

## VILLAGE OF BAWLF

### The Utility Services Bylaw Bylaw No. 606/16

A bylaw of the Village of Bawlf to provide public utilities and services and to determine the rates for the provision of these services.

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**WHEREAS** under the provisions of the Municipal Government Act, being the Revised Statutes of Alberta 2000, Chapter M-26 and amendments thereto, the Council has been granted the authority to pass bylaws for municipal purposes regarding public utilities and services provided by, or on behalf of the municipality, and;

**WHEREAS** the Village of Bawlf provides for a water supply and distribution system and a sanitary sewage collection and disposal system, and;

**WHEREAS** the Village of Bawlf has the authority to charge property owners for the public utilities and services being provided.

**NOW THEREFORE** the Council of the Village of Bawlf enacts as follows:

#### Citation

1. This bylaw may be cited as “The Utility Services Bylaw”.

#### Definitions

2. In this bylaw:
  - a. “Arrears” means account balance which is unpaid after the due date shown on the invoice;
  - b. “Bulk Water” means water available for purchase by means of Customers filling privately owned water trucks or tanks at a site established and metered by the Village;
  - c. “Council” means the Council of the Village of Bawlf;
  - d. “Inactive Service” means a service that is unused for a specified period of time;
  - e. “Municipal Service Line” means that portion of a Service Connection located between a main line and the property line;
  - f. “Municipal Utility Service” means a water or sewer service provided by the municipality;
  - g. “Owner” means the registered owner or owners of a parcel of land or property;
  - h. “Service Connection” means the part of the system or works of a water distribution system or a sanitary sewer system that runs from the main lines to

a building or other place on a parcel of land for the purpose of providing the utility service to the parcel and includes those parts of the system or works described in Section 29 of the Municipal Government Act;

- i. "Service Line" means that portion of a Service Connection located above, on or underneath an Owner's parcel of land;
- j. "System" means the system infrastructure or works constructed by the Village for Municipal Utility Services;
- k. "Tenant" means a person who rents or leases a property from an "Owner";
- l. "Village" means the Village of Bawlf or its duly authorized representatives;

### **Applicability**

3. This bylaw applies to all Owners and Tenants who possess or lease properties within the Village of Bawlf.

### **Severability**

4. If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

### **Service Connection & Maintenance/Repair**

5. Full compliance with this Bylaw is a condition and term of supplying a Municipal Utility Service to a parcel of land.
6. An Owner of a parcel of land must submit a written application to the Village Administration and obtain the approval of the Village Administration before the Village will construct a Municipal Service Line.
7. The Village shall approve and supervise the construction of a Municipal Service Line. The Owner of the parcel of land to be serviced by the Municipal Service Line shall be responsible for the costs related to that construction.
8. An Owner is responsible for the construction, maintenance, upgrade and repair of a Service Line. If excavation is necessary for the maintenance or repair of a Service Line, no excavation shall be performed without the approval of the Village. In the event of emergency situations, Owners will be responsible to notify the Village Administration of work that has been completed. Work must be approved by the Village before being backfilled.
9. When the Village initiates excavation, the Village shall be responsible to return the land to a level grade.
10. If the Village is not satisfied with the construction, maintenance, upgrade or repair of a Service Line, the Village may require the Owner to perform some action in accordance with its instructions with respect to the construction, maintenance,

upgrade or repair of the Service Line by a specified time.

11. If the construction, maintenance, upgrade or repair of a Service Line has not been done to the satisfaction of the Village within the specified time or in an emergency, the Village may enter any parcel of land or building to construct, maintain or repair the Service Line.
12. The costs incurred by the Village relating to the construction, maintenance, upgrade or repair performed under Sections 10 and 11 of this Bylaw are an amount owing to the Village by the Owner of that property.
13. The Owner of that property has sixty (60) days from the date of the Invoice from the Village, to reimburse the Village of the full amount owing. If the full amount is not paid, then on day sixty one (61), the Village will transfer the full amount owing to the Owner's property taxes plus an administration charge as outlined in Schedule "A" of this Bylaw. The Village Administration shall notify the Owner that the transfer has occurred and the amount owing shall become part of the taxes owing on the property.
14. No connections shall be made to that portion of a Service Line situated between the property line of a parcel of land and the point of entry into the residence.
15. The Village shall be responsible for the costs of maintenance and repair of a Municipal Service Line.

