



VILLAGE OF HAY LAKES

BYLAW NUMBER 05-2019

UTILITY BYLAW

BEING A BY-LAW OF THE VILLAGE OF HAY LAKES, IN THE PROVINCE OF ALBERTA, THAT REGULATES THE USE OF WATERWORKS, WASTEWATER AND PLUMBING; AND TO ESTABLISH RATES FOR WATER, WASTEWATER, SOLID WASTE REMOVAL AND RECYCLING SERVICES IN THE VILLAGE OF HAY LAKES; AND TO SET FORTH THE TERMS AND CONDITIONS FOR THE COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTE, AND THE PROVISION OF RECYCLING SERVICES THROUGHOUT THE MUNICIPALITY.

WHEREAS, under the authority and subject to the provisions of the Municipal Government Act, 2000, Chapter M-26.1, Revised Statutes of Alberta, as amended (hereinafter the "MGA").

AND WHEREAS, all water works, wastewater lines, storm sewers, drains and garbage disposal works belonging to the Village now laid down or future public works constructed or built shall be under the direct control and management of the Chief Administrative Officer or Designate, subject to the authority of the Village Council.

NOW THEREFORE, the Council of the Village of Hay Lakes, duly assembled, hereby enacts as follows:

I TITLE:

This bylaw shall be known as the "Water, Wastewater, Solid Waste and Recycling Bylaw".

II DEFINITIONS:

- 1) Department - shall mean the department or departments authorized to have control of water works, wastewater, garbage and recycling
- 2) Consumer - shall mean the owner of lands and premises therein or on to which any water or wastewater service pipes are installed to service any land or premises therein or on; and to which solid waste removal and recycling services are provided.
- 3) Person - shall mean every person, firm, corporation or owner.

- 4) Foreman - shall mean the person with authority to supervise and have charge of the water and wastewater department subject to the powers delegated to him by the Chief Administrative Officer.
- 5) Meter - shall mean a mechanical and/or electrical device used to measure the amount of water consumed in metric measurement.
- 6) Street Mains - shall mean the portion of the water and/or wastewater system laid down in Village land or Crown land for the purpose of servicing more than one person.
- 7) Wastewater Services - shall mean the line from the collecting street mains to the property line of the land or building being serviced.
- 8) Compostable Waste – shall mean all kitchen and table remains, meats, fish, fruits, vegetables and other like spoilage waste or decomposing matter, grass, clippings and leaves.
- 9) Automated Collection Cart “bin” means a wheeled waste receptacle that is designed for automated collection by the Contractors automated collection vehicle, which contains waste awaiting collection and disposal and is weather and animal proof.

III WATER WORKS:

- 1) TAPPING WATER WORKS:
 - a) No person without having first obtained a permit to do so, and submitting payment for said permit in accordance with Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D'), shall make connection or communication whatsoever with any of the public pipes or mains.

The applicants for said permit shall be totally liable for any damages caused while making such connections and also shall provide adequate safety provisions during said construction.
 - b) No permit shall be issued to any person except a licensed plumber or authorized employee of the Village.
 - c) All water service pipe laid in private property between the property line and the water meter shall be of the same material as the service pipe in the street between the water main and the property line, or a material approved by the Village. No connection may be made to the water service pipe between the property line and the meter.

2) METERS:

- a) Every meter installed on any service by the Village shall remain the property of the Village and is installed on the understanding that all owners shall give every facility for the introduction, placing inspection and reading of such meter; and shall protect it from interference or injury by frost. Any person permitting any meter to be damaged by frost shall be liable for all costs incurred in the repair or replacement of said meter. Minimum repair costs shall be at the rate set out in Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D').
- b) All water users that are metered by the Village's water distribution system shall pay to the Village a water meter caution fee in accordance with Schedule "F" of this bylaw. Such fees shall be paid to the Village at the time of making application for a water service but in all cases, prior to the water being turned on.
- c) All new or replacement meters installed to designated manufactured homes, shall be sighted inside the designated manufactured home.
- d) All residential, commercial, industrial and institutional buildings shall provide on the outside of the building, or other convenient location between 1.5 meters and 2.0 meters above grade, a remote reading device supplied and approved by the Village and for that purpose the consumer shall make provision for the installation of electrical wire in accordance with the appropriate regulations from the place of the water meter to the place of the remote reading device.
- e) The Village may install a meter on any service whether the consumer is to be supplied with water under the meter rates or not; and to refuse to supply or continue to supply water to the premises whatsoever, unless the persons or person requiring the water shall sign an agreement to take, use and pay for water according to the rates provided for the purpose and in accordance with Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D') of this bylaw together with any service charges that may be required.
- f)
 - i) All meters shall be read and a water billing rendered every two months in accordance with Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D').
 - ii) Where a reading cannot be obtained during regular reading schedules, the department may arrange a special reading by appointment at a cost to the consumer as set out in Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D'). Should the department be unable to make appropriate arrangements for meter readings, estimated consumption shall be used for billing purposes.

