

A BYLAW OF THE TOWN OF MORINVILLE, IN THE PROVINCE OF ALBERTA, TO SET FORTH THE TERMS AND CONDITIONS FOR THE SUPPLY OF WATER.

**WHEREAS**, the *Municipal Government Act* gives Council the authority to set forth the terms and conditions for the supply of water from its water distribution system;

**AND WHEREAS**, the *Municipal Government Act* also provides municipal Councils with the authority to impose fines and penalties for infractions of municipal bylaws.

**NOW THEREFORE**, the Municipal Council of the Town of Morinville, Alberta, duly assembled, hereby enacts as follows:

0	BYLAV	<u>N TITLE</u>		
	1.1	_This Bylaw <del>mayshall</del> be cited as the <del>, "Town of Morinville</del> _"Water Utility Bylaw <del>",</del> ".		Formatted: Font: +Bod
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2.0	<del>1.0</del>	-DEFINITIONS	$\mathcal{N}$	Formatted: Font: +Bod
	_			Formatted: Font: +Bod
	2.1	"Chief Administrative Officer" or "CAO" means the Chief Administrative Officer (CAO) of the Municipality appointed by pursuant to s. 205 of the Council of Morinville, Alberta, Act or an	$(\Lambda)$	Formatted: Body Text, numbered + Level: 2 + N 1 + Alignment: Left + Ali
		employeethe designate of the municipalityChief Administrative Officer;	// //	cm + Indent at: 2.54 cm
			<b>1</b> 11   `	Formatted: Font: +Bod
	2.2	"Cross Connection" means any permanent or temporary piping arrangement that allows or		Formatted: Font: +Bod
		may potentially allow the Water System to be connected to a contaminant or non-potable source.		Formatted: Body Text, 1 + Numbering Style: 1, Left + Aligned at: 0 cm 1.27 cm, Pattern: Clear,
	<u>1.1</u> 2.3	Customer" means any Person that receives water services or other services related to or	, IMI	at 1.27 cm
		incidental to the water services, and also includes any Person acting as designated by the-	\ ∭\	Formatted: Font: +Bod
		Chief Administrative Officer.an agent or representative of a Customer, as well as an Owner	$\setminus \parallel$	Formatted: Font: +Bod
		of property to which water services are being delivered.		Formatted: Font: +Bod
			<u> </u>	Formatted: Font: +Bod
	<del>1.2</del> 2.4	<b>"Inspector"</b> means the CAO or the individual(s) designated or appointed by the CAO,	<u> </u>	Formatted: Font: +Bod
		including a Peace Officer;	$ \setminus $	Formatted: Font: +Bod
	<del>1.3</del> 2.5	<b>"Municipal Government Act</b> " <u>or "MGA"</u> means the Municipal Government Act, RSA 2000		Formatted: Outline nun 1, 2, 3, + Start at: 1 + cm + Tab after: 2.54 cm
	1.42 6	Chapter M-26 as amended or legislation substituted therefor;		Formatted: Outline nun 1, 2, 3, + Start at: 1 + cm + Tab after: 2.54 cm
	1.42.0	Division operating within the organizational structure of the Town of Morinville;	$\backslash$	Formatted: Outline nun 1, 2, 3, + Start at: 1 + cm + Tab after: 2.54 cm
	<del>1.5</del> 2.7	<u>"Owner or Property</u> Owner" (pursuant to Section 1.1(u) of the MGA and any amendments made from time to time) means:	$\backslash$	<b>Formatted:</b> Outline nun 1, 2, 3, + Start at: 1 + cm + Tab after: 2.54 cm
		1.52.7.1in respect of unpatented land, the CrownsCrown,1.52.7.2in respect of other lands, the personPerson or Persons who is registered under the Land Titles Act as the owner(s) of the Fee-Simple Estate in the land, and		Formatted: Outline nun 1, 2, 3, + Start at: 1 + cm + Tab after: 2.54 cm
		1.52.7.3 in respect of any property other than land, the personPerson or Persons in		
		lawful possession of it.	1	Formatted: Font color:
	<del>1.6</del> 2.8	<b>Peace Officer"</b> means a member of the Royal Canadian Mounted PolicePeace Officer as	X	Formatted: Outline num 1, 2, 3, + Start at: 1 +

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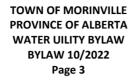
	defined in the Peace Officer Act, a Bylaw Enforcement Officer, or a Special Constable	Formatted: Font color: Text 1
	appointed pursuant to provisions in the current by the Municipality, a designated officer as	Formatted: Font color: Text 1
	defined by the Municipal Government Act, or a Police Officer as defined in the Police Act-of	Formatted: Font: Italic, Font color: Text 1
	Alberta;_	
<u>1.7</u> 2.9	"Person" means an individual, association, partnership, body corporate, Municipal	Formatted: Outline numbered + Level: 2 + Numbering Styl
	Corporation, provincial or federal agency, and the heirs, executors, administrators or other	1, 2, 3, + Start at: 1 + Alignment: Left + Aligned at: 1.27
	legal representative of a person, or an agent or employee thereof.	cm + Tab after: 2.54 cm + Indent at: 2.54 cm
2 10	-"Private Waterworks" means, in whole or in part, any pipe, fixture, valve, or other works	Formatted: Indent: Left: 1.27 cm, First line: 0 cm, Pattern Clear
2.10	contained within the limits of a parcel of land or private right-of-way, crossing, or	
	encroachment, purposed for providing water to or within a property or premises but	
	excluding any water infrastructure owned by the Municipality.	
	excluding any water initiastracture owned by the manicipancy.	
2.11	"Service Connection" means the piping extended from a main line up to the property line	
	which primary purpose is to provide utility servicing to a private property.	
2.12	"Service Connection Fee" means the fee, outlined in the Fees and Charges Bylaw, payable	
	to the Municipality to support the field inspection of the Service Connection Point tie-in	
	work to ensure it meets the Municipality's Municipal Design Standards.	
.13	"Service Connection Point" means the point where a service connection owned by the	
	Municipality and forming part of the waterworks system physically connects to Private	
	Waterworks (which will ordinarily, but not necessarily, be a point at or near an Owner's	
	property line and typically designated by the curb stop valve);	
<del>1.8</del> 2.14		
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<u>0</u> 2.14	issued by a Peace Officer believes that apursuant to the Municipal Government Act.	Formatted: Don't add space between paragraphs of the
<del></del>	issued by a Peace Officer believes that apursuant to the Municipal Government Act. person has contravened any provision of this bylaw, he/she may	Formatted: Don't add space between paragraphs of the same style, Outline numbered + Level: 2 + Numbering Style
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The User shall apply to the Town at Town Office for the supply of water. An account must be

