to collect storm drainage, but does not include plumbing or service connections in buildings;
 - (ll) “Sump” means a facility on the connection to the wastewater collection system or the storm drainage collection system for trapping large, heavy solids before discharge to the wastewater collection system or storm drainage collection system;
 - (mm) “Suspended solids” means solid matter that can be removed by filtration through a standard filter as set forth in the Standard Methods;
 - (nn) “Waste” means an unwanted substance or mixture of substances and includes refuse and garbage;
 - (oo) “Wastewater” means domestic wastewater and may include industrial wastewater;

- (pp) “Wastewater collection system” means a system of sewers, valves, fittings, pumping stations and appurtenances used to collect wastewater, but does not include plumbing or service connections in buildings;
- (qq) “Water main” means a water pipe in the street, public thoroughfare or easement area granted to the City which forms part of the City water distribution network and delivers the water supply to the water service connections;
- (rr) “Water meter” or “meter” means any device approved by the City and installed by the City 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;
- (ss) “Water service connection” means that lateral water pipe which connects a consumer’s premises to the City water main with the consumer owning that portion of the pipe lying within the boundaries of the consumer’s premises excluding any pipe lying within the boundaries of any easement area granted to the City for its water system;
- (tt) “Water service valve” or “Curb stop” means the water valve on the City-owned portion of the water service connection, located between the City water main and the street property line, installed for the purpose of enabling the City to turn on or off the water supply to a consumer’s premises;
- (uu) “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;
- (vv) “Water system” or “Water utility” means that system of water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, cross connection control devices and all other equipment and machinery of whatever kind owned by the City and which is required to supply and distribute water to all consumers and which is deemed to be a public utility within the meaning of the *Municipal Government Act*.

3. GENERAL

- 3.1 Nothing in this Bylaw relieves any persons from complying with any provision of any Federal or Provincial legislation or any other Bylaw of the City.
- 3.2 The City having constructed, operated and maintained a water and sewer system as a public utility shall continue, insofar as there is sufficient capacity and supply, to supply water and sewer services upon such terms as Council considers advisable, to any resident or industry or other consumer within the municipality situated along any water and sewer main, upon being so requested in writing by the owner. The City undertakes to supply water and sewer to the owner’s water and sewer system at the property line of the street or the boundary of an easement granted to the City for its utility system.
- 3.3 All billable work requires the signature of the owner or acceptable form of consent from the owner such as an email or fax prior to the commencement of work by the City unless it is an emergency.

4. WATER CONNECTIONS

- 4.1 All Utility residential accounts will be in the name of the property owner and billings for service will be forwarded to the address of the property owner. Non-residential accounts will be in the name of owner unless the account is established by the occupant.
- 4.2 The owner or occupant in case of non-residential property only is responsible for providing the property and facilities with a water connection that the owner or occupant in case of non-residential property considers necessary in order to have a continuous and uninterrupted supply of water for the consumers specific needs,

provided such facilities are approved by the City Official and meet the City's Engineering Standards, applicable Plumbing and Gas Codes and other applicable regulations provided that such facilities do not interfere with the operation of the water system.

- 4.3 A contractor is considered the owner until an owner has established responsibility for the service.
- 4.4 A utility account must be established prior to the service being provided;
- 4.5 Deposits must be paid or invoiced on the first billing as per Schedule "D";
- 4.6 When a property owner rents or leases a residential premise to which the City provides utility services, all utility accounts shall remain in the name of the property owner.
- 4.7 Upon connection any outstanding utility accounts from a previous account with the same owner or occupant will be transferred to the new account.
- 4.8 No person shall use any alternative sources of water supply other than the water system without the written consent of the City.
- 4.9 The City may give consent for a person to use an alternate source of water subject to such terms and conditions as the City deems are necessary and notwithstanding the generality of the foregoing, may set a limit on the period of time for which an alternate supply of water may be used.
- 4.10 No person who has been granted permission to use an alternate source of water supply shall allow that alternate source of water supply to be connected to the water system.
- 4.11 No water connection approved by a City Official under this Section shall give or be construed to give the holder of said permit the right to sell or distribute water within the City.
- 4.12 Tapping of water street mains – No person without first having obtained approval from the City Official so to do, shall make connection with any of the public water lines or mains. The person so authorized shall be totally liable for any damage caused while making such connection and shall also provide adequate safety provisions during said connection.
- 4.13 No connection may be made to the water service line between the property line and the meter.
- 4.14 Water shall not be turned on after any construction, reconstruction, alteration or change, or the completion of any work requiring a permit, water shall not be turned onto any building or premises until after the whole of the work has been completed to the satisfaction of the City Official. Water shall be turned on or off by a City Official except in emergent situations.
- 4.15 Except as hereinafter provided, no person other than a City Official shall open or close or operate or interfere with any valve, hydrant, fire plug, or draw water there from.
- 4.16 The Chief of the City Fire Department, his assistants and officer, and members of the Department, are authorized to use the hydrants or fire plugs for the purpose of extinguishing fires, or for making trial testing of hose pipe, or for fire protection, but all such uses shall be under the direction and supervisions of the said Chief or his duly authorized assistants, and in no event shall any inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant or plug.
- 4.17 The City shall assume the full responsibility and costs for any water service line which may hereinafter be frozen between the property line and the street main. Any water service line frozen between the property line and the meter shall be the responsibility of the person owing the said property. Any costs incurred by the City, in thawing frozen lines on behalf of a person, shall be recoverable as and subject to any penalties. See Schedules "D" and "E".