- iii) If any meter has failed to register accurately since the last reading, water rates for the said period shall be adjusted and charged on the basis of the average charge for water supplied to the said premises during the preceding two meter reading periods.
- iv) If a meter has failed to read accurately for the consumer, and there is no previous record of water usage, that water rate for the period in question shall be charged at the minimum applicable rate in accordance with Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D') of this bylaw.
- g) Should any person claim that a meter is not working properly and is over-reading, said person shall deposit with the Village the sum as set out in Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D'). The meter will then be removed and given a test.
 - I. Should the meter be found to over-read by more than 3% the said person shall be refunded the deposit.
 - II. Any meter which meets the requirements previously stated shall be considered adequate and said person shall forfeit the said deposit to the Village to cover the removal and testing of the water meter.
 - III. All convenience during business hours shall be afforded the said person to witness meter tests.
 - IV. Should the meter be found to over read more than 3%, the rate charge for the preceding two meter reading periods will be adjusted by the same percentage as the meter was found to be in error, providing, however, that no rate shall be reduced below the minimum rate charged pursuant to Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D') of this bylaw.
- h) Any person interfering with the seals or tampering with any meter shall be liable to penalties as set out in Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D')
- i) Ownership of all water meters shall be vested in the Village of Hay Lakes, notwithstanding any deposit or water meter caution fee paid.
- j) The consumer shall be responsible for damage to the remote reading device which may result from other than normal wear and tear.

IV WATER USAGE:

- 1) No person shall waste any water supplied by the department in any way whether by improper service pipes, fixtures or taps or by permitting water to run to prevent taps or pipes from freezing or otherwise; or by improper or excess use of water.
- 2) During the appropriate months, **MAY TO SEPTEMBER EACH YEAR**, all persons are required to practice water conservation for outdoor watering, whereby properties with a municipal address ending in an odd number may water on odd numbered days only, and properties with a municipal address ending in an even number may water on even numbered days only. Persons contravening this section of the bylaw shall be liable to penalties as set out in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D').

V TURNING ON WATER:

- 1) After any construction, reconstruction, alteration or change, or the completion of any work requiring a permit, water shall not be turned on to any building or premises until after the whole of the work has been done to the satisfaction of the water department. Water shall be turned on or off only by an authorized employee of the Village.
- 2) Where water is turned off and on for the purpose of construction, alteration or change, such work shall only be done upon application to the Village and the prepayment of the fee in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D').
- 3) When construction water is required for any building under construction, the Village shall be notified 24 hours prior to turning on of water.

VI DISPOSAL OF WATER:

- 1) Unless a permit is obtained from the Village, no person, being an owner, occupier, tenant or inmate of any house, building or other premises, which were supplied with water from the water system, shall sell or dispose therefrom, or give away or permit the same to be taken off, carried away or use or supply it to the use or benefit of others.

No person being an owner, occupier, tenant or inmate of any house, building or other premises, shall increase the supply of water beyond the fixed rating of the premises, or wrongfully or negligently waste any water.

VII RIGHT TO DISCONNECT AND CONNECT WATER SUPPLY:

- 1) The Village may shut off the water supply to the land or premises of any consumer who may be guilty of a breach of or non-compliance with any of the provisions of this by-law or Board of Health regulations, and may refuse to turn on the water until satisfied and assured that the consumer intends to comply with this bylaw or health regulation.
- 2) Any persons about to vacate any premises that are being supplied with water and who are desirous of discontinuing the use of, must give notice in writing to the Village of shut off of water at the said premises; otherwise they will be held liable for the accruing rates therefore and for all damages suffered or sustained by the Village and caused by failure to give such notice.
- 3) The Village hereby reserves the right to shut off the water without notice to the consumer for any purpose that, in the opinion of the Village, it may be expedient to do so,
- 4) It is hereby declared that no person shall have any claims or compensation or damages as the result of the Village shutting off the water without notice or from the failure of the water supply from any cause whatsoever.
- 5) Any rates, costs or charges in arrears for water service supplied by the department to any land or premises shall be added to the taxes assessed against the property to which the water or other services have been supplied and may be collected in any of the ways provided by the collection of taxes, including the sale of the property.
- 6) In addition to the methods outlined in the above for recovery of outstanding rates or charges, the Village reserves the right to discontinue services to any property for charges for services or work remaining outstanding for a period of more than sixty (60) days.
- 7) No person shall interfere with, damage or make inaccessible any curb stop due to the construction of walks, driveways, etc. Any person found doing so will be subject to the costs and fines as set out in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D').
- 8) If it is required to make repairs or construction due to inaccessibility, or damage to curb stops, the owner of the property serviced by said curb stops shall, in addition to the penalties of this bylaw, be required to assume all costs involved.

