

**TOWN OF OLDS
BYLAW NO. 2024-09**

***BEING A BYLAW OF THE TOWN OF OLDS FOR THE PURPOSE OF
REGULATING THE WATER UTILITY***

WHEREAS Section 7 of the Municipal Government Act R.S.A. 2000, c. M-26, and amendments thereto, permits municipalities to pass Bylaws regarding public utilities.

AND WHEREAS the Council of the Town of Olds wishes to establish regulations, rates, and penalties for the water utility.

NOW THEREFORE the Council of the Town of Olds, duly assembled, ENACTS AS FOLLOWS:

BYLAW TITLE: This Bylaw may be referred to as the “**Water Bylaw**”.

DEFINITIONS

1. **Arrears** means any Past Due amount that continues to be unpaid after the due date.
2. **Application** means the application made by the Consumer to the Town for the supply of Utility Services.
3. **Application Fee** means a Fee charged to Consumers who apply for Utility Services, as per the Town’s Rates Bylaw.
4. **Chief Administrative Officer** or CAO Municipal Government Act, Section 207
 - a) Is the administrative head of the municipality.
 - b) Ensures that the policies and programs of the municipality are implemented.
 - c) Advises and informs the Council on the operation and affairs of the municipality.
 - d) Performs the duties and function and exercises the powers assigned to a Chief Administrative Officer by this and other enactments or assigned by Council.
5. **Combined Service** means the Service used or intended to supply water for fire protection and for purposes other than fire protection.
6. **Consumer** means any person who has entered into a contract with the Town for the provision of Utility Services.
7. **Council** means the Council of the Town elected pursuant to the provision of the Local Authorities Elections Act.
8. **Curb Stop** means the Service valve on the Town’s water Service.

9. **Enforcement Officer** means a Community Peace Officer, Bylaw Enforcement Officer, RCMP Officer or an inspector appointed by and employed by the Town with respect to the enforcement of Bylaws of the Town of Olds.
10. **Fire Line** means a pipe intended solely for the purpose of providing a supply of water for fire protection purposes.
11. **Municipal Violation Ticket** means a Town-issued notice that alleges an offence and provides a person with the opportunity to pay an amount to the Town in lieu of prosecution for the offence.
12. **Municipal Government Act (MGA)** means the Municipal Government Act, Chapter M-26 R.S.A. 2000 and amendments thereto.
13. **Non-Residential** means all properties who use water utility for any purpose other than exclusively Residential purposes.
14. **Out of Town** means properties connected to the water utility which are situated outside the Town of Olds corporate limits.
15. **Owner** means the registered owner of a property or the purchaser thereof.
16. **Person** includes any individual, partnership, firm, corporation, municipality, association, society, political or other group, and the heirs, executors, administrators, or other legal representatives of a person to whom the context can apply according to law.
17. **Plumbing Code** means the National Plumbing Code of Canada 2015 and amendments thereto or replacements thereof.
18. **Private Service** means that portion of a pipe used or intended to be used for the supply of water, which extends from the Service Valve to a meter.
19. **Remote Reading Device** means a device which is connected to a water meter by the Town and provides a duplicate reading of the water consumed, which may be monitored from the exterior of a building.
20. **Residential** means properties used primarily for domestic purposes that contain, or are designed or intended to contain, one or more dwelling units, but does not include a campground, hotel, lodge, or bed and breakfast.
21. **Service Connections** means the part of the system or works of a public Utility that runs from the main lines of the public Utility to a building or other place on a parcel of land for the purpose of providing water to the parcel and includes those parts of the system or works described in the Municipal Government Act. viol
22. **Shut Off** means an interruption in, or discontinuance of, the supply of water.
23. **Tenant** means the Person and/or group renting the property from the Owner.

24. **Town** means the Town of Olds.
25. **Town Service** means that portion of a pipe used or intended to be used for the supply of water which extends from the Water Main to the Curb Stop.
26. **Turn On** means the continuation of the supply of water.
27. **Utility** or **Utility Service** shall mean and include, as the context may require, the supply of water.
28. **Violation Ticket** means a Violation Ticket issued in accordance with the *Provincial Offences Procedure Act* R.S.A. 2000, c.P-34.
29. **Watering** means the application or use of water for the purposes of applying water to lawns or gardens where the water is supplied by the Town of Olds.
30. **Water Main** means those pipes installed by the Town in streets for the conveyance of water throughout the Town to which Service pipes may be connected.
31. **Water Restriction** means any condition where the CAO or their designate issues a restriction or ban on Watering activities within the Town of Olds, as well as authorized Out of Town users.
32. **Water Utility** means the water works system owned and operated by the Town and all accessories and appurtenances thereto.

