

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
WATER UTILITY BYLAW
BYLAW 10/2022
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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:

1.0 BYLAW TITLE

~~1.1~~ This Bylaw ~~may shall~~ be cited as the, "~~Town of Morinville-~~"Water Utility Bylaw"~~7-~~"

2.0 DEFINITIONS

~~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 employee~~ the designate of the ~~municipality~~ Chief Administrative Officer;

~~2.2~~ "**Cross Connection**" means any permanent or temporary piping arrangement that allows or may potentially allow the Water System to be connected to a contaminant or non-potable source.

~~1.42.3~~ "**Customer**" means any Person that receives water services or other services related to or incidental to the water services, and also includes any Person acting as designated by the Chief Administrative Officer, an agent or representative of a Customer, as well as an Owner of property to which water services are being delivered.

~~1.42.4~~ "**Inspector**" means the CAO or the individual(s) designated or appointed by the CAO, including a Peace Officer;

~~1.42.5~~ "**Municipal Government Act**" or "**MGA**" means the Municipal Government Act, RSA 2000 Chapter M-26 as amended or legislation substituted therefor;

~~1.42.6~~ "**Municipality**" means the ~~municipality of the~~ Town of Morinville, ~~or a Department or Division operating within the organizational structure of the Town of Morinville;~~

~~1.52.7~~ "**Owner or Property Owner**" (pursuant to Section 1.1(u) of the MGA and any amendments made from time to time) means:

~~1.52.7.1~~ in respect of unpatented land, the ~~Crowns~~ Crown,

~~1.52.7.2~~ in respect of other lands, the ~~person~~ Person or Persons who is registered under the Land Titles Act as the owner(s) of the Fee-Simple Estate in the land, and

~~1.52.7.3~~ in respect of any property other than land, the ~~person~~ Person or Persons in lawful possession of it.

~~1.62.8~~ "**Peace Officer**" means a ~~member of the Royal Canadian Mounted Police~~ Peace Officer as

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~~defined in the *Peace Officer Act*, a Bylaw Enforcement Officer, or a Special Constable appointed pursuant to provisions in the current by the Municipality, a designated officer as defined by the *Municipal Government Act*, or a Police Officer as defined in the *Police Act* of Alberta;~~

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~~1.72.9 "Person" means an individual, association, partnership, body corporate, Municipal Corporation, provincial or federal agency, and the heirs, executors, administrators or other legal representative of a person, or an agent or employee thereof.~~

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~~2.10 -"Private Waterworks" means, in whole or in part, any pipe, fixture, valve, or other works 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.~~

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~~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.~~

~~2.13 "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);~~

~~1.82.14 "Violation Tickets and Penalties" Where Tag" means a ticket or similar document issued by a Peace Officer believes that pursuant to the *Municipal Government Act*, person has contravened any provision of this bylaw, he/she may proceedings by issuing a summons by means of a violation ticket in Part 2 of~~

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~~2.15 "Violation Ticket" means a ticket issued by a Peace Officer in accordance with the *Provincial Offences Procedure Act, R.S.A. 2000, c.P-34*;~~

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~~1.9 "Water" means water supplied by the Municipality; and~~

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~~1.102.16 "Water Demand Management Measures" means restrictions upon the use of water for non-essential purposes, including but not limited to: irrigation, washing of vehicles, driveways or sidewalks, and any other purpose where water is utilized externally to a building and on any certain day or for a certain time period.~~

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~~2.0 CONDITIONS~~

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~~In accordance with the *Municipal Government Act* Section 34 (1) (2), the Town of Morinville (hereinafter referred to as "the Town") shall supply water to the property owner (hereinafter referred to as "the User"), who has an approved connection to the property from the Town's water distribution system on the following conditions:~~

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~~2.1 Application for Service~~

~~The User shall apply to the Town at Town Office for the supply of water. An account must be~~

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~~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 Town.~~

2.2 — No Guarantee of Continuous Supply

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.

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.

3.0 SUPPLY OF WATER

3.1 The Water System is intended to distribute potable water for consumption within the Municipality and to supply water for fire suppression.

3.2 No Person shall use water from the Municipality’s Water System, unless:

- a) The water first passes through a Municipality-owned water meter with an active utility account;
- b) The water is used for firefighting purposes;
- c) The water is used for other emergency purposes;
- d) The water is used for construction purposes, and the construction company has approval for its use; or
- e) The Municipality has provided written permission to take or use water from the Municipality’s water system.

3.3 The Municipality does not guarantee or warrant the continuous supply of water services or quality 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 Bylaw.

3.4 2.2.2 Customers/Owners depending upon a continuous and uninterrupted supply or pressure of water or who require or have processes or equipment that require particularly clear or pure water shall provide such facilities, as they are considered necessary, to ensure a continuous and uninterrupted supply, pressure or quality of water required for this use. The Municipality assumes no responsibility for same; and.