### **Supply**

16. An Owner who wishes to receive Municipal Utility Services shall make application for those services at the Village Office. The application form is attached as Schedule "B".
17. Every Owner who wishes to receive Municipal Utility Services shall pay the rates and other charges outlined in Schedule "A" attached to this Bylaw.
18. Owners who vacate their home for a minimum of three (3) consecutive months per year may apply for Inactive Service status at the Village Office. The rates charged are outlined in Schedule "A" attached to this Bylaw. The application form is attached as Schedule "C".
19. The Owner is responsible for all fees and charges as outlined in Schedule "A" of this Bylaw until such time as the Owner applies to the Village to have the service disconnected. The disconnection request form is attached as Schedule "E".
20. When it is necessary for the Village to interrupt service to any portion of the Municipal Utility Service, the Village will attempt to contact the affected Customers. If unable to contact the Customers, the Village may proceed without notice to interrupt the Municipal Utility Service. The Village shall not be held liable or responsible for any damages or claims arising from service interruption.

## **Water**

21. The Village shall have the right to limit the amount of water supplied to any Customer where Council deems such action to be necessary. The Council may at any time, by resolution or bylaw, limit or restrict the use of water by Customers for the watering of lawns, garden plots or other areas, or for any other use, for such time as Council deems advisable.
22. No person, other than an employee of the Village or a duly authorized agent of the Village, shall turn, or attempt to turn, the water supply on or off from the Village supply system.
23. If an Owner requests that the water be turned off, and the Village determines that the curb stop is not able to be turned off due to its condition, the request may be denied.
24. Bulk water may be purchased from the Village for the rates outlined in Schedule "A" attached to this Bylaw.
25. A Customer who contravenes this Section may be subject to the fines outlined in Schedule "A" attached to this Bylaw.

## **Sewer**

26. Only water and wastewater shall be discharged into the Sanitary Sewer System. The discharge of any flammable, explosive or other such material into the Sanitary Sewer System is prohibited.
27. Unless authorized in writing by Council, no sub surface storms drains, roof drains or catch basins shall be connected to the Sanitary Sewer System.
28. If a Customer requests assistance from the Village for issues with a Service Line, the Village may assist as time permits and shall charge the rates as outlined in Schedule "A" attached to this Bylaw.
29. A Customer who contravenes this Section may be subject to the fines outlined in Schedule "A" attached to this Bylaw.

## **Protection of Utility Services**

30. No person shall connect a Service Connection to a Municipal Utility Service, or otherwise uncover, make any connection with or opening into, use, alter or disturb a Service Connection or a Municipal Utility Service without written permission of the Village.
31. No person shall break, damage, destroy, deface or tamper or cause or permit the breaking, damaging, destruction, defacing or tampering with any part of a Municipal Utility Service and any person who does perform such acts shall be

- liable for any damage incurred.
32. No person shall hinder, interrupt or cause to be hindered, any employee of the Village or its contractors, servants and agents or workers, in the exercise of any of the powers or duties relating to a Municipal Utility Service as authorized or required in this Bylaw.
  33. Only Village employees, agents, contractors and fire department members have the authority to open or close any hydrant, stop-cock or hydrant chamber.
  34. All Owners and Tenants shall ensure free access to any hydrant, stop-cock or hydrant chamber and shall not place any building material, rubbish or other obstruction on any of these system components.
  35. No person shall throw or deposit any injurious, harmful or offensive matter into the water or water works or in any way foul the water or commit any willful damage or injury to the works, pipes or encourages damage or injury to be done. Any person who does perform such acts shall be liable for any damage incurred.
  36. No person shall throw or deposit any injurious, harmful or offensive matter into the sanitary sewer system which in any way adversely affects the operation of the Municipal Sanitary Sewer System, including the sewage lagoon.
  37. No person shall willfully and without authority enter, interrupt or cut off the supply or discharge of any Municipal Utility Service.
  38. The Village may discontinue access to a Municipal Utility Service where the Village believes the use of a Municipal Utility Service to a property to be contrary to this Bylaw.
  39. Any person who contravenes a provision in this section is guilty of an offence and is liable to the fines outlined in Schedule "A" of this Bylaw.