ADMINISTRATION OF UTILITY AND COLLECTIONS

APPLICATION FOR WATER UTILITY SERVICE

33. The Utility Service shall be under the general supervision and control of the Town CAO.
34. The CAO or designate shall exercise the powers and perform the duties with respect to the Utility Services conferred and placed upon them by this and any other Bylaw of the Town applicable thereto and any order or direction the Town CAO or Council with respect thereto.
35. Any Person who requires any Utility Services shall apply to the Town Office on a form provided by the Town, such form may be changed from time to time by the CAO or designate. Accounts may not be changed or transferred under circumstances other than those described below and pay a non-refundable Application Fee as per the Town's Rates Bylaw.
36. Failure by a property owner to submit a Utility Application to the Town Office a minimum of 15 days prior to occupation on the property shall be considered a contravention of this Bylaw. The Town reserves the right to Shut Off Service to the property until such time that an Application is submitted, and a Utility account is setup.
37. An Application shall be supported by such identification and legal authority of the Applicant as the CAO or designate may require.

38. The Utility account shall be set up in the name of the property Owner as per Land Titles notification. Any Owner desiring to have a copy of the Town Utility billing forwarded to a Tenant at a Tenant's mailing address may direct the Town to do so by making an Application at the Town Office on the printed forms provided by the Town. The Application must be signed by the property Owner. The property Owner is ultimately responsible for any outstanding charges, Arrears, and penalties from Utility billings.
39. The CAO or designate may enforce payment of all accounts rendered by whatever means he/she considers appropriate in accordance with the Municipal Government Act. This includes transferring amounts owing to the tax roll.
40. The Owner is responsible for ensuring the payment is received in the Town's bank account by the due date. Owners must consider the bank's timing to process a payment. If a payment is received after the due date the responsibility for the late payment falls to the Owner. Allowance for bank processing time of electronic funds transfer (EFT) is the responsibility of the property Owner.
41. Upon making Application, providing all information required by the Town, and paying the Application Fee and any other sums herein required, there shall thereupon be a binding agreement between the Consumer and the Town, for the Utility Service applied for, and the provisions of the Application and this Bylaw shall constitute the terms and conditions of such agreement.
42. No provision, agreement, term, condition, or representation not contained in an Application for Utility Service or in this Bylaw shall form any part of the contract between the Town and a Consumer for Utility Service.
43. The Town shall not be obligated to provide Utility Services until access has been provided to the premises (if necessary) to enable the Town to obtain an initial meter reading for each Utility Service which is metered.
44. Where the Applicant is indebted to the Town for any Utility Services previously provided, the Town may refuse to provide any Utility Services until such amount is paid in full or until arrangements for payment are made satisfactory to the CAO or designate.
45. The contract for Utility Service is not transferable and shall remain in full force and effect until the Consumer notifies the Town Utility Clerk prior to the termination or transfer date, of their desire to terminate the contract or until the said contract shall have been terminated by the Town.
46. The Town does not guarantee the continuous uninterrupted supply of any Utility, and the Town, its officers, employees, or agents shall not be liable for any damages of any kind due to or arising out of a failure to supply a Utility.
47. Every Consumer shall, at the time of Application for a new Utility Service, pay an Application Fee as per the Town's Rates Bylaw.
48. All Schedules attached and form part of this Bylaw may be amended the same way the Bylaw was implemented.

TEMPORARY WATER SHUT OFF OR TERMINATION OF SERVICE

49. When the premises to which Utility Service is provided becomes vacant and no new Application for Service has been made the Owner shall continue to be responsible for the monthly flat charge and any consumption charges as indicated in the Town's Rates Bylaw.

50. An Owner may request a temporary Shut Off of a Service in which case the Tenant or Owner shall be responsible for the monthly flat charge as indicated in the Town's Rates Bylaw. If there is any consumption over and above the flat charge during this temporary discontinuance, the Owner shall be responsible for its payment. If upon investigation, the Town determines that the Service was turned on by someone other than the Town, or their representative, the Owner shall be responsible for the penalty indicated in Schedule "A".

51. The Town may discontinue the supply of all Utility Service for any of the following reasons:
 - a) Non-payment of any Utility accounts, or inability of the Town to obtain access to a Residential premise to read, repair or replace any meter for a period of one month, or to a Non-Residential premise to read, repair or replace any meter for a period of one month, or
 - b) Failure by, or refusal of a Consumer to comply with any provision of this Bylaw, or
 - c) Failure by, or refusal of, a Consumer to comply with any provisions of any Provincial Acts, the Plumbing Code, or any regulations thereunder, or
 - d) In any other case provided for in this Bylaw.

52. And in such an event the Town, its officers, employees, or agents shall not be liable for any damages of any kind from such discontinuance of Service.