3.5 2.2.3 The Municipality shall not be liable for damages, including losses caused by a break within the Municipality’s ~~waterworks system~~ Water System or caused by the interference or cessation of water supply including those necessary or advisable regarding the repair or proper maintenance of the Municipality’s ~~waterworks system~~ Water System, or generally for any accident due to the operation of the Municipality’s ~~waterworks system~~ Water System or for the disconnection of service connection nor by reason of the water containing sediments, deposits, or other foreign matter.

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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.
- 4.3 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:
- a) Frost;
 - 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.
- 4.8 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.
- 4.10 No Person other than a Person authorized by the Municipality or this bylaw shall install, test, remove, repair, replace, tamper with, operate, or disconnect any part of the Water System 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;

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- 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.
- 5.3 Any Owner that has any risk of contaminants entering the Water System through their Private Waterworks is required to install an approved backflow prevention device to the satisfaction of the Municipality and shall ensure the backflow preventer is designed, operated, and maintained according to applicable standards and industry best practices.
- 5.4 The Owner is responsible to ensure all backflow preventers are tested annually by a certified testers and all non-testable devices are visually inspected. Copies of testing records shall be kept for two years and provided to the Municipality upon request.
- 5.5 The Municipality shall have the authority to carry out any inspection by entering any land or structure, that is reasonable required to ensure compliance with this Bylaw and compliance 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.
- 6.3 The Owner must obtain approval from the Municipality prior to any connection to the Water System. The Municipality has authority to dictate applicable Standards and impose conditions on the connection to the Water System.
- 6.4 The Municipality will install, at the Owner's expense, the Water Meter required for the size of service, subject to water use verification. Should a specialty sized Water Meter be

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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.

6.11 The Municipality shall have the authority to dictate applicable standards for any part of the Private Waterworks system on a property between the Water System and a Water Meter. All components of the Private Waterworks shall be designed, constructed, operated, and 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.
- 6.15 Any Person who operates a water meter bypass in the event of an emergency must notify 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.
- 7.3 If access to a Water Meter cannot be obtained, or if the Water Meter ceases to operate, the Municipality may send a monthly utility bill with estimated water usage.
- 7.4 Where, based on a subsequent actual Water Meter reading, the estimated water usage resulted in an overcharge, the overcharged amount will appear on the monthly utility bill as a credit to the customer. Where the estimated water usage resulted in an undercharge, the undercharged amount will appear on the monthly utility bill as an additional charge for which the customer is responsible.
- 7.5 If a remote meter reading device and the property's Water Meter disagree, the Water Meter shall be deemed to be correct.

8.0 METER TESTING

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- 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 3rd 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

- 10.1 The rates and charges to be charged for water services shall be set out from time to time in 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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10.3 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.

10.4 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 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 the following conditions are met:

10.5.a.1 There has been a disconnection of water supply for account arrears

10.5.a.2 When the renter vacates

10.5.a.3 A tenant is in arrears past 120 days and there are not separate shut off valves in a multi-occupied building

If any of the above conditions occurs, the responsibility for all utilities will thereafter be the 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 Owner's name and will not be the responsibility of the owner Owner. Any tenant arrears will be sent to collection.

In all cases after July 1, 2016, the property owner Owner shall be liable for the cost of utilities supplied to a property, regardless of whether the property is occupied by the owner Owner or a tenant.

2.4 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.

2.5 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.

2.6 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.

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~~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 water meter 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 be charged to the account of the User.~~

~~— If a meter is tested and found to record outside the allowable range, testing costs will not be passed on to the user and the Municipality may estimate the number of cubic meters of water used by the User based on a method the Municipality finds fair and equitable. Any assessment of out of tolerance volume usage shall be limited to the previous two months from 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 Town of Morinville Fees and Charges Bylaw.~~

~~2.12 — Estimated Consumption~~

~~— Should a meter cease to operate between meter readings period, billing of the account will be done on an estimated consumption for the period. This estimate will be based on previously 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 all users. Payment of the amount shown shall be made within TWENTY (20) days following the~~

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~~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 financial institutions in Canada or through pre-authorized payment plan. Failure to receive a utility bill shall in no way affect the liability to pay the account.~~

2.14 — Penalty

10.6 ~~As a condition of providing water service the Municipality may require a guarantee deposit from the Owner in the amount of three consecutive billing periods, as determined by the Municipality. The guarantee deposit must be made in the form of acceptable to the Municipality. If a guarantee deposit has been provided under this section and is not otherwise applied to outstanding arrears or other amounts owing, upon discontinuance of service, the deposit shall be returned to the Owner within 30 days of the last date of service including simple interest on the daily balance of any cash deposit at an interest rate 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.~~