Mayor

CAO

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<ul> <li>2.2 No Guarantee of Continuous Supply</li> <li>2.17 2-2-1 — "Water Meter" means the apparatus that conducts the measurement of the volume of water flowing through a system and includes all parts necessary. Including the remote meter reading device which stores data and allows for transmission of data to a remote reader.</li> <li>2.18 "Water System" means in whole or in part, the network of pipes, facilities, and other works owned by the Municipality, purposed for the storage, transmission, and distribution of potable water or water for fire suppression, including but not limited to any water main, water service up to the Service Connection Point, valves, curb stops, Water Meter, or hydrants but excluding any Private Waterworks.</li> <li>3.2 The Water System is intended to distribute potable water for consumption within the Municipality and to supply water for fire suppression.</li> <li>3.1 The Water System is intended to distribute potable water for consumption within the Municipality and to supply water for fire suppression.</li> <li>3.2 No Person shall use water from the Municipality's Water System, unless: <ul> <li>a) The water first passes through a Municipality owned water meter with an active utility account;</li> <li>b) The water is used for construction purposes;</li> <li>c) The water is used for construction purposes, and the construction company has approval for its use; or</li> <li>e) The Municipality has provided written permission to take or use water from the Municipality's water services or Guality of water, and the Municipality reserves the right to change the operating pressure, restrict the availability of water services or to disconnect water services, in whole or in part, with or without notice, in accordance with this Bylaws,</li> </ul> </li> <li>3.3 The Municipality dees not guarantee or warrant the continuous supply of water services or Guality of water, and the Municipality reserves are or disconnect water services, in whole or in part, with or without notice, in accordance with</li></ul>		water consumed as estimated by the Town.
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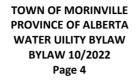
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#### 4.0 OWNERSHIP, OPERATION, MAINTENANCE, AND REPAIR OF WATERWORKS

- 4.1 The Municipality remains the owner of all Water System infrastructure necessary to provide water services to Owners, up to and including the Service Connection Point, unless a written agreement between the Municipality and the Owner specifically provides otherwise. Payment made by an Owner for costs incurred by the Municipality installing facilities does not entitle the Owner to ownership of any such facilities unless a written agreement between the Municipality and the Owner specifically provides otherwise.
- 4.2 Water Meters on private property remain the property of the Municipality.
- <u>4.3</u> All other items on an Owner's property including all pipes, valves, privately-owned meters, fixtures, private hydrants, and other items attached to the Water System, are considered Private Waterworks and shall be the property of the Owner.
- 4.4 An Owner shall be responsible for the installation, inspection, repair, and maintenance of all Private Waterworks.
- 4.5 An Owner shall be responsible for the care and protection of the curb stop or water valve for their service line and ensuring it remains visible and accessible for the Municipality to operate.
- 4.6 An Owner shall be responsible for the general care of the Municipality's Water Meter installed on the Owner's property, and shall take care to prevent damage from all sources including but not limited to:

<u>a) Frost;</u>

b) Heat; or

c) Physical damage.

- 4.7 The Owner must notify the Municipality if a Water Meter on that Owner's property has been damaged.
- <u>4.8</u> If a Water Meter is lost or damaged through any act or negligence of the Owner or occupant of a property, the Owner shall be liable to the Municipality for the cost of any removal, repair, replacement, and/or installation.
- 4.9 If a Water Meter ceases operation due to normal wear and tear, the Municipality will repair or replace them at no charge.
- 4.10No Person other than a Person authorized by the Municipality or this bylaw shall install, test,<br/>remove, repair, replace, tamper with, operate, or disconnect any part of the Water System<br/>owned by the Municipality.
- 4.11
   If the Municipality deems it necessary or in the public interest, the Municipality may inspect, maintain, repair, or construct a component of Private Waterworks or may assist an Owner in arranging such work. Such work or assistance shall not transfer responsibility for any Private Waterwork to the Municipality and the Municipality may enter into an agreement with the Owner to recover the cost of any such work or assistance.
- 4.12 Pursuant to this Bylaw, an Order may be issued to require the Owner of any Private Waterworks to, within a specified timeframe, repair, maintain, or disconnect any part of the Private Waterworks that is found to be in contravention of this Bylaw or preventing enforcement of this Bylaw.
- 4.13 No Person, except as authorized by the Municipality or this bylaw shall:
  - a) Operate, handle, or interfere with the Municipality's provision of water, or operation of the Water System;

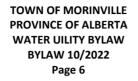
- b) Operate or interfere with the Municipality's curb stop valves, boundary valves, pipes, or other parts of the Water System;
- c) Impede access to the Water System.

#### 5.0 PROTECTION OF WATER SYSTEM

- 5.1 Every Person shall take all necessary measures to prevent any contaminant or non-potable substance from directly or indirectly entering the Water System.
- 5.2 No Cross Connections are permitted unless they are approved by the Municipality and comply with any terms and conditions at the Municipality's discretion.
- 5.3Any Owner that has any risk of contaminants entering the Water System through their<br/>Private Waterworks is required to install an approved backflow prevention device to the<br/>satisfaction of the Municipality and shall ensure the backflow preventer is designed,<br/>operated, and maintained according to applicable standards and industry best practices.
- 5.4The Owner is responsible to ensure all backflow preventers are tested annually by a<br/>certified testers and all non-testable devices are visually inspected. Copies of testing records<br/>shall be kept for two years and provided to the Municipality upon request.
- 5.5The Municipality shall have the authority to carry out any inspection by entering any land or<br/>structure, that is reasonable required to ensure compliance with this Bylaw and compliance<br/>with the Municipality's Water System operational practices including but not limited to:
  - a) Inspect and measure flow in any Private Waterworks;
  - b) Inspect and test any backflow preventer, bypass, external shut off valves, meters or other devices which controls or measures the flow from the Water System to a premises; and
  - c) Enter into and inspect an any land or structure where an incident has, or suspected to have occurred, and to sample and test any or all matter, materials, or equipment that could have reasonably have contributed to water contamination.
- 5.6 Any Person who is found obstructing access to the Water System shall immediately remove the obstruction and provide access upon request.
- 5.7 The Owner shall be responsible to provide access to the Municipality when required to conduct any authorized inspection or test under this Bylaw.

