

TOWN OF OLDS
Bylaw 2007-34
WATER and WASTEWATER

A BYLAW of the Town of Olds in the Province of Alberta RESPECTING WATER and WASTEWATER in the Town of Olds.

WHEREAS Section 7 of 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 OLDS, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

SHORT TITLE

This Bylaw may be referred to as the WATER AND WASTEWATER BYLAW of the TOWN OF OLDS.

SECTION 1 - USE AND CONTROL

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

SECTION II - AREA OF RESPONSIBILITY

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

SECTION III - DEFINITIONS

- 3.01 **Person** means firm, corporation, owner, occupier, lessee or tenant.
- 3.02 **New Customer** means an individual, partnership or corporation that is unable to provide a letter of credit from any utility supplier used in the past year when filing an application for service.
- 3.03 **Authorized Person** means any representative appointed by the Town of Olds.
- 3.04 **Meter** means a water meter used to measure the amount of water used in either imperial or metric measurement.

- 3.05 **Wastewater Service Line** means that line extending from the main in the street to the property line of the building being serviced.
- 3.06 **Water Service Line** means that line extending from the main in the street to the property line of the building being serviced.
- 3.07 **Street Main** means that portion of water and/or Wastewater line that is laid for the service of more than one person.
- 3.08 **Town** means the Town of Olds.
- 3.09 **Owner** means the person, corporation, business who holds the title of a parcel of land.

SECTION IV - WATERWORKS

- 4.01
- (a) All New Customer Water accounts (RESIDENTIAL) requesting water service in the Town of Olds shall submit a deposit as stated in the Town of Olds Rate Bylaw prior to any hook-up being made. This deposit will be utilized to offset any account arrears following final billing. If there are no arrears, the deposit will be refunded in full to the customer to the customer's credit. New customer water accounts shall include initial installations, any hook-ups, plus address changes of existing users. Once the account has been kept current for one year, the deposit shall be applied to the account. Refunds of deposits will be processed upon written request only. Unclaimed deposits will be handled according to Section #611 of the Municipal Government Act. In lieu of providing the deposit specified the New Customer shall be offered the option of providing an acceptable credit reference letter from a previous utility provider.
- 4.01
- (b) All New Customer Water accounts (COMMERCIAL) requesting water service in the Town of Olds shall submit a deposit as stated in the Town of Olds Rate Bylaw prior to any hook-up being made. The exact amount of the deposit required will be determined by the Town Manager or his/her designate of the Town of Olds and will include such determining factors as credit application review and the type of business being established. This deposit will be utilized to offset any account arrears following final billing. If there are no arrears, the deposit will be refunded in full to the customer's credit. New Customer water accounts shall include initial installations, and hook-ups, plus address changes of existing users. Refunds of deposits will be processed upon written request only. Unclaimed deposits will be handled according to Section #611 of the Municipal Government Act. . In lieu of providing the deposit specified the New Customer shall be offered the option of providing an acceptable credit reference letter from a previous utility provider.

- 4.02 No person except those authorized by the Town shall make any connection with any of the public pipes or mains in the public thoroughfares of the Town.
- 4.03 All water service pipes laid in private property, between the property line and the water meter, shall be C.S.A. approved material of equal quality to the service pipes in the street between the watermain and the property line.
- 4.04 All water users require meters and remote reading devices to be installed on their premises at the costs as stated in the Town of Olds Rate Bylaw.
- 4.05 The user shall be responsible for damage to the remote reading device, which may result from other than normal wear and tear.
- 4.06 No connection may be made to the water service pipe between the property line and the meter.
- 4.07 All owners, tenants or occupiers shall give access to an authorized Town employee to:
 - (a) Install, service or seal a water meter and shall be liable for any damage which may occur to said meter.
 - (b) Shut off and seal a water line for nonpayment.
- 4.08 Any person permitting any meter to be damaged by frost shall be liable for all costs incurred in the repair of said meter. Repair costs shall include the costs for any Town employees required to complete the repair, the costs for Town equipment, contracted services and goods purchased.. The said charges so made shall be subject to the same penalties and are collectible by the same procedures as taxes levied by the Town.
- 4.09 Should any person claim a meter is not working properly and is over reading, said person shall deposit with the Town the sum as stated in the Town of Olds Rate Bylaw. The meter will then be removed from service and given a proper bench test.
- 4.10 Should the said meter be found to over read by more than Three Percent (3.0%), the said person shall be refunded their deposit. Any meter which meets the requirements previously stated shall be considered adequate, and the said person shall forfeit the said deposit to the Town to cover costs of removal and test of said meter.
- 4.11 No person shall interfere with, cut or remove the wire seal on a meter, valve or outside readout.
- 4.12 No person shall disconnect a meter or do anything which may prevent or impede the flow of water through a meter or the recording of the flow of water