#### **Access for Authorized Purposes**

40. As a condition of Municipal Utility Services and as operational needs dictate, employees of the Village shall have free access to all parts of a property, building or other premises in which the Municipal Utility Service is delivered at reasonable hours of the day and upon reasonable notice for the purpose of:
  - a. Installation, testing, maintenance, repair and/or removal of any part of the Municipal Utility Service including any portion of a Service Connection;
  - b. Inspections for compliance with this Bylaw.

#### **Billing**

41. The Village will provide Municipal Utility Services only to the Owners.

42. Owners shall be responsible for ensuring their Municipal Utility accounts remain in good standing.
43. Municipal Utility Services invoices will be mailed to the Owners immediately following the month in which the utility services were provided.
44. Owners may request that a copy of the utility invoice be mailed to the Tenant by completing the Utilities Rental Agreement as attached as Schedule “D” of this Bylaw. The Owner will continue to receive the original invoice and shall remain responsible for the account. The Village will apply any payments from a Tenant to the Owner’s utility account.
45. Bulk water invoices shall be mailed to the Customers immediately following the month or period in which the bulk water was provided.
46. Municipal Utility Services and bulk water invoices shall be due on the last day of the month in which the invoices were mailed.
47. Payments may be made to the Village of Bawlf by cash, cheque, money order, electronic funds transfer or automatic debit/withdrawal.

### **Charges and Penalties**

48. The fees and charges to the Customer for Municipal Utility Services, penalties for Arrears and other fees for the Municipal Utility Services or System are outlined on Schedule “A” of this Bylaw.
49. Any account in Arrears after the end of the month in which the invoice was mailed, shall be charged a penalty in accordance to the rates outlined in Schedule “A” attached to this Bylaw. The penalty shall be added to and shall form part of the unpaid invoice.
50. Any utility account in Arrears after sixty (60) days, will be transferred to the Owner’s property tax account on day sixty-one (61) or the next business day, including all accrued penalties plus an administration charge as outlined in Schedule “A” of this Bylaw. The Village Administration shall notify the Owner that the transfer has occurred and the amount owing shall become part of the taxes owing on the property.
51. The Village shall have the authority to turn off the water for any account in Arrears with two (2) weeks written notice.
52. If the water is shut off, it shall not be turned on again until all Arrears including penalties have been paid in full plus a reconnection fee as outlined in Schedule “A” attached to this Bylaw.
53. Any charges provided for under this Bylaw shall constitute debts recoverable by actions in accordance with the Municipal Government Act.

**Fines**

54. Any person who contravenes a provision of this Bylaw may be guilty of an offense and subject to a fine of not more than \$10,000.00.

**Repeal**

55. Bylaw #593/14 is hereby repealed.

**Effective Date**

56. This bylaw shall take effect on the day of the final passing thereof.

READ A FIRST TIME this 20<sup>th</sup> day of April, 2016.

READ A SECOND TIME this 20<sup>th</sup> day of April, 2016.

READ A THIRD TIME this 20<sup>th</sup> day of April, 2016.

SIGNED by the Mayor and Acting CAO this 20<sup>th</sup> day of April, 2016.

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Mayor

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Acting CAO

**Utility Services Bylaw #606/15 Fees and Charges:****A. Water Charges:**

|   |                    |
|---|--------------------|
| 1. Municipal Services   |                    |
| a) Monthly Flat Rate  | \$35.00/month      |
| b) Monthly Inactive Flat Rate   | \$17.50/month      |
| 2. Institutional (Schools, Senior's Lodges)   |                    |
| a) Bawlf School   | \$250.00/month     |
| b) School Bus Barns   | \$ 35.00/month     |
| c) Sanden Court   | \$280.00/month     |
| 3. Bulk Water Sales   |                    |
| a) Agricultural or Residential Rates  | \$4.40/cubic metre |
| b) Commercial Rate  | \$8.80/cubic metre |
| 4. Disconnection and/or Reconnection Fee  | \$40.00            |
| 5. Hourly Charge for Village Assistance with<br>the Owner's Portion of a Service Line |                    |
| Minimum 1 hour charge   | \$30.00/hour       |
| 6. Deposit  | \$50.00            |

**B. Sewer Charges:**

|   |                |
|---|----------------|
| 1. Municipal Services                       |                |
| a) Monthly Flat Rate                        | \$32.00/month  |
| b) Monthly Inactive Flat Rate               | \$16.00/month  |
| 2. Institutional (Schools, Senior's Lodges) |                |
| a) Bawlf School                             | \$235.00/month |
| b) Sanden Court                             | \$256.00/month |
| 3. Deposit                                  | \$50.00        |