# 6.0 CONNECTING TO THE MUNICIPALITY'S WATER SYSTEM

- 6.1 All Owners whose property is adjacent to the Municipality's water main may request to connect to the Municipality's Water System.
- 6.2 All costs associated with connecting to the Municipality's Water System are the responsibility of the Owner.
- 6.3The Owner must obtain approval from the Municipality prior to any connection to the<br/>Water System. The Municipality has authority to dictate applicable Standards and impose<br/>conditions on the connection to the Water System.
- 6.4The Municipality will install, at the Owner's expense, the Water Meter required for the size<br/>of service, subject to water use verification. Should a specialty sized Water Meter be



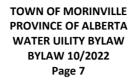
required due to the specifics of the development as determined by the Municipality, an agreement will be required to outline responsibilities for purchase, install, maintenance, operation, repair, and replacement.

- 6.5 The Municipality will allow for a single water service connection and single water meter for:
  - a) A principle dwelling unit;
  - b) A single commercial unit;
  - c) A single-inhabited industrial building;
  - d) Each unit in a side-by-side duplex;
  - e) Each unit in and up-and-down duplex;
  - f) Each unit in a row housing building;
  - g) Each entire apartment building;
  - h) Each entire multi-story commercial or industrial building;
  - i) Each unit in a side-by-side industrial or commercial building;
- 6.6 Upon application by the Owner of a multiple-unit building, the Municipality may conditionally approve on a case-by-case basis the installation of one water service connection and one water meter per unit in the building.
- 6.7 Where multiple service connections and multiple water meters are required or approved for a multiple-unit building, the Municipality may require that the water meters are placed in a common, clustered location.
- 6.8 For strata subdivisions, manufactured home communities, or similar developments, the Municipality will provide one service connection and one master Water Meter. It is the responsibility of the Manufactured Home Community, the condominium corporation, or owner of similar developments to distribute water to each site as they deem necessary. The Municipality may conditionally approve on a case-by-case basis that each site is serviced separately and in that event, a Development Agreement and Utility Right of Way is required.
- 6.9 The Owner may request that the Water Meter be moved to a new location. The Owner shall reimburse the Municipality for the cost of the move and shall be responsible for ensuring any required plumbing modifications are completed prior to the move and to the Municipality's standards.
- 6.10 The Owner shall apply to the Municipality for a utility account for the provision of water service. An account must be opened before water is used. Persons who use water without opening an account will be liable for the cost of water consumed as estimated by the 2.3 Services Municipality in addition to other enforcement of the contravention.
- 6.11The Municipality shall have the authority to dictate applicable standards for any part of the<br/>Private Waterworks system on a property between the Water System and a Water Meter.<br/>All components of the Private Waterworks shall be designed, constructed, operated, and<br/>maintained to the satisfaction of the Municipality.

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- 6.12 For large volume water connection requests, as determined by the Municipality, a water network analysis may be required to ensure that the reliability of the Water System's network will not be compromised and to determine if the Water System's capacity can accommodate the new development or increased demands. The Municipality may refuse connection to the Water System for any scenario which may compromise the reliability of the Water System or require the Water System to be upgraded prior to development. The cost of conducting this analysis will be borne by the Owner, unless agreed to otherwise by the Municipality.
- 6.13 The Owner shall pay a Service Connection Fee at the time of permit application. The Owner shall schedule an inspection with the Municipality when the new service line is being tied into the Municipality's water system. Acceptance of the site servicing connection is required prior to release of the damage deposit.
- 6.14 Where a water meter bypass line is warranted and approved by the Municipality, the bypass valve shall be sealed and may only be operated:
  - a) In case of an emergency;
  - b) By the Municipality; or

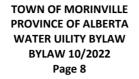
c) With written permission from the Municipality.

6.15Any Person who operates a water meter bypass in the event of an emergency must notify<br/>the Municipality of the operation within 12 hours of the start of the emergency.

# 7.0 METER READINGS

- 7.1 All Owners shall allow or arrange for access to the Water Meter by the Municipality's personnel or agents for purposes of obtaining readings, performing inspections, or conducting repairs or replacements, at all reasonable times.
- 7.2
   Water meter readings will be taken at the discretion of the Municipality but at minimum every two months.
- 7.3If access to a Water Meter cannot be obtained, or if the Water Meter ceases to operate, the<br/>Municipality may send a monthly utility bill with estimated water usage.
- 7.4Where, based on a subsequent actual Water Meter reading, the estimated water usage<br/>resulted in an overcharge, the overcharged amount will appear on the monthly utility bill as<br/>a credit to the customer. Where the estimated water usage resulted in an undercharge, the<br/>undercharged amount will appear on the monthly utility bill as an additional charge for<br/>which the customer is responsible.
- 7.5If a remote meter reading device and the property's Water Meter disagree, the WaterMeter shall be deemed to be correct.

# 8.0 METER TESTING



- 8.1 The Owner of a property may request that a water meter on a property be tested for accuracy.
- 8.2 The Municipality will arrange and schedule a test requested under this section.
- 8.3 If a test under this section reveals that the Water Meter is between 95% to 100% accurate the Owner that requested the test shall be liable to the Municipality for the cost of the test, including any 3<sup>rd</sup> party testing costs and the Municipality's costs.
- 8.4 If a test under this section reveals the water meter is reading with less than 95% accuracy, the water meter shall be repaired or removed from inventory and the Municipality shall apply a volumetric adjustment on their next monthly bill based on the estimate the number of cubic meters of water used by the Owner based on a method the Municipality finds fair and equitable. Any volumetric adjustments shall be limited to the previous two months from when the date of the test occurred.
- 8.5 At any time, the Municipality may inspect, replace, or test any meter on its own initiative. In such a case, no fee is charged to the Owner.