- 4.18 Should the City be requested to thaw any frozen water lines on private property the person making such request shall be liable for all costs incurred by the City in thawing said frozen water line. See Schedule “D”.
- 4.19 The City Official, may shut off the water supplied to the land or premises of any consumer who may be guilty of a breach of or non-compliance with any of the provisions of the this Bylaw or Board of Health regulation, and may refuse to turn on the water until satisfied and assured that the consumer intends to comply with this Bylaw or Health regulations.
- 4.20 The City hereby reserves the right to turn off water service without notice to any or all consumers for any purpose that, in the opinion of the City, may be expedient to do so. It is hereby declared that no person shall have any claim for compensation or damages as a result of the City turning off the water service without notice or from the failure of the water supply system from any cause whatsoever.
- 4.21 No person shall interfere with, damage or make inaccessible any curb stop due to the construction of sidewalks, pathways, driveways, trees, etc. If it is required to make any repairs or changes due to inaccessibility to or damage to curb stops, the owners of the property being services by said curb stop shall, in addition to the penalties by the Bylaw, be required to assume all costs involved in said repair of changes. See Schedule “E”.

5. SEWER CONNECTIONS

- 5.1.1 No person shall make, alter or remove, suffer or permit the making, alteration or removal of any connection to the wastewater collection system or the storm drainage collection system without the written consent of the City.
- 5.1.2 Applications for the installation, alteration or removal of a connection shall be made in writing to the City.
- 5.1.3 The City may approve the installation, alteration or removal of a connection upon such terms and conditions, as the City considers necessary including, but not limited to, the payment in advance of the cost of the installation, alternation or removal of the connection.
- 5.1.4 The installation, alternation or removal of a connection shall be carried out at the cost identified in Schedule "D" of this Bylaw.
- 5.1.5 No person shall re-use a connection without first obtaining the consent in writing of the City.
- 5.1.6 No person shall turn, lift, remove, raise or tamper with cover of any manhole, ventilator or other appurtenance of any City sewer, except City Officials. See Schedule “E”.
- 5.1.7 No person shall cut, break, pierce, or tap any City sewer or appurtenance thereof, or introduce any pipe, tube, through or conduit into any City sewer, except City Officials. See Schedule “E”.
- 5.1.8 No person shall interfere with the free discharge of any City sewer, or part thereof, or do any act of thing which may impede or obstruct the flow or clog up any City sewer or appurtenance thereof. See Schedule “E”.
- 5.1.9 Where it is deemed expedient to prevent or reduce the flooding of basements or cellars connected to the municipal sewage system, the City will require the owner to install and operate a suitable backwater valve or other mechanical device for the cellar or basement. Where the installation of said valve is required, the time of connection to the City sewer system, the cost of installation shall be the responsibility of the owner.
- 5.1.10 No drain or private sewer shall be connected to the City sewer until the owner thereof shall have obtained approval from the City Official for sewer connection. All applications for connections must be filed at the City Hall and must be signed by the owner of the property to be drained. Such application must be accompanied by a plan showing in detail the contemplated connections, the exact location and elevation thereof, and specify fully the character of the work to be done, the sizes of all pipes and the location and type of all fittings.
- 5.1.11 It shall be a consideration of the granting of any applications for a sewer connection that the City or any of its employees shall not be liable for any damage whatsoever in nature caused either directly or indirectly by such sewer

connection and the owner shall be responsible for backfill, surface replacement, safety, etc.