SERVICE DISCONNECTION AND/OR DEMOLITION

53. No Person shall cause, permit, or allow a building connected to a Utility Service line or main to be demolished until the water meter and appurtenances have been disconnected. Notwithstanding the foregoing, the CAO or designate may, in circumstances which he considers appropriate, permit the service to remain connected to the Utility Service line or main.

54. A demolition request shall be submitted to the Town through a formal Application submitted by the Person. Requests for a permit for demolition or removal of a building shall be given at least twenty working days prior to starting said work.

55. The Person shall be responsible for returning the water meter and leak sensor (as applicable), and coordination of a final read of the meter. Failure to return the water meter and/or leak sensor prior to demolition shall result in the Person being charged for replacement, as per the fees outlined in the Town's Rates Bylaw.

PAYMENT OF UTILITY ACCOUNTS

ADMINISTRATION OF RATES

56. The Town hereby levies, and the Consumer shall pay, for all water supplied or services rendered hereunder the amounts and charges provided in the Town's Rates Bylaw.

57. The CAO or designate shall determine which rate contained in the Town's Rates Bylaw shall apply to any Consumer.

58. The rate payable by a Consumer as set out in the Town's Rates Bylaw for all water supplied shall be determined based on the monthly consumption reading of the meter supplied to each Consumer.
59. Where a Remote Reading Device is installed in addition to the water meter, the meter shall be the official reading.

RATES AND CHARGES PAYABLE

60. All rates and charges payable hereunder shall be paid to the Town within the time prescribed by this Bylaw. The CAO or designate shall administer Utility account payments as follows:
 - a) The Town shall issue a monthly bill to the Owner and Tenant. The Owner is the Customer on the Utility account and is ultimately responsible for all charges.
 - b) The full amount owing shown on the Utility bill is due on the billing due date shown on the bill.
 - c) Any unpaid portion of the Utility bill shall be assessed a penalty interest at a rate of 1.5%.
 - d) Penalties shall be applied to any unpaid portion of the Utility bill that is in Arrears after the payment due date and shall be shown on next month's Utility bill.
 - e) If the payment is not received within 45 days of the invoice date, or no acceptable payment arrangements are made with the Utility Clerk, then the total Arrears shall be moved to the property tax roll associated with the property.
61. At the discretion of the CAO or designate, flat water rate charge exemptions shall be granted contingent that a property meets any one of the following criteria:
 - a) The property has no Municipal Watermain in proximity in order to facilitate a connection.
 - b) The property has been approved to draw water from a well by the approved Alberta Provincial regulatory agencies and has submitted documentation of such approvals., as approved by the Town.
 - c) There is no structure on the property to facilitate a connection. As confirmed by the CAO or designate.
 - d) The property does not have an occupancy permit due to construction or renovation as determined by the Town's Safety Codes Officer, via formal written notice to the CAO or designate.
 - e) The Owner has a valid demolition permit. Should the demolition not be completed by the deadline outlined in the permit, the Owner shall be back invoiced for all past flat Utility charges in full and applicable penalties.
62. The entire Utility account is due and payable when rendered and if not paid by the penalty date stated on the Utility bill is deemed in Arrears. Failure to receive a Utility bill does not relieve the Consumer of liability.
63. A Consumer who has not paid the full Utility account rendered on or before the penalty date stated in the Utility account, may have the supply of all or any Utility Services discontinued with forty-eight (48) hours-notice. The Town reserves the right to disconnect Utility Services to any Consumer whose Utility account falls into Arrears if the Utility Account remains unpaid after 10 days of being notified of such Arrears by letter. The Utility Service shall not be reinstated until all Arrears and charges owed to the Town are paid, including any shutoff and reconnection fees.

APPEAL/ERRORS

64. Notwithstanding any other provision of this Bylaw hereof, any Consumer who feels aggrieved in

respect to the rate class a Consumer is placed under within the Town's Rates Bylaw may, by notice in writing delivered to the CAO, specifying the grounds of the complaint. Such an appeal shall in the first instance be heard and determined by the CAO. Provided that if such Consumer is not satisfied with such determination they may, by notice in writing to be delivered to the Town CAO within 30 days of the date of such determination, further appeal the matter to Council.

65. In the event an error has occurred in the Utility billing:
- a) And the Town is responsible, the account shall be adjusted for 3 billing periods plus the current period.
 - b) And the Consumer is responsible, it shall be adjusted on the date notification is received.

NO METER INSTALLED

66. All facilities/buildings/properties must have a water meter installed unless approved in writing by the CAO or designate. If a Consumer's facility/building/property is proven not to have a water meter, when one is required per the CAO or designate, they shall have 30 days to contact the Town for the supply of a meter and proceed with installation along with a Remote Reading Device; at their own cost (this includes paying the water meter fees per the Town's Rates Bylaw).