- through the meter, or which may affect the proper operation of the water meter.
- 4.13 To maintain an adequate water supply within the Town of Olds, the Town Council or Town Manager or his/her designate, as the case may be, may impose restrictions on the use of water.
- 4.14 **WELLS AND OTHER SOURCES OF SUPPLY OF WATER**
No well or other source of water except the Town water mains shall be used in the Town without permission obtained from the Town.
- 4.15 All persons having charge of or being owners or occupiers of premises containing a well or other source of supply of water other than the watermains of the Town may apply to the Town for permission to use the water in such well or other source of supply of water other than the water mains of the Town. The Town may impose such conditions on the use of such well or source, as the Town deems necessary. These conditions shall not be able to be appealed to any group or organization. Upon complying with the conditions prescribed, the applicant may be granted a permit to use the water in the aid well or other source of supply of water.
- No permits will be issued for new wells after the date this bylaw becomes effective.
- 4.16 If the use of any such well or other source of supply of water is continued contrary to the provisions of this Bylaw forty eight (48) hours after notice to discontinue the use of same has been given by the Town Manager or his/her designate, to the owner or occupier of the premises on which it is situated, such well or other source of supply of water may be declared to be a nuisance and dangerous to the Public Health and Safety and shall be removed, plugged, filled up, or otherwise abated.
- 4.17 Any such permit as aforesaid may be withdrawn by order of the Council at anytime without notice, and no person shall use a well or other source of supply of water after a permit for use of same has been withdrawn.
- 4.18 Except as here-in-after provided, no persons other than authorized employees of the Town shall open, close, operate or interfere with any valve, hydrant or fire plug to draw water therefrom.
- 4.19 The Chief of the Town Fire Department, his assistant and officers, and members of that Department, 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.
- 4.20 No person shall in any manner obstruct the free access to any hydrant, valve or curb stop. No vehicle, building, rubbish, or any other matter which would

- cause such obstruction of the street in which the hydrant is located, may be within twenty feet (20') of the hydrant in a direction parallel with the said property line.
- 4.21 The town shall assume the full responsibility and costs for any water service line, which may be frozen between the water main and the *curb stop*. The owner of the property shall be responsible for any costs associated with thawing a water service between the *curb stop* and the *building*. Any costs incurred by the Town in thawing frozen lines on behalf of any person shall be recoverable and subject to the same penalties as taxes.
- 4.22 The Town shall assume the full responsibility and costs for the service line connected to the water main up to and including the curb stop. The owner shall assume the full responsibility and costs of the service line from the connection to the curb stop into the building. Any costs incurred by the Town to maintain, replace or repair the service line from the connection to the curb stop and the building shall be recoverable and subject to the same penalties as taxes.