- 5.1.12 The City may revoke or annul any approval that may have been granted to connect with the City sewers if it shall find that any of the work is not being done in accordance with the provisions of the approval, engineering standards, approved plans or this Bylaw, and the person or persons making such connections or their successors in interest, shall have no right to demand or claim any damages in consequence of such approvals being revoked or annulled.
- 5.1.13 Should the City be requested to clean any plugged sewer service line, the owner shall be liable for all costs incurred by the City in cleaning said plugged sewer on the person's premises.
- 5.1.14 The person occupying any premises connected to a street main by a sewer service line, shall be required to keep the said sewer service line in operational condition at all times, and shall be fully responsible for the operation of the said sewer service line.
- 5.1.15 If the owner fails, neglects or refuses to keep the sewer service in operational conditions the City may enter upon the land and building, erection or structure concerned and make such connection and charge the cost thereof against the land, building, erection or structure concerned in the same manner as taxes with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes. However, if the premises is occupied by a tenant or leasee and they cannot get the owner to act to maintain the sewer service in operational conditions the City will within 48 hours enter upon the land and building, erection or structure concerned and make such sewer service operational and charge the cost thereof against the land, building, erection or structure concerned in the same manner as taxes and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes.
- 5.1.16 All plumbing and sewer work within the City shall be done in strict accordance with the City's Engineering Standards, Plumbing and Gas Codes and regulations and all other applicable municipal, provincial and federal laws and regulations.

6. STORM DRAINAGE

- 6.1 Except as otherwise provided in this Bylaw, no person shall direct, allow or suffer any storm drainage to be placed in the wastewater collection system.
- 6.2 Where storm drainage on any land is directed into or connected to the wastewater collection system, the owner of that land shall forthwith, upon being so directed by the City, disconnect the storm drainage from the wastewater collection system and shall dispose of the storm drainage in a manner satisfactory to the City.
- 6.3 Notwithstanding Subsection 6.2, the City may approve connection or direction of storm drainage to the wastewater collection system, subject to such terms and conditions, as the City deems necessary.

7. PROHIBITED MATERIALS

- 7.1 Except as otherwise provided in this Bylaw, no person shall release or discharge, or permit the releasing or discharge of any waste described in Schedule "A" into the wastewater collection system.
- 7.2 Except as otherwise provided in Subsections 7.3 and 7.4, no person shall cause or allow to be discharged into the wastewater collection system wastewater which:
 - 7.2.1 has a biochemical oxygen demand greater than 100 milligrams per litre;
 - 7.2.2 has a chemical oxygen demand greater than 2400 milligrams per litre;
 - 7.2.3 contains suspended solids in excess of 1200 milligrams per litre; or
 - 7.2.4 contains more than 450 milligrams per litre of oil and grease.
- 7.3 Subsection 7.2 does not apply to prevent the discharge of human excrement and urine.
- 7.4 Where the City is satisfied that wastewater which does not meet the requirements of Subsections 7.1 or 7.2 will not damage the wastewater collection system the City may, notwithstanding Subsections 7.1 or 7.2, by approval given in writing, allow such

wastewater to be deposited into the wastewater collection system upon such terms and conditions as the City may specify including, but not limited to, periodic testing of the wastewater and the payment of surcharges in accordance with requirements set by the City.

- 7.5 No person shall, for the sole purpose of meeting any concentration limits set out in this Bylaw, dilute any wastewater intended to be deposited in the wastewater collection system.
- 7.6 The City Official shall have the right at reasonable times to enter houses or other places which have been connected with City sewers, and facilities to ascertain whether or not any improper storm drainage connections or material or liquid is being discharged into the sewers, and the City Official shall have the authority to stop or prevent the discharging into the sewer system from any private sewer or drain through which substances are discharged which are liable to injure the sewers or obstruct the flow of sewage.
- 7.7 No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged to any City sewer without such previous treatment as shall be prescribed by the City for each such case. The necessary treatment work so prescribed shall be completely installed by the owner at their expense, prior to the construction of the sewer connection and thereafter shall be continuously maintained and operated by the owner.