# 9.0 HYDRANTS

9.1 No Person shall take water from a public or private hydrant except:

a) For firefighting purposes;

b) In an emergency; or

c) With written permission from the Municipality.

9.2 The Owner may install a private hydrant on their property provided to Rentersthat;

- a) —A hydrant installed under this section may only be installed with written permission from the Municipality and under such conditions imposed by the Municipality.
- b) The Owner must ensure hydrants are regularly inspected and maintained in accordance with Insurance Bureau of Canada's "Water Supply for Public Fire Protection in Canada" (latest version) and any industry best practices.
- c) Maintenance related records shall be kept for 2 years and copies must be submitted to the Municipality upon request.
- d) Notify the Municipality in advance of any planned flow of water from the hydrant and within 30 minutes following any unplanned flow.
- 9.3 No Person shall obstruct access to a fire hydrant or a hydrant isolation valve.
- 9.4 No Person shall construct, erect, place, or plant anything within 1.0m to all sides or above a fire hydrant or hydrant isolation valve.
- 9.5 The Owner of a property on which a hydrant or hydrant isolation valve is located or abutted to shall maintain clearance of vegetation and obstructions within 1.0m on all sides of and above that hydrant and hydrant isolation valve.

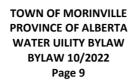
## 10.0 ACCOUNTS AND CHARGES

- 10.1The rates and charges to be charged for water services shall be set out from time to time in<br/>the Fees and Charges Bylaw.
- 10.2 All water service fees and charges will be set out in the monthly utility bill.

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<u>10.3</u>	Owners applying or re-applying for a new account will be subject to a connection fee as set		
	out in the Fees and Charges Bylaw.		
<u>10.4</u>	If water service has been disconnected for non-payment of an account at one location, the Municipality may discontinue water service to the same Owner at another location. A		
	reconnection fee must be paid prior to reconnection of water service following payment of all arrears.		
10.5	An account must be opened before the Municipality's water service is provided. An account		
10.5	will only be opened with the Owner of the property, subject to the following:		
	a)Services being provided to renters prior to July 1, 2016 will remain in effect until one of	F	prmatted: Font: Not Bold
	the following conditions are met:	$\sim$ $\geq$	prmatted: Body Text, Justified, Space After: 6 pt, Outline
	<u>1.1.a.110.5.a.1</u> There has been a disconnection of water supply for account arrears	1	Imbered + Level: 3 + Numbering Style: a, b, c, + Start at: + Alignment: Left + Aligned at: 2.75 cm + Indent at: 3.39 n, Pattern: Clear, Tab stops: Not at 2.54 cm
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	<ul> <li>i)<u>10.5.a.2</u> When the renter vacates</li> <li><u>1.1.a.210.5.a.3</u> A tenant is in arrears past 120 days and there are not</li> </ul>	+++	<b>prmatted:</b> Space After: 12 pt, Outline numbered + Level: 4 Numbering Style: 1, 2, 3, + Start at: 1 + Alignment: Left Aligned at: 3.81 cm + Tab after: 5.08 cm + Indent at:
	separate shut off valves in a multi-occupied building	5.	08 cm, Tab stops: Not at 2.54 cm
	separate shar on valves in a mara occupied building		
	If any of the above conditions occurs, the responsibility for all utilities will thereafter be the 🕂	Fc	ormatted: Space After: 6 pt
	responsibility of the registered owner of the property and Owner and if not applied to any		
	arrears or other outstanding amounts, any deposit held on renter accounts will be refunded		
	to the tenant. A previous tenant's utility arrears are not required to be paid in order to		
	open an account in the owner's <u>Owner's</u> name and will not be the responsibility of the owner <u>Owner</u> . Any tenant arrears will be sent to collection.		
	In all cases after July 1, 2016, the property ownerOwner shall be liable for the cost of utilities supplied to a property, regardless of whether the property is occupied by the ownerOwner or a tenant.		
<del>2.4</del>	Meter and Outside Register		
	The User shall provide on the land or premises a suitable place for a water meter and the		
	outside register and shall be responsible for the safekeeping of the water meter and outside		
	register; any damage resulting from frost, heat, overheating of water, or damage from- neglect by the User will be charged to the User. The User shall provide on the service piping-		
	a control valve of approved pattern. This control valve shall be so placed that the supply of		
	water can be shut off prior to entering the water meter. The User shall not draw water from		
	the service piping in advance of the meter.		
<del>2.5</del>	Piping and Fixtures		
	The User shall keep their service piping and all fixtures connected thereto in good repair-		
	and well protected, at their own expense. The Town will not be responsible for any piping-		
	beyond the service connection.		
<del>2.6</del>	Access for Readings and Inspections		
	All Users shall allow or arrange for access to the water meter and outside register by the-		
	Town's personnel for purposes of obtaining readings, performing inspections, repairs,		
	checking of service piping at all reasonable times.		

#### 2.7 Damage to seals

- The User shall prevent any damage to seals of whatever nature installed on the water meter and outside register and shall pay charges to the Town as set out in the Town of Morinville-Fees & Charges Bylaw thereto, for damage to seals.
- 2.8 Illegal Use of Water

The User shall in no way attempt to obtain water from the connection through bypasses by the water meter, or tamper with the water meter or outside register in order to alter the readings shown thereon or in any way fraudulently obtain water from the Town. As such there shall be no water equipment or device between the service piping and the watermeter such as water softeners, iron filters, etc.

2.9 Damage to Water Meter and Register

— Any damage caused to meters and outside register through abuse, tampering, freezing or hot water shall be considered the responsibility of the User. The damage will be repaired and/or the meter and/or outside register replaced by the Town and all costs and expenses involved therein shall be charged to the account of the User.

