

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
STORMWATER UTILITY BYLAW
BYLAW 13/2022
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A BYLAW OF THE TOWN OF MORINVILLE, IN THE PROVINCE OF ALBERTA, TO ESTABLISH CHARGES FOR THE OPERATION AND MAINTENANCE OF A STORMWATER SERVICE SYSTEM IN THE TOWN OF MORINVILLE.

WHEREAS, the *Municipal Government Act* gives Council the authority to set forth the terms and conditions for the provision of stormwater utility services;

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, Council duly assembled, hereby enacts as follows:

This Bylaw may be cited as the, "Town of Morinville Stormwater Utility Bylaw".

1.0 DEFINITIONS

- 1.1 "CAO" means the Chief Administrative Officer appointed by Council, or an employee of the Town as designated by the Chief Administrative Officer;
- 1.2 "Council" means the duly elected council of the Town;
- 1.3 "Customer" means any person, firm or corporation that occupies property within the Town and unless otherwise designated in the Town's utility billing records, the Customer for a property shall be the Owner;
- 1.4 "MGA" means the *Municipal Government Act*, RSA 2000 Chapter M-26, as amended from time to time or legislation substituted therefor;
- 1.5 "Owner" has the meaning set out in Section 1(9)(u)(ii) of the MGA;
- 1.6 "Stormwater Service Charge" means the charge for stormwater services at the rates set out in the Town of Morinville Fees and Charges Bylaw, as amended or varied by Council from time to time;
- 1.7 "Town" means the Town of Morinville.

2.0 STORMWATER SERVICE CHARGES

- 2.1 All property within the Town is subject to the Stormwater Service Charge. Every Customer shall pay the Stormwater Service Charge to the Town.
- 2.2 Council may vary the rates for the Stormwater Service Charge from time to time as provided for in the Fees and Charges Bylaw.
- 2.3 The Town shall deliver a monthly bill setting out the current Stormwater Service Charge to Customers by mail or email. The Town may include the Stormwater Service Charge as part of its monthly billing or other utilities provided that the Stormwater Service Charge is separately identified on the utility bill.

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- 2.4 In the event that a utility bill remains unpaid after Twenty (20) days following the date upon which the bill was mailed:
- (a) There shall be added by way of penalty an amount as set out in Schedule "A" attached. The penalty will be added to and form part of the outstanding amount;
 - (b) The Town may take any or all of the following actions to recover the outstanding amount:
 - (i) Add the outstanding amount to the Owner's property tax roll and collect the outstanding amount in the same manner as unpaid property taxes; or
 - (ii) Take action in any court of competent jurisdiction.

3.0 SEVERABILITY

- 3.1 If any Section or Sections of this Bylaw or parts thereof are found in any court of law to be illegal or beyond the power of Council to enact, such 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.

That Bylaw 13/2021 is hereby rescinded when Bylaw 13/2022 receives third and final reading.

This Bylaw shall come into full force and effect on the day signed.

READ for a first time on the 6th day of December, 2022.

READ for a second time on the 10th day of January, 2023.

READ for a third time on the 10th day of January, 2023.

ORIGINAL SIGNED _____

Simon Boersma
Mayor

ORIGINAL SIGNED _____

Naleen Narayan
Chief Administrative Officer

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SCHEDULE A

1.0 PENALTIES

- 1.1 The penalty for unpaid bills shall be two and one half (2.5) percent of the unpaid current month utility bill.