8. UNLAWFUL, UNAUTHORIZED AND ACCIDENTAL RELEASES

- 8.1 Any person who releases or discharges, or causes or permits the release or discharge of any waste into the wastewater system or the storm drainage collection system in contravention of this Bylaw, shall immediately notify:
 - 8.1.1 the 9-1-1 emergency telephone number if there is any immediate danger to human health and/or safety; or
 - 8.1.2 if there is no immediate danger:
 - 8.1.2.1 the City's 24-hour emergency number,
 - 8.1.2.2 the owner of the premises where the release occurred, and
 - 8.1.2.3 any other person whom the person reporting knows or ought to know may be directly affected by the release.
- 8.2 The person reporting the release or discharge shall provide the following information:
 - 8.2.1 location where the release occurred,
 - 8.2.2 their name and a telephone number where they may be reached,
 - 8.2.3 time of the release,
 - 8.2.4 type of material released and any known associated hazards,
 - 8.2.5 volume of material released, and
 - 8.2.6 corrective action being taken, or anticipated to be taken, to control the release.
- 8.3 The water demand practices set forth in the current Water Demand Management Policy No. 082-OP-04 are hereby adopted, ratified and confirmed and constitute part of this bylaw and in addition to the other authority in this bylaw, the City Official may declare a state of water shortage. Without limiting the generality of the foregoing, the restrictions may include the prohibition or restriction of water use or supply for certain purposes (including outside water use) at certain times or at certain properties.
- 8.4 If the City Official declares a state of water shortage, he or she may, in addition to other measures authorized in this bylaw, publish a notice setting out restrictions respecting the use and supply of water within the boundaries of the City. These restrictions may be published through any one of the following:
 - 8.4.1 notification in invoices provided for utility services;
 - 8.4.2 advertisement in a newspaper of general circulation in the City; or
 - 8.4.3 delivery of or mail (by regular post) to the parcels of land affected by the restrictions;

8.4.4 Advertisement by local radio/TV stations;

8.4.5 City of Cold Lake Website

8.5 After notification of the restrictions as outlined above, an occupant of property serviced by the City's water system shall not breach the restrictions set out in the notification.

8.6 In after notification of the restrictions as outlined above, an occupant of property serviced by the City's water supply system breaches the restrictions set out in the notification, the City Official may have bylaw enforcement issue a fine as per Schedule E.

9. CITY OFFICIALS AND APPROVALS

9.1 The City Official is hereby deemed to be the person responsible for administering approvals, permits and letters of permission as used in this Bylaw and responsible for all other administration and enforcement of this Bylaw.

9.2 The City Official, acting as the City for approvals under this Bylaw may establish standards, guidelines and specifications for the design, construction and maintenance of the water and sewer system.

9.3 For all purposes of administering or enforcing the provisions of authority of this Bylaw, the City Official may delegate his powers to one or more employees of the City, and the said employees shall be deemed to be authorized agents of the City.

10. WATER RATES

10.1 All new water accounts must be metered effective April 27, 2004.

10.1.1 Upon passing of this Bylaw all new residential water accounts will only be established in the name of the legally registered owners(s) of the property. Current tenant accounts will be maintained until the tenant vacates the property, at which time the account will revert to the legally registered property owner.

10.1.2 All non-residential accounts may be established by the occupant.

10.2 The water rates to be charged by and that shall be payable to the City under the terms of this Bylaw for water supplied to or made available for use by an owner or may be occupant if non-residential shall be those set forth in Schedule "B" to this Bylaw.

10.3 Where water is supplied by the City through a meter to an owner or may be occupant if non-residential, the owner or may be occupant if non-residential shall pay the City a monthly charge of the aggregate of:

10.3.1 the monthly flat rate; and

10.3.2 the value of the volume of water shown by the meter as supplied for the applicable month at the rate specified;

Both the monthly flat rate and the value of the volume of water are as set out in Table 1 of Schedule "B" of this Bylaw.

10.4 Where water is supplied to an owner or may be occupant if non-residential in a dwelling through a single service connection on which no meter is used for billing purposes, the owner or may be occupant if non-residential shall pay for the water at a monthly charge of the minimum monthly rate set out in Table 2 of Schedule "B" multiplied by the number of families in the residence.

10.4.1 where an owner or an occupant who is presently on a flat rate makes a choice to pay the metered rate, they shall pay a meter installation fee in accordance with Table 3 of Schedule "B", unless an appropriate meter and outside reading device compatible with the City's meter system are already present in the residence.