2.10 Accuracy Testing

The User may request the Town to test the water meter for accuracy. If the results of the accuracy testing of the meter falls within the allowable range of 95% to 105%, the User shall be liable to the Town for the full costs of the test, including any Town costs, and the costs will charged to the account of the User.

If a meter is tested and found to record outside the allowable range, testing costs will notbe passed on to the user and the Municipality may estimate the number of cubic meters ofwater used by the User based on a method the Municipality finds fair and equitable. Anyassessment of out of tolerance volume usage shall be limited to the previous two monthsfrom when the date of the test occurred.

#### 2.11 Water Rates

The User shall pay to the Town the water distribution charges as set out in the Townof Morinville Fees and Charges Bylaw.

- 2.12 Estimated Consumption
- Should a meter cease to operate between meter readings period, billing of the account willbe done on an estimated consumption for the period. This estimate will be based onpreviously obtained consumption figures.
- 2.13 Readings and Billings

The Town shall take readings from the water meters on a monthly basis. The utility bill, based on consumption of water in accordance with the rates set out in the Town of Morinville Fees and Charges Bylaw hereto, shall be mailed or emailed every month to allusers. Payment of the amount shown shall be made within TWENTY (20) days following the-

date the utility bill is mailed. Payment can be made at Town Hall during regular hours of operation. Payment may also be made on line, telephone banking, most financialinstitutions in Canada or through pre-authorized payment plan. Failure to receive a utilitybill shall in no way affect the liability to pay the account.

#### 2.14 Penalty

- 10.6As a condition of providing water service the Municipality may require a guarantee<br/>deposit from the Owner in the amount of three consecutive billing periods, as determined<br/>by the Municipality. The guarantee deposit must be made in the form of acceptable to the<br/>Municipality. If a guarantee deposit has been provided under this section and is not<br/>otherwise applied to outstanding arrears or other amounts owing, upon discontinuance of<br/>service, the deposit shall be returned to the Owner within 30 days of the last date of service<br/>including simple interest on the daily balance of any cash deposit at an interest rate<br/>applicable to such payments specified under the Residential Tenancies Act.
- 10.7 In the event that such utility bill shall remain unpaid after TWENTY (20) days following the date upon which the utility bill was mailed, there shall be added by way of penalty an amount as set out in Schedule "A" being attached hereto and forming part of this Bylaw. The said of two and one half percent (2.5%) of the unpaid current utility bill. Said penalty shall be added to and shall form part of the unpaid utility bill.
- 2.14.110.8 In the event any utility charges shall remain unpaid after the penalty date, the TownMunicipality may take any or all of the following actions to recover:
  - <u>A</u>Written notice of arrears requesting payment, including authorizing appropriate payment arrangements
  - •b) Disconnection of water service, applying any deposit held by the TownMunicipality and imposing a re-connection fee prior to re-establishing water services <u>once all arrears</u> have been satisfied
  - •c)\_Adding the outstanding account balance to the ownersOwner's Property Tax Roll
  - •<u>d)</u>By action, in any court of competent jurisdiction

#### 2.15 Authority

The Town has the authority to complete general maintenance and/or management and operation of the waterworks system.

2.16 Discontinue Service

In the event the User does not comply with the regulations as set out in this Bylaw, the Town of Morinville shall be authorized to turn off the water supply to the property concerned. If water service has been disconnected for non-payment of an account at onelocation, the Town may discontinue water service to the same consumer at anotherlocation. A reconnection fee must be paid prior to reconnection of water service.

The Town of Morinville may disconnect or shut off the water supply to a property if the water system requires repair or maintenance or if the CAO, or designate, believes an-

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emergency exists. In either event, a reasonable attempt will be made to provide notice tothe owner of the property. If the water service was disconnected due to no fault of the-User, a reconnection fee will not be charged.

2.17 Manufactured Home Park

Unless otherwise noted within a signed development agreement with a manufacturedhome community, the Town shall supply water to a master meter vault only. It will then bethe responsibility of the landowner of the manufactured home community to distribute this water to each site as they deem necessary. Only one invoice shall be issued to thelandowner of the manufactured home community for the total water consumed by themanufactured home community.

2.18 Remote Reading Devices

All buildings which require water meters, and for which Building Permits are issued after-March 1, 2006 shall have provision on the outside of the building in a convenient locationbetween five (5) and six (6) feet above grade at the front or no more than five (5) feet fromthe front of the building if on the side nearest the driveway, a place for installation of aremote reading device by the Town and for this purpose the user shall install a minimumtriple 18 electrical wire in accordance with appropriate regulations from the place of thewater meter to the place of the remote reading device.

Any user shall be responsible for damage to the meter and remote reading device, which may result from other than normal wear and tear.

Any consumer requesting the installation of a remote reading device on their premises will be required to comply with the above regulations and shall be responsible for the installation of the wiring, purchase and installation of the meter, and the payment to the Town for the remote reading device. Ownership of the meter and remote reading deviceand any apparatus thereto remains with the Town.

— The Town does not assume any responsibility for any damages to the premises due to the installation of such wiring. The Town will install the remote reading device on the outside of the premises. All other conditions of the remote reading device shall apply.

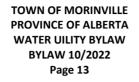
2.19 Water for Construction

#### 11.0 \_\_\_\_\_A personCONSTRUCTION WATER

11.1 A Person who has received a building permit for a property and who wishes to receive a temporary supply of water for construction and the testing of fixtures on that property may apply through the Planning and Development department to receive a supply of water from the TownMunicipality subject to rates as outlined in the Town of Morinville Fees and Charges Bylaw. The fee must be paid in full at the time that the application is submitted to the TownMunicipality. Construction water is for use in building activities only, in reasonable quantities, and a water meter must be installed prior to use of water for the purposes of landscaping and grading activities such as seeding, sodding, compaction, or other similar uses.

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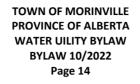


- a) <u>3.0</u> <u>Construction water shall be used only for the purposes as requested by the applicant and shall not be misused, resold, or wasted.</u>
- b) Access to temporary construction water may be revoked at the discretion of the Municipality.
- c) Access to construction water is valid only during the period of the Building Permit up to a maximum of 12 months, after which the Person must re-apply for construction water.