GENERAL WATER UTILITY PROVISIONS

AUTHORITY

67. The Town has the power and authority to do all things necessary for the general maintenance, management, and operation of the water utility.
68. The CAO or designate shall be the designated officer in respect of this Bylaw.
69. The CAO or designate is authorized to:
- a) Carry out the administration, control, care, and management of the Water Utility,
 - b) Enter into contracts on behalf of the Town in respect of the Water Utility,
 - c) Enter onto land and structures to carry out inspections, remedies, enforcement, or other actions with respect to this Bylaw in accordance with the Municipal Government Act and
 - d) Delegate any or all powers of the CAO or designate to employees of the Town (or their designate).

RESPONSIBILITY

70. The Town, having constructed or caused to be constructed, operated, and maintained the Water Utility, shall supply potable water in accordance with this Bylaw and all applicable legislation.
71. The Town may supply potable water for Residential, Non-Residential, and firefighting purposes to any Premises.

ADMINISTRATION OF WATER SUPPLY

72. The CAO or designate or his designated representative may Shut Off water for any Consumer or Consumers for any reason which, in the opinion of the CAO or designate, necessitates such shutting off, provided that the CAO or designate shall, if in his opinion it is reasonably practicable to do so, give notice of such shutting off.
73. The Town does not guarantee the pressure nor the continuous supply of water and the Town

reserves the right at any and all times without notice to change operating water pressures and to Shut Off water and the Town, its officers, employees, or agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of the water containing sediments, deposits or other foreign matter.

74. Consumers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities, as they consider necessary to ensure a continuous and uninterrupted supply, pressure or quality of water required for their use.
75. The Town may, as a condition to the supply of water inspect the premises of a Consumer who applies to the Town for such supply in order to determine if it is advisable to supply water to such Consumer.
76. The Town may, with the permission of the Consumer, inspect the premises of the Consumer in order to do any tests on water piping or fixtures belonging to such Consumer so as to determine if this Bylaw is being complied with and in the event that such Consumer fails or refuses to give such permission, the supply of water to that Consumer may be Shut Off.
77. The CAO or designate may at such times and for such lengths of time as considered necessary or advisable regulate, restrict, or prohibit the use of water for use other than human consumption. The CAO or designate may cause the water supply to any Consumer who causes, permits, or allows contravention of any such regulation, restriction, or prohibition to be Shut Off until such Consumer undertakes to abide by and comply with such regulation, restriction, or prohibition.
78. No Person shall willfully or maliciously hinder the municipality in the exercise of authorities relating to the administration of the Water Utility authorized by this Bylaw or the Municipal Government Act and amendments thereto.
79. No connection to the water supply shall be permitted for properties outside of Town limits, except those currently connected to the Town's water system under an existing Agreement or otherwise approved with a new agreement, at the discretion of the CAO or designate. The Town reserves the right to disconnect any unauthorized connection to the Water Utility, with notice as deemed appropriate by the CAO or designate.

WELLS AND OTHER SOURCES OF WATER SUPPLY

80. Should mandatory connection to the Water Main not be feasible, the Town may permit a well or other source of water, at the discretion of the CAO or designate. All wells or other sources of water approved by the CAO or designate shall provide proof of License from Alberta Environment. The Owner shall submit an Application to the Town, accompanied with the fee in accordance with the Town's Rates Bylaw.
81. This water source shall not be connected to the Water Utility system provided by the Town.
82. Any such approval referred to in section 79 above, may be withdrawn by order of the Town at any time, with a minimum ninety (90) days' notice, should the water source be deemed hazardous to the Town's Water Utility of public health, at the discretion of the CAO or designate. No Person

shall use a well or other source of water supply after permission for use of it has been withdrawn.

83. Should the Town withdraw approval for the well or other source of water, the Owner shall be responsible for all costs related to the removal or abatement of the facility.
84. No permission granted under this section shall give or be construed to give the holder of such permission the right to sell or distribute water within the Town of Olds.
85. Requests for cisterns or holding tanks shall be considered individually upon written request to the Town.

RESTRICTION OF TOWN FACILITIES

86. No Consumer shall operate, use, interfere with, obstruct, or impede access to the Water Utility or any portion thereof in any manner not expressly permitted by this Bylaw, in default of which, the CAO or designate may cause the water being supplied to such Consumer to be Shut Off until such Consumer complies with all of the provisions of this Bylaw.
87. No Consumer shall:
 - a) Lend or sell water, unless authorized by an agreement/contract with the Town authorizing such sale.
 - b) Give away or permit water to be taken.
 - c) Use or apply any water to the use or benefit of others or to any other than his own use and benefit.
 - d) Increase the usage of water beyond that agreed upon with the Town, or extract or remove any water from any hydrant within the Town without first obtaining a letter in writing signed by the CAO or designate authorizing such removal.
 - e) Throw or deposit any injurious, noisome, or offensive matter into the water system, or Water Utility, or on the ice, in the case that the water is frozen, or in any way fouls the water or commit any willful damage or injury to the Utility System or water or encourage it to be done is guilty of an offence.