- 10.4.2 The owner will provide a suitable location for installation of a meter in accordance with the provisions of Section 15.
- 10.5 Notwithstanding Subsections 10.2, 10.3 & 10.4 where a dwelling or multi-business, commercial or industrial parcel is serviced by only one service, the owner of the property shall be required to establish and pay for the utility account.
- 10.6 All owners of apartments, commercial or industrial buildings with more than one tenant, multi-family residents greater than two families and acreage (greater than .5 acres) properties, shall be required to pay the rates established in Subsection 10.2 and the meter installation fee in accordance with Table 3 of Schedule “B”.
- 10.7 Notwithstanding Subsections 10.4 and 10.5, the City may approve or require a dwelling to pay the rates established in Subsection 10.3 if installation of a meter is not possible for whatever reason on existing unmetered residences.
- 10.8 Anyone who wishes to obtain water from the public standpipes at various locations shall apply to the City for permission and shall pay for that water the amount as set out in Table 4 of Schedule “B”. Anyone who obtains water without permission shall be subject to penalties as set out in Schedule “E” plus cost of repairs or replacement for any damages.
- 10.9 Construction water charges will be in accordance with the rates as shown in Table 5 of Schedule “B”, payable at the time of application for construction water.
- 10.10 No reduction in rates will be made in the monthly charge for water supplied to or made available for use by any consumer because of any interruption due to any cause whatsoever of the water supply.
- 10.11 Where an owner has requested an account be disconnected with the intent of reconnecting after an extended absence. The City may decide for maintenance reasons, not to do an actual shut off of the service and only suspend the account for the specified period. In these cases, the consumer will be required to pay for any water and sewer used during the absence in accordance with the metered rates established in this Bylaw.

11. SEWER RATES

- 11.1 The owner or occupier of premises connected to the wastewater collection system shall pay to the City a monthly sewer service charge to be calculated as follows in accordance with Schedule “C”:
- 11.1.1 in the case of residential consumers paying a metered rate in accordance with Section 10, Subsection 10.2, a rate as set out in Table 1 of Schedule “C”.
- 11.1.2 in the case of consumers paying a residential flat rate in accordance with Section 10, Subsection 10.3, a minimum monthly rate as set out in Table 2 of Schedule “C”.
- 11.1.3 in the case of all other consumers paying a metered rate in accordance with Section 10, Subsection 10.2, a rate as set out in Table 3 of Schedule “C”.
- 11.1.4 in the case of property served with water from any sources other than the City water supply, a rate as set out in Table 4 of Schedule “C”.

12. RATE ADJUSTMENTS

- 12.1 Should the information upon which any water or sewer utility charge proves to be in error, the City may estimate water and sewer utility charges for the affected period and make appropriate billing adjustments.

13. SEPTAGE AND HAULED WASTEWATER

- 13.1 No person shall discharge septage into the wastewater collections system without first obtaining permission from the City.
- 13.2 No person shall discharge hauled wastewater into the wastewater collection system without first obtaining permission from the City.

- 13.3 Notwithstanding, Subsections 13.1 & 13.2, discharge of septic from recreational vehicles at approved dumping stations shall not require permission to discharge.

14. PAYMENTS

- 14.1 In default of payment of the rates set out in Schedules “B” and “C” to this Bylaw or any amount due and payable to the City for anything done, or any amounts payable, pursuant to this Bylaw, the City may enforce collection of such rates or payment by all or any of the following methods, namely:
- 14.1.1 shutting off the water being supplied to the consumer; and/or
14.1.2 by action in any court of competent jurisdiction; and/or
- 14.2 Where the owner or purchaser under agreement for sale, all sums payable pursuant to this Bylaw, including the rates set out in all schedules to this Bylaw, are a debt due and owing to the City and shall constitute a preferential lien and charge on the premises and may be levied and collected in a like manner as municipal rates and taxes are recoverable.
- 14.3 Utility accounts more than 90 days in arrears may be transferred to taxes in accordance with the *Municipal Government Act*.

15. WATER METERS

- 15.1 Meters will not be installed by the City without a Plumbing/Gas Permits issued by the City.
- 15.2 All owners of property supplied with a water service connection shall be responsible for payment of an installation fee for a water meter as set out in Schedule “B” of this Bylaw.
- 15.3 Ownership of all water meters shall be vested in the City notwithstanding any deposit or installation fee paid.
- 15.4 All water meters shall be supplied and installed by the City in accordance with the provisions of this Bylaw.
- 15.5 If, in the opinion of the City, it is impractical to install a water meter where a water meter would otherwise be required according to this Bylaw, the City shall determine the rate to pay for the water and sewer.
- 15.6 For the purpose of conducting water use surveys or sampling, leakage, flow and pressure tests or reading water meters or installing, inspecting, repairing, replacing and removing water meters, cross connection control devices and related equipment upon any water service connection within or without any buildings as may be required, employees of the City, employed for that purpose, shall have free access at proper hours of the day and upon reasonable notice given and request made, or, in the case of the authority provided for in the *Municipal Government Act* given in respect of a special case, without notice, to all parts of every building or other premises in which water is delivered.
- 15.7 The City may charge for and receive from the owner the cost for installing, altering, repairing, relocating or removing a water meter. Any such charges may be collected in the same manner as water rates.
- 15.8 For all water service connections of any size to buildings, with or without basements, whether a water meter will be installed or not, 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 inside the building. The City shall not be required to provide water service if the owner fails to make available a site acceptable to the City.
- 15.9 Owners may obtain permission from the City to install other metering, piping or valving subject to prior approval of the City and subject to the installation conforming to any requirements established by the City.