- 9) To maintain an adequate supply of water and adequate water pressure within the Village of Hay Lakes, the Village Council or the Chief Administrative Officer, as the case may be, may impose restrictions on the use of water.
- 10) All contracts formed by the filing of an application for water and the acceptance thereof by the said department on behalf of the Village, are hereby declared to be subject to all the terms and conditions of this bylaw which shall be understood and construed by the said department as forming part of all contracts for the supply and distribution of the water by the said department on behalf of the Village.
- 11) In all cases where boilers are supplied with water, the Village shall not be liable for any damages which may result to any person or premises from shutting off the water main or service or from failure of the water supply for any purpose or cause whatsoever, even where no notice is given and no deduction from water bills made in consequence thereof. All users of steam or hot water boilers must protect themselves by installing a storage tank sufficient to provide at least a twelve (12) hour supply for each steam or hot water boiler.

VIII WELLS AND OTHER SOURCES OF WATER SUPPLY:

- 1) Where Village water services are not able to be supplied or are not available, the person requesting service may connect the building to a well or other source of water supply, subject to compliance with the provisions of this bylaw, all Provincial Regulations and regulations of the Local Health Authority.
- 2) Any premises on a street, avenue, lane or road upon which there is no Village water main may make application to the Village to utilize a well or other source of water supply if the supply is not obtainable from Village water main. Such application shall be accompanied by a fee as set out in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D').
- 3) Any such permit as aforesaid may be withdrawn by order of the Village at any time without notice and no person shall use a well or other source of water supply after a permit for use of same has been withdrawn.
- 4) No permit issued under this section shall give or be construed to give the holder of the said permit the right to sell or distribute water within the Village of Hay Lakes.
- 5) Any person who makes application to be serviced by the water distribution system, and such application is approved, shall not revert to any other supply source at a later date, but shall remain connected to the Village water supply system.

IX INTERFERENCE WITH HYDRANTS AND VALVES:

- 1) Except as hereinafter provided, no person other than authorized employees of the Village shall open or close, operate, obstruct or interfere with any valve, hydrant or fire plug or draw water therefrom. Any unauthorized person or persons found obstructing, opening or closing of hydrants and valves shall be fined as set out in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D').
- 2) The Chief of the Village Fire Department, his assistants and officers, and members of that department are authorized to use the hydrants or plugs for the purpose of extinguishing fires or for making trail of hose, pipe or for fire protection; that all such users shall be under the direction and supervision of the said Chief or his duly authorized assistants; and in no event shall an inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant or plug.
- 3) No person shall in any manner obstruct the free access to any hydrant or valve or curb stop. No vehicle, building, rubbish or any other matter which would cause such obstruction shall be placed nearer to the hydrant than the property line of the street in which the hydrant is located; nor within fifteen (15) feet of the hydrant in a direction parallel with the said property line.
- 4) The Village shall assume the full responsibility and costs for any water service line which may hereinafter be frozen or broken between the property line and the street main. Any water service line frozen or broken between the property line and the meter shall be the responsibility of the person owning the property.
- 5) Each service pipe must be provided with a stop and waste tap of a pattern approved by the Village placed inside the outer wall of the premises in case of leaky fixtures or when the premises is vacated; and such stop and waste taps shall be clear of all obstruction so that ready access may be had to same to shut off water when occasion arises.

X WASTEWATER LINES AND STORM SEWERS:

- 1) CONNECTIONS TO VILLAGE SERVICES:
 - a) No drain or private sewer shall be connected to the Village wastewater system until the owner thereof shall have obtained a permit for such a connection, and submitted payment for said permit in accordance with Schedule "B: of this Bylaw. The application for permit must be filed in the Village Office and must be signed by the owner of the property to be drained, or his authorized agent. Such applications must be accompanied by a plan showing in detail the contemplated connection, the exact location and elevation thereof, and specify fully the

character of the work to be done, the sizes of all pipes and the location and type of all fittings.