WASTAGE

88. No Consumer shall cause, permit, or allow the discharge of water so that it runs waste or useless, whether by reason of leakage from a Private Service, a faulty plumbing system or otherwise.
89. Notwithstanding section 87, the CAO or designate may under such condition as considered reasonable, allow a Consumer to discharge water so that it runs waste or useless if such Consumer's water Service would otherwise be susceptible to freezing and a credit may be issued by the Town based upon consumption history.

INVESTIGATION INTO WATER SERVICE FAILURE

90. In the event that such failure or interruption was caused by the Town Service, providing that the Service is a new Service or has been used in the preceding twelve (12) months, the Consumer shall not be liable for such costs and any deposit paid shall be refunded.
91. In the event that such failure or interruption was caused by the Private Service, the actual cost of such work shall be paid by the Consumer and the said deposit shall be applied thereto; any excess

shall be refunded to the Consumer and any deficiency shall be collected in the same manner as water rates.

NOISES AND PRESSURE SURGES

92. No Consumer shall cause, permit, or allow any apparatus fitting or fixture to be or remain connected to the water supply or to be operated which causes noise, pressure surges or other disturbances which may in the opinion of the CAO or designate, result in annoyance or damage to other Consumers or to the Water Utility.

OWNERSHIP OF SERVICE CONNECTIONS

93. The Town retains ownership of all facilities necessary to provide a Service Connection Services to an Owner, up to and including the Curb Stop, unless a written agreement between the Town and a Consumer specifically provides otherwise.
94. Payment made by the Owner for costs incurred by the Town for supplying and installing a Service Connection does not entitle the Owner to ownership of the portion of the Service Connection located on Town property.
95. The Owner retains ownership of all facilities located on private property necessary to provide a Service Connection to the property, not including the Curb Stop. The Owner assumes full responsibility for the condition, suitability and safety of all devices or equipment necessary for receiving Utility Services that are located on the Owner's property.

REPAIR AND MAINTENANCE RESPONSIBILITY OF SERVICE CONNECTIONS

96. The Owner shall be responsible for the maintenance and repair of the Service Connection and associated appurtenances within their own property, and all costs associated with such maintenance and repair.
97. Where the Owner undertakes the repair of a Service Connection on private property and determines the problem exists on the portion of the Service Connection for which the Town is responsible, the Town shall complete the repairs.
98. The Town shall be responsible for the maintenance and repair of the Service Connection and associated facilities, up to and including the Curb Stop, unless the Service Connection is frozen and thawing is required, at which point all costs shall be borne by the Owner.

APPLICATION FOR SERVICE CONNECTION

99. All Persons doing any work or service upon a Private Service, or the plumbing system attached thereto shall comply with the provisions of the Plumbing Code and any Bylaws of the Town applicable thereto.
100. Requirements:
- a) Service Connections on Town property shall be installed by the Town unless otherwise directed by the CAO or designate.
 - b) No Person shall install, modify, or expand a Service Connection except with the authorization of the CAO or designate.
 - c) The Owner of the property must submit a Request for Service Application to the Town for a

Service Connection to be installed.

- d) The CAO or designate may approve an Application subject to the following terms and conditions:
 - i. A Utility account being set up should there be no existing account for the property; and
 - ii. The Owner of the property requesting the Service shall supply the Town with the size and accurate location of the proposed Service; and
 - iii. A utility excavation permit is submitted, and appropriate inspections are performed.

QUANTITY, SIZE AND DEPTH OF SERVICES

101. Unless otherwise approved by the CAO or designate:

- a) Each property shall have only one water Service line from the main.
- b) A duplex, row house style of condominium or semi-detached dwelling requiring a connection to the Town water supply must have a separate Service to each unit from the street line, controlled by a separate Curb Stop and metered by separate water meters.
- c) A Private Service shall be buried to a depth of at least 1.8m (6 feet) unless otherwise approved by the CAO or designate.
- d) No Service line shall be allowed without a water meter, except in the case of fire protection, and only after written approval by the CAO or designate.
- e) The minimum size of the Service required for Residential purposes shall be determined by the CAO or designate in accordance with the Plumbing Code, provided that the Town shall not permit a Service having a size smaller than 20mm (3/4 inch).

TAPPING INTO WATER MAIN

102. No Person except authorized employees of the Town (or their designate) shall make any connection, or contact whatsoever, with any of the public pipes or mains in the public thoroughfares of the Town unless authorized by the CAO or designate.

MANDATORY CONNECTION TO WATER MAIN

103. Except where indicated, every Owner of a building, situated on land which abuts a Water Main, shall make an Application to construct a Service Connection and continue, at the Owner's cost, the Service Connection into the building, in accordance with the regulations of this Bylaw. The said Owner shall construct the Service within 1 year of substantial completion of the Water Main.