- 15.10 No consumer shall relocate, alter or change any existing water meter facilities without written approval of the City and may be subject to penalty as outlined in Schedule “E” and any cost for repairs or replacement due to damages.
- 15.11 The City shall determine the size and type and number of water meters to be supplied and installed by the City.
- 15.12 An owner with approval of the City in writing may install at his own risk and expense additional water meters to register subdivision of the main incoming supply. Such meters shall be considered private meters, installed on the downstream side of the water meter supplied by the City. The owner or established occupant if non-residential shall be responsible for maintenance and readings of the amount of water passing through such meters. The City will not recognize these meters for billing purposes and no accounts will be rendered in connection therewith.
- 15.13 A consumer shall notify the City immediately whenever a water meter is not operating or if any part of it becomes damaged or broken.
- 15.14 If a water meter is removed, stolen or damaged, the owner of the premises shall pay the cost of replacing the meter including installation. If not paid, the cost may be added to the taxes on the property and collected in the same manner as property taxes; as per the *Municipal Government Act*.
- 15.15 No person shall interfere or tamper with the operation of any water meter or remote reading device and may be subject to penalty as outlined in Schedule “E” and any cost for repairs and replacement due to damages.
- 15.16 Water meters may be removed by the City for maintenance and testing on a periodic basis. The City may require that a meter be tested on site.
- 15.17 An owner or may be occupant if non-residential may request the City to test a water meter located on the owner’s or may be occupant’s if non-residential premises upon payment of the fee specified in Schedule “D”. If the water meter is found to be measuring incorrectly or not within 2% of accuracy, the fee specified in this section shall be refunded to the owner. Should the meter be found to over read by more than 2%, the water and sewer charge for the preceding two months will be adjusted by the same percentage as the meter was found to over read.

16. AUTHORITY

- 16.1 Council shall approve all rates, charges and fees that the City may charge for supply of water and sewer used by consumers as outlined in the Schedules to this Bylaw.
- 16.2 Council may by resolution amend all schedules to this Bylaw.

17. PENALTIES ON ACCOUNTS

- 17.1 For all utility accounts rendered after the coming into force of this Bylaw, where the City has rendered an account for the supply of a public utility on the use of same by any person or premises connected therewith pursuant to the provisions of this Bylaw and such account has not been paid by or on behalf of the party responsible for the payment therefor, by the due date for the billing period, then without limiting any other remedy available to the City, there shall be added to such account a late payment penalty of 3.5% thereon.
- 17.2 The property owner shall be assessed a penalty on the outstanding balance on all utility accounts not paid by the due date and subject to same collection procedures as stated in this bylaw.

18. DEPOSITS

- 18.1 Notwithstanding any other provisions in any other Bylaw of the City for payment of security deposits, a deposit as specified in Schedule “D” shall accompany all applications for utility service or hereinafter provided.

18.2 For all new accounts with the City, the following deposits shall be paid in accordance with Schedule “D” prior to receiving the utility service requested.

18.2.1 Residential Owner - A deposit for the establishment of a residential account where a customer has not previously established a satisfactory credit rating with the City for a consecutive period of 12 months at a rate set out in Table 1 of Schedule “D”;

18.2.2 Non-residential owner - A deposit shall be required from all non-residential accounts where a customer has not previously established a satisfactory credit rating with the City for a consecutive period of 24 months at the rates established for the type of business, based on estimated consumption by comparing to other similar businesses in the City, as outlined in Table 3 of Schedule “D”.

18.2.3 Key Lock Accounts whereby the customer requires a key for the key lock station will require a deposit to cover the cost of key replacement, re-keying of the key lock, and time required to change out and/or replace the cylinder if the key is not returned as per Schedule “D”.

18.3 For all existing accounts where a deposit has presently been paid, these deposits will remain until refunded in accordance with this Bylaw, a new account is established for the residence or building or the account has been discontinued for non-payment of the account in accordance with Section 14 of this Bylaw.

18.4 A deposit is non-transferable from one customer to another except on written authority of the original depositor and upon full payment of the original depositor’s account.

18.5 Deposits may be refunded on individual accounts upon termination of service or after a residential customer has established a satisfactory payment record on all accounts over a consecutive period of 12 months and after 24 months for non-residential accounts. Deposits of customers with unsatisfactory payment records will be refunded when service is terminated, when upon termination all charges due to the City including penalties have been paid. Deposits will be applied to charges due to the City including penalties upon termination and the excess portion will be returned to the depositor.