**C. Penalties:**

|                           |            |
|---------------------------|------------|
| 1. Penalty after due date | 3% / month |
|---------------------------|------------|

**D. Administration Charges:**

|   |         |
|---|---------|
| 1. Fee to Transfer Utility and/or Accounts Receivable<br>Arrears to Tax Account | \$40.00 |
|---|---------|



**E. Fines:****Schedule “A” (p. 2)**

## 1. Contravention/Tampering/Damage – to a maximum of \$10,000/incident

| <b>Section #</b> | <b>Offence</b>  | <b>Penalty (First Offence)</b> | <b>Penalty (Subsequent Offences)</b> |
|------------------|---|--------------------------------|--------------------------------------|
| 8                | Failure to notify the Village Administration of work completed or failure to obtain approval by the Village before backfilling.   | \$1000                         | \$1500                               |
| 13               | Prohibited connections made to a Service Line between the property line and the point of entry into the residence.  | \$1000                         | \$1500                               |
| 20               | Failure to abide by limited or restricted use of water for any use for such time as Council deems advisable.  | \$100                          | \$150                                |
| 21               | Turning, or attempting to turn, the water supply on or off from the Village supply system.  | \$500                          | \$750                                |
| 25               | Discharging any flammable, explosive or other such material into the sanitary sewer system or water system.   | \$5000                         | \$10,000                             |
| 26               | Connecting sub surface storms drains, roof drains or catch basins to the sanitary sewer system.   | \$1000                         | \$1500                               |
| 29               | Connecting a Service Connection to a Municipal Utility Service or uncovering, opening, using, altering or disturbing a Service Connection or a Municipal Utility Service without written permission of the Village.                                   | \$1000                         | \$1500                               |
| 30               | Breaking, damaging, destroying, defacing or tampering with any part of a Municipal Utility Service. Fine plus costs to repair damages.  | \$1000                         | \$1500                               |
| 31               | Hindering or interrupting any employee of the Village or its contractors, servants and agents or workers, in the exercise of any of the powers or duties relating to a Municipal Utility Service.   | \$500                          | \$750                                |
| 32               | Opening or closing any hydrant, stop-cock or hydrant chamber.   | \$500                          | \$750                                |
| 33               | Obstructing free access to any hydrant, stop-cock or hydrant chamber.   | \$100                          | \$150                                |
| 34 & 35          | Throwing or depositing any injurious, harmful or offensive matter into the water/water works system or the sanitary sewer system.   | \$5000                         | \$10,000                             |
| 34 & 35          | Committing any willful damage to the water system or sanitary sewer system or pipes or encouraging damage to be done which in any way adversely affects the operation of the Systems, including the sewage lagoon. Fine plus costs to repair damages. | \$1000                         | \$1500                               |
| 36               | Entering, interrupting or cutting off the supply or   | \$1000                         | \$1500                               |

|  |  |       |       |
|--|--|-------|-------|
|  | discharge of any Municipal Utility Service.      |       |       |
|  | Contravention of any other clause in this Bylaw. | \$500 | \$750 |



**Village of Bawlf**

**MUNICIPAL UTILITY SERVICE APPLICATION**

|  |                         |
|--|-------------------------|
| <b>Legal Description:</b>                | <b>Street Address:</b>  |
| <b>Lot(s):      Block:      Plan:</b>    |                         |
| <b>Owner's Name(s):</b>                  |                         |
| <b>Owner's Mailing Address:</b>          |                         |
| <b>Owner's Phone Number(s):</b>          |                         |
|  |                         |
| <b>Move In or Start Date of Service:</b> | <b>For Village Use:</b> |
|  |                         |

**Utility Service Application Criteria:**

1. Only the property Owners are eligible to apply for Municipal Utility Services.
2. Only Village employees or a duly authorized agent of the Village has the authority to turn the water supply on or off.
3. Only water and wastewater shall be discharged into the sanitary sewer system.
4. The Owner is responsible to be aware of the Village of Bawlf Utility Services Bylaw #606/15.