104. The following properties are exempt from the mandatory connection requirement:

- a) Properties where the nearest corner of the building is more than 100m (300') from the property line that the Water Main abuts.
- b) For any other reason deemed appropriate, at the discretion of the CAO. Record of this exemption shall be noted on the Utility account.

105. Where a property is exempt from the mandatory connection requirement of this Bylaw and the property is not connected to the Water Main, there shall be no flat rate charged to the property Utility account.

106. Where a property is exempt from the mandatory connection requirement of this Bylaw, the property is not exempt from any capital contribution required towards the cost of extending the Water Main.

107. Failure of non-exempt properties to perform the mandatory Water Main connection as prescribed, shall be subject to penalties. Payment of the fines shall not relieve an Owner from incurring any costs associated with completing the work outlined within this section.

FIRE PROTECTION SERVICE

108. A Combined Service or Fire Line shall not be installed without the prior approval of the CAO or designate. A Fire Line shall be used only for fire protection purposes only, and the CAO or designate shall determine if a meter shall be affixed to such Fire Line. If the CAO or designate requires such a meter, the same shall be supplied and installed in a manner satisfactory to the CAO or designate at the sole cost and expense of the Consumer.
109. Fire hydrants installed for fire protection, located within Town property, shall be directly connected to the Watermain, and have a water meter installed. No hydrants shall be connected to Service lines, unless located on private property. Maintenance and repair of any hydrants installed in this manner shall be the responsibility of the Owner and are required to have a water meter installed.

TEMPORARY WATER SERVICE

110. Any Person requiring a temporary water supply during construction shall make an Application therefore to the CAO or designate and shall pay therefore the Non-Residential sums required by the Town's Rates Bylaw.

THAWING A SERVICE

111. All Persons doing any work or Service upon a Private Service, or the plumbing system attached thereto shall comply with the provisions of the Plumbing Code and any Bylaws of the Town applicable thereto.
112. Cost of thawing shall be borne by the Owner if the Private Service or the plumbing system connected thereto is frozen due to negligence by the Consumer, as determined by the CAO or designate.
113. The cost of thawing shall be borne by the Town if the Town Service is frozen for any other reason not due to the negligence of the Owner or Consumer, as determined by the CAO or designate.
114. If the CAO or designate is of the opinion that a Private Service or plumbing system has frozen without any negligence on the part of the Owner or Consumer, or any other Person for whose negligence the Owner is responsible, the CAO or designate may waive the cost of one thawing during any one winter season which shall be deemed to run from November 15th to May 15th.
115. The Town shall not thaw a Private Service Connection or plumbing system unless the Owner shall first have signed an acknowledgement recognizing the thawing may be inherently dangerous to property including Private Service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against the Town for any such damage whatsoever except damage caused by the negligence of the Town.
116. The Town shall not perform thawing of Services connected to a mobile home. Responsibility for

Service Connections at these locations shall be on the Owner.

HYDRANTS AND VALVES

117. No Persons other than those authorized by the Town shall open or close or operate or interfere with any valves, hydrant, or fire plug, or draw water there from. Persons authorized to use a hydrant for accessing water must pay the associated hydrant meter and connection fees as per the Town's Rates Bylaw.
118. The Olds Fire Department Fire Chief, his assistants and officers, and members of the Fire Department, are authorized to use the hydrants, or fire plugs for the purpose of extinguishing fires, for making trial testing of hose pipe, or for fire protection, but all such uses shall be under the direction and supervision of the Chief or his duly authorized assistants. In no event shall any inexperienced or incompetent Persons be permitted to manipulate or control in anyway any hydrant or plug.
119. No Person shall in any manner obstruct free access to any hydrant or valve or Curb Stop.
120. No vehicle, building, rubbish, or any other matter which may cause obstruction shall be placed nearer to a hydrant than the property line on the street in which the hydrant is located, nor within 5 meters of the hydrant in a direction parallel with the property line.
121. No Person shall interfere with, damage, or make inaccessible any Curb Stop due to the construction of sidewalks, pathways, driveways, or any similar construction. The Owner shall be required to pay all costs, in addition to the penalties in Schedule "A", involved in repair of, or changes to, a Curb Stop due to inaccessibility to or damage to the Curb Stop by the Owner. This applies to all new or existing Curb Stops or main valve. Time frames to remedy existing infractions, prior to charges being levied, shall be determined by the CAO, or designate on a case-by-case basis.
122. No Person other than authorized Town staff are to operate Curb Stops. Certified Licensed Plumbers with water keys are to operate Curb Stops only in emergency situations and are to notify Town Staff of said action immediately.