19. INTEREST ON UTILITY ACCOUNTS

19.1 Interest on deposits will be credited to the customer’s account annually rate paid by the City’s banking institution on December 31 of that year.

19.2 Interest on deposits shall commence upon passage of this Bylaw.

20. SERVICE FEES

20.1 Services Fees for disconnection, reconnection, reconnection after cut-off for non-payment or non-compliance with water shortage restrictions, damaged meters, thawing charges and sewer blockage repairs shall be in accordance with Schedule “D”.

20.2 Notwithstanding Subsection 20.1 there shall be no service fee for the first thawing of a frozen water line, the fee established in Schedule "D" for thawing will be charged on second and subsequent occasions.

21. PENALTY SECTION

21.1 Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable upon conviction in a court of competent jurisdiction to maximum fine of not more than \$10,000.00 or in the event of non-payment of the fine is liable to imprisonment for a term not exceeding 1 year.

21.2 The levying and payment of any fine or the imprisonment for any period provided for in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs for which such person is liable under the provisions of this Bylaw.

- 21.3 Where a Peace Officer or an R.C.M.P. Officer or other person appointed by the City for enforcing this Bylaw of the City believes that a person has contravened any provision of this Bylaw, he or she may commence proceedings by issuing a summons by means of a violation ticket in accordance with Provincial Legislation.
- 21.4 The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule “E” of this Bylaw in respect of that provision.
- 21.5 Notwithstanding Subsection 21.4:
- 21.5.1 where a person contravenes the same provision of this Bylaw twice, the specified penalty shall be double the amount shown in Schedule “E” of this Bylaw in respect of that provision, and
- 21.5.2 where a person contravenes the same provision of this Bylaw three (3) or more times, the specified penalty shall be triple the amount shown in Schedule “E” of this Bylaw in respect of that provision.

22. SCHEDULES

- (1) Schedules “A”, “B”, “C”, “D” and “E” attached hereto shall form part of this Bylaw and may be amended by resolution of Council.

23. COMING INTO FORCE

- (1) Bylaws of the former City of Cold Lake and Grand Centre specifically:

069-UT-99 and all amendments are hereby repealed.

- (2) This Bylaw comes into force upon third and final reading.

FIRST READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta, this 24th day of April, A.D. 2012, on motion by Councillor Buckle.

CARRIED

SECOND READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta, this 12th day of June, A.D. 2012, on motion by Councillor Vining.

CARRIED

THIRD AND FINAL READING passed in open Council duly assembled in the City of Cold Lake, in the Province of Alberta, this 12th day of June, A.D. 2012, on motion by Councillor Lay.

CARRIED

CITY OF COLD LAKE

MAYOR

CHIEF ADMINISTRATIVE OFFICE

SCHEDULE “A”
WATER & SEWER BYLAW

SECTION 7

The following shall not be discharged into the wastewater collection system:

1. waste which causes or will cause an adverse effect;
2. any flammable liquid or explosive material;
3. a solvent or petroleum derivative including, but not limited to, gasoline, naptha or fuel oil;
4. any matter other than domestic wastewater, which by itself or in combination with another substance is capable of creating odors related to, but not limited to, hydrogen sulphide, carbon disulphide, or other reduced sulphur compounds, aminos or ammonia outside or in and around the wastewater collection system;
5. any pesticides or herbicides;
6. wastewater containing materials which by themselves or in combination with other materials become highly coloured and pass through the wastewater collection system discolouring the effluent;
7. solids or viscous substances in quantities or of such size as to be capable to causing obstruction to the flow in the sewer including, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood unground garbage, animal guts or tissues, paunch manure and whole blood;
8. radioactive materials in excess of concentrations greater than that specified under the Atomic Energy Control Act and the Atomic Energy Control Regulations or amended versions thereof;
9. wastewater having a temperature in excess of seventy-five (75) degrees Celsius;
10. grit removed from commercial or industrial premises including, but not limited to, grit removed from car washing establishments, automobile garages, and restaurant sumps or from interceptors;
11. any corrosive or toxic wastewater or other wastes which could adversely affect the wastewater collection system;
12. wastes which will interfere with the disposal of bio solids resulting from municipal wastewater treatment;
13. biological wastes;
14. storm water drainage or sub-surface drainage except:
 - 14.1 sub-surface or foundation drainage connected to the wastewater collection system that was previously approved by the City of Cold Lake;
 - 14.2 storm water drainage or sub-surface drainage unless authorized by the City pursuant to Section of this Bylaw.
15. Hazardous waste or hazardous materials.