SECTION V – WASTEWATER

- 5.01 **USE AND PROTECTION OF WASTEWATER**
No person shall throw, deposit or leave in/or upon any Town sewer, or any trap, basin, grating, manhole, or other appurtenance of any Town sewer, any offal, garbage, litter, manure, rubbish, sweeping, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, rags, cinders, ashes or refuse matter of any kind, except feces, urine, the necessary closet paper, and wastewater properly discharged through a house sewer into a Town Wastewater system.
- 5.02 No person shall permit to be discharged into any sewer, any liquid or liquids which would prejudicially affect the wastewater, or the disposal of the sewage, or any matter of substance by which the free flow of the sewage may be interfered with, or any chemical refuse, or trade waste, or any waste stream, condensing water, heated water, or other liquids of a higher temperature than Seventy Seven (77) degrees Celsius.
- 5.03 No person shall make or cause to be made any connection with any Town wastewater line, or house drain, or appurtenance thereof for the purpose of conveying, or which may convey, into the same any inflammable or explosive material, storm water, roof drainage, cistern or tank overflow, condensing or cooling water.

5.04 DRAINAGE OF WEEPING TILE

- (a) Foundation weeping tiles installed after the effective date of this Bylaw shall not be drained into any wastewater service but maybe drained into storm sewer mains where the facility exists and the connection feasible.
- (b) No roof drains shall be connected to weeping tiles.

5.05 No person shall discharge the contents of any privy, vault, manure pit or cesspool, directly or indirectly, into the Town Wastewater System or house drain connected therewith.

5.06 No person shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of the Town Wastewater System, except duly authorized employees of the Town.

5.07 No person shall cut, break, pierce, or tap to the Town Wastewater System or appurtenance thereof, or introduce any pipe, tube, trough, or conduit into the Town Wastewater System, except duly authorized employees of the Town.

5.08 No person shall interfere with the free discharge of the Town Wastewater System, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up the Town Wastewater System or appurtenance thereof.

5.09 An authorized Town of Olds employee shall have the right at all reasonable times to enter houses or other places which have been connected with Town Wastewater System, and facilities must be given to him to ascertain whether or not any improper material or liquid is being discharged into the Wastewater System, and he shall be authorized to stop or prevent from discharging into the Wastewater system any private Wastewater or drain through which substance are discharged which are liable to injure the Wastewater or obstruct the flow of sewage.

5.10 INDUSTRIAL OR TRADE WASTES

No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged to any Town Wastewater System without approval of the Town. As a condition of such approval, the Town may require such pre-treatment of the effluent as is deemed necessary. The pre-treatment facilities required shall be completely installed by the applicant, at his expense, prior to the construction of the wastewater connection, and thereafter shall be continuously maintained and operated by the applicant.

5.11 GREASE TRAPS

Grease traps of sufficient size and approved design shall be placed on the waste pipes from all hotels, restaurants, laundries and such other places as the Town may direct. Such traps shall be installed prior to any connection to the Town Wastewater System.

5.12 WASTEWATER CONNECTIONS

No person other than those authorized by the Town shall make any connection to, or shall cut or otherwise tamper in any way with the Town Wastewater System.

SECTION IV – WASTEWATER CONNECTIONS

- 6.01 Should any person claim that any wastewater service line is plugging or is plugged because it is not laid according to good practice the said person shall deposit with the Town the sum as specified in the Town of Olds Rate Bylaw. The Town Manager or his/her designate will then be authorized to open the said Wastewater Service Line by any method he considers necessary.
- 6.02 Should the said service line be found properly laid according to good work practices, the said person shall forfeit the said deposit and shall be liable to pay all costs incurred by the Town in opening the said Wastewater Service Line. The said costs so incurred shall be subject to the same penalties and are collectible by the same procedure as taxes levied by the Town.
- 6.03 The person occupying any premises connected to a street main by a Wastewater Service Line, shall be required to keep the said Wastewater Service Line in operating condition at all times and shall be fully responsible for the operation of the said Wastewater Service Line.