**Application Submitted to Village:**

\_\_\_\_\_

**Date**

\_\_\_\_\_  
**Signature of Property Owner**

\_\_\_\_\_  
**Signature of Property Owner**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Approved By Village**



**Village of Bawlf**

**INACTIVE or HALF RATES UTILITY SERVICE APPLICATION**

|  |  |
|--|--|
| <b>Utility Account Number:</b>         | <b>Street Address:</b>                   |
| <b>Legal Description:</b>              |  |
| <b>Lot(s):</b>                         | <b>Block:                      Plan:</b> |
| <b>Owner's Name(s):</b>                |  |
| <b>Owner's Mailing Address:</b>        |  |
| <b>Owner's Phone Number(s):</b>        |  |
| <b>Start Date of Inactive Service:</b> | <b>Estimated Date of Return:</b>         |

**Inactive Service Criteria:**

1. Owners are eligible to apply for Inactive Service Rates if the residence will be vacant or uninhabited for a minimum of three (3) months.
2. Owners must notify Administration at the Village Office upon return or new occupancy.
3. If the actual date of return is earlier than the estimated date of return, and this results in the inactive period being shorter than three (3) months, regular service rates will apply and the difference will be applied to the next utility invoice.
4. Note: the water supply will NOT be turned off during this period.

**This agreement shall be effective:**

\_\_\_\_\_ **Date**

\_\_\_\_\_  
**Signature of Property Owner**

\_\_\_\_\_  
**Signature of Property Owner**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Approved By Village**



**Village of Bawlf**

**UTILITIES RENTAL AGREEMENT**

|   |                                  |
|---|----------------------------------|
| <b>Utility Account Number:</b>                              | <b>Effective Date:</b>           |
| <b>Legal Description:</b><br>Lot(s):      Block:      Plan: | <b>Street Address:</b>           |
| <b>Owner's Name(s):</b>                                     | <b>Renter's Name(s):</b>         |
| <b>Owner's Mailing Address:</b>                             | <b>Renter's Mailing Address:</b> |
| <b>Owner's Phone Number(s):</b>                             | <b>Renter's Phone Number(s):</b> |

I, \_\_\_\_\_, being the owner of the property described above, hereby consent to having the Village of Bawlf utility billing forwarded to the renter at the renter's mailing address as noted above. **The utility billing shall be retained in my name, but forwarded in care of the renter.**

**I AM ALSO AWARE THAT:**

Any unpaid utility balances as per Sections 48 & 49 of Bylaw #606/15, are the responsibility of the owner and if arrears remain unpaid by either the renter or the property owner, balances not paid within the specified time will be transferred to the property tax account, plus administration fees and any penalties, knowing that amounts transferred to the tax roll are then subject to penalties applicable to unpaid taxes.

**Submitted to the Village Office:**

\_\_\_\_\_ **Date**

\_\_\_\_\_ **Signature of Property Owner**

\_\_\_\_\_ **Signature of Property Owner**

\_\_\_\_\_ **Print Name**

\_\_\_\_\_ **Print Name**

\_\_\_\_\_ **Approved by Village**



**Village of Bawlf**

**MUNICIPAL UTILITY SERVICE DISCONNECTION**

|                                 |                                     |
|---------------------------------|-------------------------------------|
| <b>Utility Account Number:</b>  | <b>Street Address:</b>              |
| <b>Legal Description:</b>       |                                     |
| <b>Lot(s):</b>                  | <b>Block:</b>                       |
|                                 | <b>Plan:</b>                        |
| <b>Owner's Name(s):</b>         | <b>Disconnection Date:</b>          |
| <b>Owner's Mailing Address:</b> | <b>Owner's New Mailing Address:</b> |
| <b>Owner's Phone Number(s):</b> | <b>Owner's New Phone Number(s):</b> |

**Utility Service Disconnection Criteria:**

1. Any Arrears owing on this Utility Account are due and payable prior to the disconnection date entered above. Any unpaid amounts will be transferred to the property tax account and will be subject to the administration fees and penalties as per Bylaw #606/15.
2. The Owner(s) agree to provide a forwarding mailing address and phone numbers.

**Submitted to the Village Office:**

\_\_\_\_\_ **Date**

\_\_\_\_\_ **Signature of Property Owner**

\_\_\_\_\_ **Signature of Property Owner**

\_\_\_\_\_ **Print Name**

\_\_\_\_\_ **Print Name**

\_\_\_\_\_ **Approved By Village**