BOILERS

123. In any case where a steam boiler or equipment of a nature similar to that of a steam boiler is supplied directly from a Service, such boiler or other equipment shall be equipped with at least one safety valve, one back flow device, and one vacuum valve or other device sufficient to prevent the collapse of explosion thereof in the event the water supply thereto is Shut Off.

REQUESTED WATER SHUT OFF AND TURN ON

124. If a Consumer requires the supply of water to be Shut Off or Turned On for his own purposes, he shall pay therefore the amount specified in the Town's Rates Bylaw and other applicable fees.
125. If an Owner requests the supply of water be Shut Off due to Tenant non-payment, the account must be in Arrears and the Owner must sign a form requesting the Shut Off.

WATER METER INSTALLATION

126. Water meters shall be supplied and maintained by the Town as per the Town's Rates Bylaw. The Town retains ownership of all meters supplied to the Consumer.
127. All Consumers shall make provisions for, at their sole cost, the installation of a water meter and Remote Reading Device to the satisfaction of the CAO or designate, and when required, shall install a properly valved bypass. All costs incurred to move or remove a meter and/or Remote Reading Device by request of the Consumer shall be borne by the Consumer.
128. All Consumers shall, at their sole cost and expense, supply and maintain Service valves on the upstream side and downstream side, within 300mm (12 inches) of the meter.
129. Access to the water line for this purpose shall be provided at the Consumer's expense and shall provide a minimum working area for installation as defined by the CAO or designate.
130. Every Consumer who needs installation of more than one meter for each metered Utility or during construction require re-installation shall pay the fee as per the Town's Rates Bylaw.

SUBSIDIARY METER

131. A Consumer may, for his own benefit, install a water meter between the meter supplied by the Town and the point of use of the water supply provided that the Town shall not maintain such meter, and such meter shall not be read by the Town.

METER CHAMBER

132. When in the opinion of the CAO or designate, the building or other premises intended to be supplied with water is too far from the Town Service to conveniently install a meter in such building or premises, or if a high number of buildings are to be so supplied, or for any other reason in the opinion of the CAO or designate, then the Consumer shall, at his sole cost, construct and maintain a sealed meter chamber, and such chamber shall in all respects including location, construction size, access and otherwise howsoever be satisfactory to the CAO or designate.

METER SIZE

133. The size of the meters shall be determined as recommended by the CAO or designate for each Service.

BYPASSES

134. Any Consumer having a water meter 37.5 mm (1 ½ inches) in size or larger shall at his expense construct and maintain a properly valved by-pass satisfactory to the CAO or designate which shall be sealed by the Town and shall be opened by the Consumer only in case of emergency. The Consumer shall notify the Town within 24 hours after the seal on the by-pass is broken, failing which the CAO or designate may cause the water supply to such Consumer to be Shut Off until satisfactory arrangements have been made for the calculation of any payment for water supplied and not recorded on the meter, and shall be subject to the penalties as listed in Schedule "A".

METER READING

135. All water supplied by the Town to a Consumer shall be measured by a meter unless otherwise provided in this Bylaw.

136. All meters shall be supplied, owned, and maintained by the Town unless otherwise provided in this Bylaw.
137. The Town shall endeavor to read the meters once every month. If Town employees cannot gain access safely to read the meter as aforesaid, the consumption of the Utility shall be estimated upon such basis as the CAO or designate considers being fair and equitable and the account rendered in accordance with such estimate.
138. If a meter reading cannot be obtained at least once a month for two (2) consecutive reading attempts, the Town may, at its discretion, discontinue any or all Utility Services supplied to the premises until such time as the Town is able to obtain an actual meter reading.
139. Where it has been determined by the Town and that the meter is not recording the consumption of a utility, an authorized Town employee, with reasonable notice (5 working days) to the Consumer, must be allowed to enter the premises to replace or repair the meter or meter reading receptacle.
140. The Consumer shall ensure that access to the meter is safe, well lit, accessible free of hazards to the Person reading the meter.

PROTECTION OF METER AND REMOTE READING RECEPTACLE

141. Each Consumer shall provide adequate protection of the meter supplied by the Town against freezing, heat, or any other internal/external damage, failing which the consumer shall pay to the Town all costs associated with the replacement of such meter which amounts shall be recoverable in the same manner as all other costs and charges provided for under this Bylaw.
142. No Person other than authorized Town employees or a licensed plumber shall remove, disconnect, reconnect, or tamper with a meter or remote meter reading receptacle attached to the premise.