SECTION VII – WATER AND WASTEWATER CONNECTIONS
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- 7.01 A private water connection cannot be made to the Town's WATER SYSEM until approval is granted by the Town. Permission can be obtained only after the owner or his agent have entered into an agreement with the Town that establishes standards for construction practices and materials. A fee as stated in the Town of Olds Rate Bylaw shall be paid to the Town to recover the cost of processing and reviewing each agreement.
- 7.02 A private Wastewater connection cannot be made to the Town's Wastewater System until approval is granted by the Town. Permission can be obtained only after the owner or his agent have entered into an agreement with the Town that establishes standards for construction practices and materials. A fee as stated in the Town of Olds Rate Bylaw shall be paid to the Town to recover the cost of processing and reviewing each agreement.
- 7.03 The Town Manager or his/her designate may revoke or cancel any permit that may have been granted to connect with the Town Wastewater System if he shall find that any of the work is not being done in accordance with the provisions of 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 permits being revoked or canceled.

- 7.04 The rates as stated in the Town of Olds Rate Bylaw shall apply for Water and Wastewater service from the Town of Olds:

SECTION VIII – GENERAL

8.01 MONTHLY BILLING

A utility bill showing actual or estimated amounts for all service charges to the user shall be prepared and mailed monthly. The Wastewater service charge and any other charge authorized by a bylaw of the Town of Olds may be combined on a single user bill, but each charge shall be shown separately.

- 8.02 Any customer may elect to pay his monthly utility bill by deduction from his account at any Financial Institution in Olds. Any charges involved are the responsibility of the customer.

- 8.03 Any customer may elect to pay his utility bill at any Financial Institution in Olds.

- 8.04 Any customer may elect to have bills paid by pre-authorized debit.

SECTION IX – PENALTIES

- 9.01 To any combined Water and Wastewater account which remains unpaid at the end of the month for which the account was rendered shall be added by way of penalty, an amount as specified in the Town of Olds Rate Bylaw of the combined balance and that similar accumulated penalty shall be added for each month the account remains unpaid.

- 9.02 Should any combined Water and Wastewater account or portion thereof remain unpaid for more than thirty (30) days following the date of billing, the services may be disconnected.

- 9.03 Where it has become necessary to discontinue services for nonpayment of an account, reconnection will not be made until all arrears and penalties are paid in full and in addition reconnection charge as specified in the Town of Olds Rate Bylaw will be payable in advance.

- 9.04 That in the case of default of payment of the combined Water and Wastewater charges, or each in any of them, the Town of Olds may enforce payment by action in a court of competent jurisdiction or alternatively by distress upon seizure of goods and chattels of the owner or occupant, or alternately by making the Water and Wastewater charges in default, a charge against or lien upon the properties served by these utilities, and in the event the charge or lien is so made, it shall be subject to the same penalties and

shall be collectible by the same procedures as taxes levied by the Town of Olds.

9.04A The owner of a property shall be responsible for any unpaid account by a tenant, and any accounts that are deemed to be uncollectable shall be applied as a charge against property taxes.

9.05 N.S.F. CHEQUES

A penalty as stated in the Town of Olds Rate Bylaw will be imposed on any customer issuing a N.S.F. cheque to the Town of Olds.

9.06 Any person who violates a provision of this Bylaw is guilty of an offense and liable upon summary conviction to a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00) and not less than Three Hundred Dollars (\$300.00) exclusive of costs, and in each and every case in default of payment said person shall be liable to imprisonment in the nearest common jail for a period not exceeding six (6) months, unless the fine and costs be sooner paid.

SECTION X – MISCELLANEOUS

10.1 This Bylaw repeals Town of Olds Bylaws Number 01-05.

10.2 This Bylaw comes into full force and effect upon receiving third and final reading thereto.

Read a first time the 24th day of September, 2007.

Read a second time the 24th day of September, 2007.

Read a third and final time the 28th day of January, 2007.

Judy Dahl,
Mayor

Dale Withage,
Chief Administrative Officer

Signed by the Chief Elected Officer and the Chief Administrative Officer this 29th day of January, 2008.