SCHEDULE “B”
WATER & SEWER BYLAW

WATER SECTION 10

TABLE 1 - Residential & Non-Residential Metered Water Rate

Metered water rate for water supplied to individually metered dwelling units.

Minimum Billing Charge	\$13.74/month
Usage	\$9.56/1000 gallons

TABLE 2 - Residential & Non-Residential Flat Rate

Minimum Monthly Rate	\$70.91/month
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TABLE 3 - Meter Installation Fees

Service Charge	\$52.00
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TABLE 4 - Water Rates for Public Standpipes

Usage Charge	\$13.74/1000 gallons
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TABLE 5 - Construction Water Rates

Where it is proposed to use water from the water system for constructing, altering or repairing a building, the applicant for construction water shall pay to the City the sum of four (\$.045) per square foot of floor area.

Amended January 8, 2013 - Bylaw 459-UT-12
Amended January 28, 2014 - Bylaw 503-UT-12
Amended January 27, 2015 - Bylaw 549-UT-15
Amended February 2, 2016 - Bylaw 570-UT-16
Amended February 14, 2017- Bylaw 601-UT-17
Amended January 22, 2019 - Bylaw 636-UT-19

SCHEDULE “C”
WATER & SEWER BYLAW

SEWER RATES SECTION 11

TABLE 1 - Residential & Non-Residential Metered Water Rate

For metered rate customers being served with water from the City: sixty percent (70%) of the water bill.

TABLE 2 - Residential & Non-Residential Flat Rate

Minimum Monthly Rate	\$49.64/month
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TABLE 3 - All Other Metered Rates

For all other consumers on metered rate being served with water from the City: sixty percent (70%) of the water bill.

TABLE 4 - Rates Where Water Supplied From another Source

Minimum Monthly Rate	\$37.43/month
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Amended January 8, 2013 - Bylaw 459-UT-12
Amended January 28, 2014 - Bylaw 503-UT-12
Amended January 27, 2015 - Bylaw 549-UT-15
Amended February 2, 2016 - Bylaw 570-UT-16
Amended February 14, 2017- Bylaw 601-UT-17
Amended January 23, 2018 – Bylaw 619-UT-18
Amended January 22, 2019 - Bylaw 636-UT-19

SCHEDULE "D"
WATER & SEWER BYLAW

OTHER SERVICE FEES SECTIONS (15) (18) (20)

Water Meter Test Fee Section 15

Up to 25mm pipe	\$50.00 per meter
26mm to 50mm pipe	\$100.00 per meter
51mm and over pipe	\$150.00 per meter

Refundable if the meter should be found to be measuring incorrectly by more than 2%.

Service Fees

Damaged Meters	Full Cost to Repair or Replace Meter
Disconnect Fee	\$10.00
Reconnect Fee	\$10.00
Reconnection Fee After Cut Off	\$50.00
Thawing Charges	Hourly Rate Approved for a Minimum of one (I) Hour
Sewer Connections and Blockage	Hourly Rate Approved for a Minimum of one (I) Hour

DEPOSITS

Table 1- Residential Owner

One-Time Fee	\$50.00
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Table 2 - All Other Customers

a) Non-Residential Owner One-time Fee	\$50.00
b) Non-Residential Renter where estimated* consumption is less than 10,000 gallons per month One-time Fee	\$150.00
c) Non-Residential Renter where estimated* consumption is greater than 10,000 gallons per month but less than 20,000 gallons per month One-time Fee	\$300.00
d) Non-Residential Renter where estimated* consumption is greater than 20,000 gallons per month One-time Fee	\$500.00
e) Keylock Deposit	\$150.00

* based on estimated consumption by comparing to other similar businesses in the Town

SCHEDULE "E"
WATER & SEWER BYLAW

PENALTIES SECTION (21)

Violations listed in Schedule "E" are subject to the following specified penalties:

	<u>Penalty</u>
Section 20.1 non-compliance with water shortage restrictions	\$150.00
Section 10.8 obtain water from public stand pipe or fire hydrants without permission	\$250.00
Section 15.10 relocate, change, alter metering facilities without approval	\$250.00
Section 15.15 interfere or tamper with water meter or remote reading device	\$150.00
All Other Sections	offenses not listed above are subject upon conviction in a court of competent jurisdiction to a maximum fine of not more than \$10,000.00 or in the event of nonpayment of the fine, imprisonment for a period of not exceeding on year.