# 12.0 DISCONNECTING WATER SERVICE

- 12.1 The Municipality may disconnect or shut off the water supply to a property if:
  - a) The Owner fails to open an account;
  - b) The Municipality believes an emergency exists;
  - c) The property's Private Waterworks are unsafe, defective, leak excessively, or cause contamination or risk of damage to Municipal infrastructure or private property;
  - d) The Owner fails to comply with Water Demand Management Measures;
  - e) The Owner fails or refuses to rectify a water wasting problem;
  - f) The Water System requires repair or maintenance which necessitates a disconnection;
  - g) Any appurtenance on private property carries the potential to harm, cause overpressure to, or otherwise creates potential to damage the Municipality's Water System in any way;
  - h) The Owner fails to provide the Municipality adequate access to the Water System on the property for the purpose of performing Water Meter readings or inspections;
  - i) Any utility fees or charges or other amounts are not paid to the Municipality within the time periods prescribed by this Bylaw;
  - j) The Owner or occupant of the property is otherwise in contravention of this Bylaw; or
  - k) In the opinion of the CAO, it is reasonable to do so.
- <u>12.2</u> If the Municipality intends to disconnect or shut off the water supply in a non-emergent situation, the Municipality must provide reasonable notice to the Owner.
- 12.3If a property is disconnected or had water shut off through fault of the Owner, a<br/>reconnection fee shall apply as set out in the Fees and Charges Bylaw.
- 12.4 If a service is disconnected at no fault to the Owner, a reconnection fee shall not be charged.
- 12.5 The Owner(s) may request temporary water shut off provided:
  - a) The Owner(s) pays any costs incurred with the shut off;

b) The Owner(s) pays any costs incurred with the restoration of service.



- c) If the service connection remains shut off for more than twenty-four months it will be considered permanently abandoned and shall be permanently disconnected from the Water System at the Owners cost and in the manner acceptable to the Municipality. All costs related to providing a new service connection will apply.
- The Owner(s) who wishes to permanently disconnect from the Municipality's Water System 12.6 must, at the Owner's cost:
  - a) Apply to the Municipality in writing for authority to disconnect;
  - b) Remove the connection in a manner acceptable to the Municipality;
  - c) Comply with any other requirements set out by the Municipality.
  - d) Allow the removal of any Municipality owned facilities from the property.
- A request for a temporary or permanent water disconnection may only be made by the 12.7 <u>Owner.</u>

# 13.0 WATER DEMAND MANAGEMENT MEASURES

\_3.1 — The CAOMunicipality may, at such times and for such lengths of time as is 13.1 considered necessary or advisable, implement Water Demand Management Measures; as outlined in Schedule "BA" of this Bylaw, which restrict water usage to any or all parts of the

TownMunicipality. The CAOMunicipality may impart measures to restrict, regulate or prohibit outdoor water use for any purpose other than for firefighting.

- \_All Water Demand Management Measures shall be duly advertised by use of local-3.213.2 media, printed or otherwise, prior to effect, unless in the event of an emergency which measures may be declared to be effective immediately;
- \_No personPerson shall contravene the terms or conditions of any Water Demand <del>3.3</del>13.3 Management Measures without first obtaining written authorization from the TownMunicipality; and
- Water Demand Management Measures may be requested by the Regional Water Customer-Group; however, direction for implementation within the municipality will be given by the CAO.
- \_During such periods as the CAOMunicipality may designate: <del>3.5</del>13.4
  - a) 3.5.1 No personPerson or ownerOwner shall use, permit, or allow to be used, any water supplied to any premises, the numerical address of which (excluding street name) ends in odd number, for vehicle washing, lawn watering or other irrigation purposes on any day of the month which is an even number; and
  - b) <u>3.5.2</u> No person Person or ownerOwner shall use, permit, or allow to be used any water supplied to any premises, the numerical address of which (excluding street name) ends in an even number for vehicle washing, lawn watering, or other irrigation purposes, on any day of the month which is an odd number.

#### 4.0 WATER CONSERVATION MEASURES 14.0

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4.1 Water efficient plumbing fixtures

4.1.1 All new construction, development, renovation, retrofitting or restoration ofresidential, commercial, institutional, industrial or municipal buildings are requiredto have water efficient plumbing fixtures which Under the National Plumbing Codeadopted by Alberta, every fixture must conform to Canada Standards Association-(CSA) standard B45.0 General Requirements for Plumbing Fixtures and everyplumbing faucet to CSA standard B 125-98 Plumbing Fittings, as applicable. Thefixture should have the CSA mark prominently stamped on it or on the package, or itmust have an identifying mark from a testing agency recognized by the Standards-Council of Canada.

4.1.2 Notwithstanding section 4.1.1, all toilets must be low flush or dual flush toilets rated 6 Liters per flush (Lpf) or less.

14.1 <u>5.0</u><u>No Person shall waste water by means of excessive use of water for non-human</u> consumption, over and above the daily requirements for normal use.

# 15.0 ENFORCEMENT

- 15.1 A Person who contravenes any provision of this Bylaw is guilty of an offence.
- <u>15.2</u> Where a contravention of the Bylaw is of a continuing nature, each day such contravention continues shall constitute a new and separate offence.
- 15.3A Person who is guilty of an offence under this bylaw is liable on summary conviction to a<br/>fine not exceeding \$10,000 or to an order of imprisonment for not more than one year, or<br/>both, but shall at minimum be liable for:

a) To a fine in an amount of \$1,000 for a first offence under this Bylaw;

b) To a fine of \$2,500 for each subsequent offense beyond a first offence; or

- <u>15.4</u> A Peace Officer may issue, with respect to an offence under this Bylaw, a Municipal Violation Tag specifying the fine amount established by this Bylaw.
- <u>15.5</u> Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.
- <u>15.6</u> A Peace Office may issue, with respect to an offence under this Bylaw, a Violation Ticket:<u>a)</u> Specifying the fine amount established by this Bylaw; or
  - b) Requiring an appearance in court without the option of making voluntary payment.
- 15.7Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specifiedfine amount may be made as directed.
- <u>15.8</u> A Person shall not obstruct or hinder any Person in the exercise or performance of the Person's powers pursuant to this bylaw.