- b) It shall be the consideration of the granting of any application for a private drain or sewer connection to the Village's wastewater system, that the Village or any of its employees shall not be liable for any damage whatsoever in nature caused either directly or indirectly by such connection and the applicant shall be responsible for backfill, surface replacement, safety, etc.
- c) The Village may revoke or annul any permit that may have been granted to connect to the Village services if it shall find that any of the work is not being done in accordance with the provisions of this bylaw, and bylaw #90-05, and the persons making such connections or their successors in interest shall have no right to consequence of such permits being revoked or annulled.
- d) All wastewater lines laid in private property between the property line and the premises being serviced shall conform to the City of Camrose adopted minimum Design Standards.
- e) The connection of a wastewater service line shall commence at the street main, working therefrom towards the building thereby ensuring proper grade level. The owner shall be responsible for all costs in this regard.
- f) No person shall cut, break, pierce or tap any Village wastewater line or appurtenance thereof, or intrude any pipe, tube, trough or conduit into any Village wastewater line, except a duly authorized employee of the Village.
- g) No person shall interfere with the free discharge of any Village wastewater line or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any Village wastewater line or appurtenance thereof.
- h) The Village Foreman or his appointee shall have the right at all reasonable times to enter houses or other places which have been connected to Village wastewater lines, to ascertain whether or not any improper liquid or material is being discharged into the wastewater lines, and he shall have the power to stop or prevent from discharging into the wastewater system any private sewer or drain through which substances are discharged which are liable to damage or injure the wastewater systems or obstruct the flow of sewage.
- i) Where a public wastewater line or combined sewer is not available, the person requesting service shall connect the building to a private sewage disposal system, which shall comply with the provisions of this bylaw, all Provincial Plumbing Regulations and regulations of the Local Health Authority.

- j) 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 Village, under advisement, may direct.
 - k) All fees and costs for sanitary sewer bills rendered every two months are subject to the fees as per Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D').
- 2) PLUGGED SEWER CONNECTIONS:
- a) Should any person claim that any sewer service line between the street main and the property line is plugging because it is not laid according to good practice, the said person shall deposit with the Village the sum of two hundred (\$200.00) dollars. The Foreman or his appointee shall then be authorized to open the said sewer service line by any method he considers necessary.
 - b) Should the said sewer service line between the street main and the property line be found to be properly laid according to good work practice, the two hundred (\$200.00) dollar deposit shall be used to defray the costs incurred by the Village in opening the sewer line; plus the said person shall be liable to pay all costs incurred by the Village in opening the sewer line, over the two hundred (\$200.00) dollar deposit, upon receipt of an itemized account statement from the Village.
- 3) GENERAL PROVISIONS:
- a) The owner of any premises connected to a street main by a sewer service line, shall be required to keep the said sewer service line in operational condition at all times, and shall be fully responsible for the operation of the said sewer service line.
 - b) Where it is deemed expedient to prevent or reduce the flooding of basements or cellars connected to the municipal sewage system, the Village may require the owner to install and operate a suitable backwater valve or other mechanical device for the purpose of cutting off or controlling the connection between the sewage system and the cellar or basement where the installation of the said valve is required at the time of connection to the Village wastewater system, the cost of installation shall be the responsibility of the owner or applicant.

XI PLUMBING:

- 1) All plumbing works within the Village shall be done in strict accordance with the regulations under the Public Health Act of the Province of Alberta, and amendments thereto, and all other regulations of the Province of Alberta pertaining to plumbing, and amendments thereto, which regulations shall be considered as forming part of this bylaw as if incorporated herein.

XII WASTE COLLECTION, REMOVAL AND DISPOSAL:

- 1) The Village of Hay Lakes shall provide waste disposal services to persons owning residential land on the following conditions:
 - a) all persons shall be issued with two automated collection carts: one grey cart for garbage and one blue cart for composting. Recycling containers shall be the responsibility of the homeowner.
 - c) all persons shall pay the Village the waste disposal charges as set out in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D');
 - d) all persons shall be billed in accordance with Section 14 of this bylaw.
- 2) Only existing Commercial businesses utilizing residential garbage pick-up in the Village of Hay Lakes shall be subject to the following terms for residential waste disposal services.
 - b) all existing businesses utilizing residential garbage pick-up shall be issued with two automated collection carts: one grey cart for garbage and one blue cart for composting. Recycling containers shall be the responsibility of the business owner.
 - a) all existing commercial businesses shall be provided with one (1) collection per week;
 - b) the commercial businesses currently receiving residential garbage pick-up shall pay the Village the waste disposal charges set out in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D');
 - c) persons shall be billed in accordance with Section 14 of this bylaw;