TESTING OR CALIBRATION ON DISPUTED METER READING

143. A Consumer who disputes a meter reading shall give written notice to the Town.
144. A water meter situated on the Consumer's premises shall be removed and tested or calibrated by a qualified Person designated by the CAO or designate. In the event that the meter is found to be accurate within 5% of actual water volume passing through the same, the expense of such test or calibration shall be borne by the Consumer in the amount designated in the Town's Rates Bylaw.
145. In the event that the said meter is found not to be accurate within the said limits it shall forthwith be repaired or replaced by one that is accurate, and the expense thereof shall be borne by the Town.
146. In the event that a meter is found not to be accurate within the aforesaid limits and the current Consumer has been overcharged, the accounts rendered to the Consumer based upon the reading of that meter for the maximum of 12 months immediately preceding the date of such test or calibration shall be corrected in proportion to the error of the meter in excess of the aforesaid limits and there shall be refunded to the Consumer, the amount so determined which refund shall be deemed accepted by the Consumer as settlement in full to the date thereof of all claims on

account of inaccuracy of such meter.

ADDITIONAL METER READING

147. When a Consumer requests a meter reading at a time other than the Town's regular scheduled time for meter reading, they may be assessed a fee as per the Town's Rates Bylaw. Provided, however, if upon such reading, it appears that the previous billed meter reading is incorrect, no service charge shall be required.

OFFENCES AND ENFORCEMENT

OFFENCES

148. A Person who contravenes any provision of the Bylaw is guilty of an offence.

- a) A Person who is guilty of an offence is liable to a fine in the amount not less than that established in the Bylaw, and not exceeding \$10,000, and its imprisonment for not more than six (6) months for non-payment of a fine; and
- b) Without restricting the generality of subsection (a) the fine amount established is set out in Schedule "A".

ENFORCEMENT

149. An Enforcement Officer is hereby authorized and empowered to issue a Municipal Violation Ticket to any person who the Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw. The Enforcement Officer may commence proceedings against such Owner by:

- a) issuing the Person a Municipal Violation Ticket, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act;
- b) swearing out an information and complaint against the Person.

150. Where an Enforcement Officer issues a Person Municipal Violation Ticket in accordance with this Bylaw, the Officer may either:

- a) allow the Person to pay the specified penalty indicating such specified penalty on the ticket; or
- b) require a Court appearance of the Person where the Enforcement Officer believes that such appearance is in the public interest, pursuant to the provisions of Part 2 of the Provincial Offences Procedure Act.

151. Where a Municipal Violation Ticket issued to a Person is not paid within twenty-one (21) days of the date of issue, the Enforcement Officer may proceed by way of prosecution in accordance with section 148 of this Bylaw.

152. No provision of this Bylaw nor any action taken pursuant to any provision of the Bylaw shall restrict, limit, prevent or preclude the Town from pursuing any other remedy in relation to a Person, or property provided in the Municipal Government Act, or any other law of the Province of Alberta.

TRANSITIONAL

REPEAL

153. This Bylaw repeals the Town of Olds Bylaw 2018-45 Water Wastewater Bylaw.


READINGS

Read for the first time on the 8th day of April 2024.
Read for a second time on the 22nd day of April 2024.
Read for a third time on the 22nd day of April 2024.

SIGNATURE LINE



Judy Dahl,
Mayor



Brent Williams,
Chief Administrative Officer

SIGNED by the Chief Elected Official and the Chief Administrative Officer this 23rd day of April 2024.

SCHEDULE "A"
FINES AND PENALTIES

Unless otherwise noted all offences of the Water Bylaw have the following specified penalties.

Penalty in Lieu of Prosecution (PLP)	1 st Offence	2 nd Offence	3 rd Offence
\$125	\$250	\$500	\$750

Specified penalties are as follows:

Violation	Section	Minimum	Maximum
Any Person who willfully or maliciously hinders or interrupts or causes or procures to be hindered or interrupted, the municipality or its contractors, servants, agents, workmen, or any of them, in the exercise of any of the powers and authorities relating to the public Utilities.	77	\$500	\$1000
Any Person who lends or sells water, uses water to benefit others, increase usage beyond what is agreed upon, and throws or deposits any injurious, noisome, or offensive matter into the water system.	86	\$500	\$1000
Failure to perform the mandatory water connection into the Water Main.	102	\$250/month	\$500/month
No Persons other than those authorized by the Town shall open or close or operate or interfere with any valves, hydrant, or fire plug, or draw water there from.	116	\$500	\$1000
Any Person not being in the employ of the municipality and not being a member of the fire department and authorized in that behalf, willfully opens, or closes any hydrant stopcock, chamber pipe or hydrant chamber or by placing on it any building material, rubbish, or other obstruction.	119	\$500	\$1000
No Person other than authorized Town staff are to operate Curb Stops. Certified Licensed Plumbers with water keys are to operate Curb Stops only under emergency situations and are to notify Town staff of said action immediately.	121	\$500	\$1000
No Person other than authorized Town employees shall remove, disconnect, reconnect, or tamper with a meter or remote meter reading receptacle.	140	\$500	\$1000