#### 16.0 POWERS OF THE CAO

- 16.1 Without restricting any other power, duty, or function granted by this bylaw, the CAO may:
  - a) Establish standards and guidelines for the purposes of design and construction;
    - b) Carry out any inspections to determine compliance with this bylaw;
    - c) Take any steps or carry out any actions required to enforce this bylaw;
    - d) Take any steps or carry out any actions required to remedy a contravention of this bylaw;
    - e) Establish areas where activities restricted by this bylaw are permitted
    - f) Establish forms for the purpose of this bylaw;
    - g) Issue approvals with such terms and conditions as are deemed appropriate;
    - h) Establish the criteria to be met for approval to be issued pursuant to this bylaw;
    - i) Waive or vary any Fee payable pursuant to this bylaw; and
    - j) Delegate any powers, duties, or functions under this bylaw.

# 17.0 SEVERABILITY

<u>17.1</u> If any Section or Sections of this Bylaw or parts thereof of this Bylaw are found in any court of lawcompetent jurisdiction to be illegal or beyond the power of Council to enact, such

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Section or Sections or parts thereof shall be deemed to be severable and all other sections or parts thereof shall be deemed to be severable and all other Sections or parts of this Bylaw shall be deemed to be separate and independent there from and to be enacted as such.

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#### **COMING INTO FORCE**

That Bylaw 10/<del>2021</del>2022 is hereby rescinded when repealed.

This Bylaw 10/2022 shall come into full force and effect when it receives third and final reading and is duly signed.

READ for a first time on the 6<sup>th</sup>XX day of December, 2022XXXX, 2024.

READ for a second time on the 10<sup>th</sup>XX day of January, 2023XXXX, 2024.

READ for a third time on the 10<sup>th</sup>XX day of January, 2023XXXX, 2024.

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Simon Boersma Mayor

Naleen Narayan Chief Administrative Officer

# Schedule "A"

# 1.0 PENALTIES

1.1—Two and one half percent (2.5%) of unpaid current utility bill.

1.2 Unauthorized/illegal use of water under provision of this bylaw:

First offence:	<del>\$500</del>
Second offence:	<del>\$1,000</del>
Third and subsequent offences:	<del>\$2,500</del>

# 1.3 Continuing offences:

In the case of an offence that is of a continuing nature, a contravention constitutes aseparate offence in respect of each day, or part of a day, on which the offence continuesand any person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

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PROVINCE OF ALBERTA	Formatted: Header, Right: 0 cm, Pattern: Clear
WATER UILITY BYLAW	Formatted: Font: +Body (Calibri), 10 pt
BYLAW 10/2022	Formatted: Font: +Body (Calibri), 10 pt
<u>Bylaw XX/2024</u>	
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#### Schedule "B"

#### SCHEDULE "A" WATER DEMAND MANAGEMENT MEASURES

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Demand Measure "A" - Internal water restrictions only. No customer water restrictions **Formatted:** Tab stops: Not at 2.54 cm implemented.

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Trigger Mechanisms	When May Happen	X	Formatted: Font: Calibri, 12 pt
Water Demand Management Measure "A" is only typically implemented for local internal water restrictions. This measure "A" does not	Severe dry weather: 1. EPCOR notification per Water Supply Agreement. Demand prediction that EPCOR's	$\backslash /$	Formatted: Left, No widow/orphan control, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers, Tab stops: 2.54 cm, Left
affect residents/customers. Internal water restrictions only. No customer water restrictions	reservoirs will be below 35% within the next 10 days.		Formatted Table
implemented.	2. RWCG Water Management of the highest 5	۱ ۱	Formatted: No widow/orphan control, Don't adjust space
inplotioned .	days or a minimum of 3 RWCG member reservoir levels are predicted to be below 65%	$\checkmark$	between Latin and Asian text, Don't adjust space between Asian text and numbers, Tab stops: 2.54 cm, Left
	within the next 24 hours		Formatted: Font: Calibri, 12 pt, Bold
Steps	Responsibilities	9)	Formatted: No widow/orphan control, Don't adjust space
RWCG (Control Room) to determine draw rates for the RWCG Members and adjust /	Chair of the RWCG Technical Committee or designate		between Latin and Asian text, Don't adjust space between Asian text and numbers, Tab stops: 2.54 cm, Left
recommend system flow rates to members to		/////	Formatted: Font: Calibri, 12 pt, Bold
ensure consistent / equitable water supply		11 // `	Formatted: Font: Calibri, 12 pt
amount among all members. Morinville to suspend all non-essential potable	CAO through Morinville Public WorksMorinville's	1     [	Formatted: Font: Calibri, 12 pt
water use such as: - Water main flushing - Sewer main flushing	Infrastructure Services Department		Formatted: Left, No widow/orphan control, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers, Tab stops: 2.54 cm, Left
Firefighting training     Street sweeping     Parks irrigation,			Formatted: No widow/orphan control, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers, Tab stops: 2.54 cm, Left
Termination Mechanisms/Actions	Responsibilities	1	Formatted: Font: Calibri, 12 pt, Bold
EPCOR's forecast says high 5 days is over.	Chair of the RWCG Technical Committee or	$\langle     \rangle$	Formatted: Font: Calibri, 12 pt, Bold
RWCG reservoirs will recover to 80% capacity within the next 24 hrs. Received notification that emergency has passed.	designate_		Formatted: No widow/orphan control, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers, Tab stops: 2.54 cm, Left
Resume normal operations.	CAO through Morinville's Infrastructure Serives		Formatted: Font: Calibri, 12 pt, Bold
	<u>Department</u>		Formatted: Font: Calibri, 12 pt, Bold
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Schedule "B"

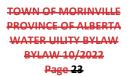
# SCHEDULE "A" WATER DEMAND MANAGEMENT MEASURES

Demand Measure "B" - Internal water restrictions and appeal to customers for voluntary water reduction.