~~2.14.10.8~~ 10.8 ~~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:~~

- ~~a)~~ a) ~~Written notice of arrears requesting payment, including authorizing appropriate payment arrangements~~
- ~~b)~~ b) ~~Disconnection of water service, applying any deposit held by the TownMunicipality and imposing a re-connection fee prior to re-establishing water services once all arrears have been satisfied~~
- ~~c)~~ c) ~~Adding the outstanding account balance to the ownersOwner's Property Tax Roll~~
- ~~d)~~ d) ~~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 one location, the Town may discontinue water service to the same consumer at another location. 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 to the 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 manufactured home community, the Town shall supply water to a master meter vault only. It will then be the 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 the landowner of the manufactured home community for the total water consumed by the manufactured 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 location between five (5) and six (6) feet above grade at the front or no more than five (5) feet from the front of the building if on the side nearest the driveway, a place for installation of a remote reading device by the Town and for this purpose the user shall install a minimum triple 18 electrical wire in accordance with appropriate regulations from the place of the water 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 device and 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 person~~ **CONSTRUCTION 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 ~~Town~~ Municipality 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 ~~Town~~ Municipality. 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) ~~3.0~~ Construction water shall be used only for the purposes as requested by the applicant and shall not be misused, resold, or wasted.
- 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 over-pressure 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.

12.2 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.

12.3 If a property is disconnected or had water shut off through fault of the Owner, a 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.

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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.

12.6 The Owner(s) who wishes to permanently disconnect from the Municipality's Water System 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.

12.7 A request for a temporary or permanent water disconnection may only be made by the Owner.

13.0 WATER DEMAND MANAGEMENT MEASURES

13.1 3.1—The ~~CAO~~Municipality may, at such times and for such lengths of time as is 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 ~~Town~~Municipality. The ~~CAO~~Municipality may impart measures to restrict, regulate or prohibit outdoor water use for any purpose other than for firefighting.

3-213.2 All Water Demand Management Measures shall be duly advertised ~~by use of local media, printed or otherwise~~, prior to effect, unless in the event of an emergency which measures may be declared to be effective immediately;

3-313.3 No ~~person~~Person shall contravene the terms or conditions of any Water Demand Management Measures without first obtaining written authorization from the ~~Town~~Municipality; and

3.4 ~~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.~~

3-513.4 During such periods as the ~~CAO~~Municipality may designate:

a) 3.5.1—No ~~person~~Person or ~~owner~~Owner 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) 3.5.2—No ~~person~~Person or ~~owner~~Owner 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.

14.0 4.0 WATER CONSERVATION MEASURES

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~~4.1 Water efficient plumbing fixtures~~

~~4.1.1 All new construction, development, renovation, retrofitting or restoration of residential, commercial, institutional, industrial or municipal buildings are required to have water efficient plumbing fixtures which Under the National Plumbing Code adopted by Alberta, every fixture must conform to Canada Standards Association (CSA) standard B45-0 General Requirements for Plumbing Fixtures and every plumbing faucet to CSA standard B 125-98 Plumbing Fittings, as applicable. The fixture should have the CSA mark prominently stamped on it or on the package, or it must 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.~~

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14.1 ~~5.0~~ — No Person shall waste water by means of excessive use of water for non-human 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.

15.2 Where a contravention of the Bylaw is of a continuing nature, each day such contravention continues shall constitute a new and separate offence.

15.3 A Person who is guilty of an offence under this bylaw is liable on summary conviction to a fine not exceeding \$10,000 or to an order of imprisonment for not more than one year, or 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 offence beyond a first offence; or

15.4 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.

15.5 Where a Municipal Violation Tag is issued, the fine amount indicated thereon may be paid as directed in lieu of prosecution.

15.6 A Peace Office may issue, with respect to an offence under this Bylaw, a Violation Ticket:

- a) Specifying the fine amount established by this Bylaw; or
- b) Requiring an appearance in court without the option of making voluntary payment.

15.7 Where a Violation Ticket specifies a fine amount, a voluntary payment equal to the specified fine amount may be made as directed.

15.8 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

5.1 —

17.1 If any Section or Sections of this Bylaw or parts thereof of this Bylaw are found in any court of law competent 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/~~2021~~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 ~~6th~~XX day of ~~December, 2022~~XXXX, 2024.

READ ~~for~~ a second time on the ~~10th~~XX day of ~~January, 2023~~XXXX, 2024.

READ ~~for~~ a third time on the ~~10th~~XX day of ~~January, 2023~~XXXX, 2024.