- d) the commercial businesses requiring additional service will be responsible to provide a bin and deal directly with the Contractor and pay the additional service and landfill costs.
- 3)
- a) Clippings from shrubs and trees shall be completely and securely tied in bundles and shall not be more than 1.2 meters in length and not weighing more than 30 kilograms, and shall be placed alongside the container for removal.
 - b) The householder shall be required to keep garage containers out of sight from the street, bringing them to the street on the day of garbage collection and removing them within 24 hours.
 - c) No person shall dispose of any litter on public or private property, unless he disposes of it in a container placed for the purpose of collecting it.
 - d) Any bin which is deemed by the Public Works Manager or their designate to have been damaged by the Contractor during the collection of waste will be replaced by the Village at its cost.
 - e) Any bin which is damaged, lost or stolen by any party, person or event other than as outlined in 3€ will be replaced by the Village with the cost being absorbed by the owner of the premises in advance and at the cost of the replacement bin.
 - f) When premises are sold, the bin shall remain at the premises.

XIII RECYCLING/COMPOSTING SERVICE:

- 1) Every consumer shall have full access to all recycling/composting services and facilities offered by/through the Village of Hay Lakes;
- 2) Every person shall pay to the Village the recycling/composting charges as set out in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D');
- 3) Every person shall be billed in accordance with Section 14 of this bylaw;
- 4) For the purposes of facilitating the recycling of materials, composting or accommodating the disposal requirements of the Collector, Recycle and Compostable Waste must be segregated for separate collection and disposal.
- 5) All recycle waste shall be placed into an appropriate recycling container.

- 6) All compostable waste shall be placed into an approved compostable container.

XIV UTILITY BILLING:

- 1) All billings shall be for a two month period, with the first period in each billing year being January and February. The Utility Bill shall be mailed no later than the 12th day of the month immediately following the billing period. Receipt of the Utility Bill is deemed to be the third business day after the mailing date. Payment of the Utility Bill is due, in full, upon receipt.
- 2) No late payment penalty will be assessed on amounts owing until the close of business on the 6th day of the month immediately following the month in which the bills were sent.
- 3) In the event that the utility bill shall remain unpaid after the date in Paragraph 2 above, a penalty shall be added to the outstanding balance, and shall become part of the amount which shall be due and payable to that date.
- 4) If the outstanding amount remains unpaid, after the time has lapsed in Paragraph 2 above, a disconnection notice in the form of a door hanger will be served on the property (where accessible) the following working day advising disconnection will take place in 48 hours if payment is not received in full. The notice shall also advise that If payment is not received by the Village Office by the date and time requested, the water service shall be disconnected without any further notice to the user. No disconnections shall take place on Fridays but will be deferred to Monday.
- 5) Reinstatement of water services will commence only after all outstanding amounts and a re-connection fee as set out in Bylaw Bylaw 06-2019 - Rates; Fees & Fines Bylaw (Schedule 'D') has been paid.
- 6) The following charges from this bylaw shall appear on each billing: water, wastewater, garbage, recycling and late payment penalties.
- 7) All payments shall be made at the Village Office at 115 Main Street, or by mailing to the Village of Hay Lakes, Box 40, Hay Lakes, Alberta T0B 1W0. Payments may also be made at any financial institution that accepts the Village's corporate creditor identification number for processing of bill payment, or via internet or phone banking systems.
- 8) In the event that persons do not comply with the terms and conditions as set out in this bylaw, the utility services to the property concerned may be disconnected.

XV PENALTIES:

- 1) Any person who violates a provision of this bylaw is guilty of an offence and liable upon summary conviction to a fine of not more than one hundred (\$100.00) dollars, unless another or different penalty is specifically provided for in this bylaw, exclusive of costs and in each and every case of default of payment, said person shall be liable to imprisonment for a period not exceeding thirty (30) days unless the fines and costs be sooner paid.

XVI FORCE AND EFFECT:


- 1) Village of Hay Lakes Bylaw #05-2018 in this regard is hereby rescinded.
- 2) Bylaw #05-2019 comes into full force and effect June 17th, 2019.

READ A FIRST TIME THIS 21st day of June, 2019

PUBLIC HEARING HELD THIS 21st day of June, 2019

READ A SECOND TIME THIS 21st day of June, 2019

READ A THIRD AND FINAL TIME THIS 21st day of June, 2019



K. Shannon Yearwood
Chief Administrative Officer



Dawn Pauls
Mayor