Trigger Mechanisms	When May Happen
Water Demand Management Measure "B" is	Prolonged severe dry weather:
implemented to the rest of the RWCG members	1. EPCOR notification per the Water Supply
if 3 or more members are entering into this	Agreement. Demand forecasts predict EPCOR's
condition.	reservoirs will be below 35% within the next 5
	days.
	2. RWCG Water Management of the highest 5
	days or a minimum of 3 RWCG member
	reservoir levels are predicted to be below 50%
	within the next 24 hrs
Steps	Responsibilities
RWCG (Control Room) to determine draw rates	Chair of RWCG Technical Committee or
for the RWCG Members and adjust /	<u>designate</u>
recommend system flow rates to members to	
ensure consistent / equitable water supply	
amount among all members.	
All customers including industrial, commercial	<ul> <li>Morinville's Infrastructure Services</li> </ul>
and institutional, are asked to cooperate in	Department to issue notification to all
suspending all non-essential potable water use	customers.
in addition to demand measure "A" such as:	

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#### Schedule "B"

Watering lawns     Washing driveways and sidewalks     Filling pools or fountains	Corporate Operations to provide Bylaw enforcement as applicable.
Termination Mechanisms/Actions	Responsibilities
EPCOR's forecast says high 5 days is over. RWCG reservoirs will recover to 80% capacity	Chair of the RWCG Technical Committee or designate
within the next 24 hrs. Received notification that emergency has passed.	
Resume normal operations,	CAO through Morinville Public WorksMorinville's
	Infrastructure Servies Department provides notification to customers.

Demand Measure "B" - Internal water restrictions and appeal to customers for voluntarywater reduction.

Trigger Mechanisms	When May Happen
Water Demand Management Measure "B" is- implemented to the rest of the RWCG- members if 3 or more members are entering- into this condition	Prolonged severe dry weather: 1. EPCOR- notification per the Water Supply Agreement. Demand forecasts predict EPCOR's reservoirs- will be below 35% within the next 5 days 2. RWCG Water Management of the highest 5- days or a minimum of 3 RWCG member reservoir levels are predicted to be below 50% within the next 24 hrs
Steps	<b>Responsibilities</b>
RWCG (Control Room) to determine draw- rates for the RWCG Members and adjust /- recommend system flow rates to members to- ensure consistent / equitable water supply- amount among all members.	Chair of RWCG Technical Committee or designate

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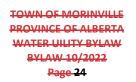
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#### Schedule "B"

All customers including industrial, commercial- and institutional, are asked to cooperate in- suspending all non-essential potable water use- in addition to demand measure "A" such as: 	<ul> <li>Morinville Public Works Department to- issue notification to all customers.</li> <li>Corporate Operations to provide Bylaw- enforcement as applicable.</li> </ul>
Termination Mechanisms/Actions	<b>Responsibilities</b>
EPCOR's forecast says high 5 days is over RWCG reservoirs will recover to 80% capacity- within the next 24 hrs. Received notification- that emergency has passed.	Responsibilities Chair of the RWCG Technical Committee or- designate-

Demand Measure "C" Complete water ban for both internal staff/departments and allcustomers-

> SCHEDULE "A" WATER DEMAND MANAGEMENT MEASURES

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#### Schedule "B"

Demand Measure "C" - Complete water ban for both internal staff/departments and all customers

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customers			Foi	matted: Font: Calibri, 12 pt	
Trigger Mechanisms	When May Happen		spa	matted: Left, No widow/orphan control, Don't ac ce between Latin and Asian text, Don't adjust spa ween Asian text and numbers, Tab stops: 2.54 cr	ce
Water Demand Management Measure C is	Prolonged severe dry weather, water		$\sim$	matted Table	II, LEIL
implemented to the rest of the RWCG members	system/reservoir failure, system contamination		, <u> </u>		
if 3 or more members are entering into this	1. EPCOR notification per Water Supply Agreement. Demand forecasts predict		$\searrow$	matted	(
condition.	EPCOR's reservoirs will be below 20% within		For	matted: Indent: Left: 0.09 cm	
	the next 3 days.		Foi	matted: Font: Calibri, 12 pt, Bold	
	2. RWCG water management of High 5 Day or		For	matted	[
	a minimum of 3 RWCG reservoir levels are	/	For	matted: Font: Calibri, 12 pt, Bold	
	predicted to be below 35% within the next 24		$\sim$	matted: Font: Calibri, 12 pt	
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Steps	Responsibilities	$\rightarrow$	$\sim$	matted: Font: Calibri, 12 pt	
RWCG (Control Room) to determine draw rates for the RWCG Members and adjust /	Chair of the RWCG Technical Committee or designate		For	matted	(
recommend system flow rates to members to		$\sim$	Foi	matted	
ensure consistent / equitable water supply			For	matted: Font: Calibri, 12 pt, Bold	
amount among all members,			For	matted: Font: Calibri, 12 pt, Bold	
All customers including industrial, commercial	- CAO through Morinville Public		For	matted	(
and institutional, are required to suspend all	WorksMorinville's Infrastructure Services		Eor	matted	_
non-essential potable water use.	Department to issue notification to all customers.		<u> </u>	matted: Indent: Left: 0.09 cm	L
Low-use / High Impact water-use activities to be	customers.		$\succ$		
suspended at the CAO's discretion.	- Corporate Operations to	~	$\sim$	matted: Font: Calibri, 12 pt, Bold	
	provide Bylaw enforcement as applicable.		For	matted	
Termination Mechanisms/Actions	Responsibilities	*	Foi	matted: Font: Calibri, 12 pt, Bold	
EPCOR's forecast says highest 5 days are over	Chair of the RWCG Technical Committee or	1	For	matted: Font: Calibri, 12 pt	
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Resume normal operations or move to Water	CAO through Morinville Public WorksMorinville's	- // // /	For	matted	(.
Demand Management Measure "B"	Infrastructure Services Department provides notification to customers,		$\searrow$	matted: Font: Calibri, 12 pt, Bold	<u> </u>
	notification to customers,	<del>{(</del> ////	$\searrow$	matted	
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