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Simon Boersma
Mayor

Naleen Narayan
Chief Administrative Officer

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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: \$500
Second offence: \$1,000
Third and subsequent offences: \$2,500~~

~~1.3 Continuing offences:~~

~~In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and 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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~~Schedule "A"~~

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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 implemented.

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Trigger Mechanisms	When May Happen
Water Demand Management Measure "A" is only typically implemented for local internal water restrictions. This measure "A" does not affect residents/customers. Internal water restrictions only. No customer water restrictions implemented.	Severe dry weather: 1. EPCOR notification per Water Supply Agreement. Demand prediction that EPCOR's reservoirs will be below 35% within the next 10 days. 2. RWCG Water Management of the highest 5 days or a minimum of 3 RWCG member reservoir levels are predicted to be below 65% within the next 24 hours.
Steps	Responsibilities
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 the RWCG Technical Committee or designate
Morinville to suspend all non-essential potable water use such as: - Water main flushing - Sewer main flushing - Firefighting training - Street sweeping - Parks irrigation	CAO through Morinville Public Works <u>Morinville's Infrastructure Services</u> Department
Termination Mechanisms/Actions	Responsibilities
<u>EPCOR's forecast says high 5 days is over.</u> <u>RWCG reservoirs will recover to 80% capacity within the next 24 hrs. Received notification that emergency has passed.</u>	<u>Chair of the RWCG Technical Committee or designate</u>
<u>Resume normal operations.</u>	<u>CAO through Morinville's Infrastructure Services Department</u>

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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.

<u>Trigger Mechanisms</u>	<u>When May Happen</u>
<u>Water Demand Management Measure "B" is implemented to the rest of the RWCG members if 3 or more members are entering into this condition.</u>	<u>Prolonged severe dry weather:</u> 1. <u>EPCOR notification per the Water Supply Agreement. Demand forecasts predict EPCOR's reservoirs will be below 35% within the next 5 days.</u> 2. <u>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</u>
<u>Steps</u>	<u>Responsibilities</u>
<u>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.</u>	<u>Chair of RWCG Technical Committee or designate</u>
<u>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:</u>	<u>- Morinville's Infrastructure Services Department to issue notification to all customers.</u>

 Mayor

 CAO

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Schedule "B"

<ul style="list-style-type: none"> - <u>Watering lawns</u> - <u>Washing driveways and sidewalks</u> - <u>Filling pools or fountains</u> 	<u>Corporate Operations to provide Bylaw enforcement as applicable.</u>
Termination Mechanisms/Actions 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
Resume normal operations.	CAO through <u>Morinville Public Works</u> <u>Morinville's Infrastructure Services</u> Department provides notification to customers.

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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 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	Responsibilities
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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Schedule "B"

<p>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:</p> <ul style="list-style-type: none"> — Watering lawns — Washing driveways and sidewalks — Filling pools or fountains 	<ul style="list-style-type: none"> — Morinville Public Works Department to issue notification to all customers. — Corporate Operations to provide Bylaw enforcement as applicable.
Termination Mechanisms/Actions	Responsibilities
<p>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.</p>	<p>Chair of the RWCG Technical Committee or designate</p>
<p>Resume normal operations.</p>	<p>CAO through Morinville Public Works Department provides notification to customers.</p>

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Demand Measure "C" — Complete water ban for both internal staff/departments and all customers
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SCHEDULE "A"
WATER DEMAND MANAGEMENT MEASURES

 Mayor
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**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
WATER UTILITY BYLAW
BYLAW 10/2022**

Schedule "B"

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

Trigger Mechanisms	When May Happen
Water Demand Management Measure C is implemented to the rest of the RWCG members if 3 or more members are entering into this condition.	Prolonged severe dry weather, water system/reservoir failure, system contamination 1. EPCOR notification per Water Supply Agreement. Demand forecasts predict EPCOR's reservoirs will be below 20% within the next 3 days. 2. RWCG water management of High 5 Day or a minimum of 3 RWCG reservoir levels are predicted to be below 35% within the next 24 hours.
Steps	Responsibilities
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 the RWCG Technical Committee or designate.
All customers including industrial, commercial and institutional, are required to suspend all non-essential potable water use. <u>Low-use / High Impact water-use activities to be suspended at the CAO's discretion.</u>	- CAO through <u>Morinville Public Works/Morinville's Infrastructure Services</u> Department to issue notification to all customers. - Corporate Operations to provide Bylaw enforcement as applicable.
Termination Mechanisms/Actions	Responsibilities
EPCOR's forecast says highest 5 days are over.	Chair of the RWCG Technical Committee or designate.
Resume normal operations or move to Water Demand Management Measure "B"	CAO through <u>Morinville Public Works/Morinville's Infrastructure Services</u> Department provides notification to customers.

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Mayor

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