

**TOWN OF LEGAL  
BYLAW #03-2023  
WATER BYLAW**

**A BYLAW OF THE TOWN OF LEGAL, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR A WATER SYSTEM INCLUDING THE SETTING OF RATES, CHARGES AND CONDITIONS OF SERVICE.**

**WHEREAS** the *Municipal Government Act*, RSA 2000, c. M-26 provides that a Council may pass bylaws respecting public utilities; and

**WHEREAS** it is deemed necessary and expedient to establish a waterworks system for the Town of Legal and to set out the terms, costs, and charges upon which the service will be provided;

**NOW THEREFORE, THE COUNCIL OF THE TOWN OF LEGAL, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:**

**1. TITLE**

1.1 This Bylaw may be referred to as "The Water Bylaw".

**2. DEFINITIONS**

- 2.1 "Abut": in relation to a physical object, to be next to or to have a common boundary with;
- 2.2 "Account": an agreement between a Consumer and the Town for the supply of water;
- 2.3 "Active Utility Account": the commencement and turning on of water service for occupancy of a building or property;
- 2.4 "Approved": unless otherwise provided, approved by CAO or their designate;
- 2.5 "Appurtenance": anything that is attached to the Water System or Water Utility;
- 2.6 "Basic Service": the level of service that the Town provides to its Consumers that is included in the Water Rates and Charges as per Schedule "C" of this Bylaw and is comprised of, but not limited to, the provision of water via the transmission and distribution systems and the operation and maintenance of same;
- 2.7 "Bulk Water Outlet": The Town overhead standpipe capable of dispensing potable water; and does not include the Town's coin operated barrel fill that is located at the Town of Legal Municipal Office (5021 50 Street, Legal, Alberta).
- 2.8 "Bylaw Enforcement Officer": A Bylaw Enforcement Officer appointed by the Town pursuant to the *Municipal Government Act*, RSA 2000, c. M-26, to enforce the Town Bylaws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable.
- 2.9 "CC" or "Curb Cock": a shut off valve constructed in line on the Water Service enabling shutting off water supply to a property;
- 2.10 "CAO": The Chief Administrative Officer for the Town of Legal.
- 2.11 "Commercial": includes stores, warehouses, and commercial facilities;
- 2.12 "Consumer": any Person who has applied for an Account or Service Connection, has received any Water Service, or is otherwise responsible for paying for the Water Services;
- 2.13 "Consumption Charge": A Variable volumetric charge, unless water is un-metered, that reflects the cost of supply for water consumed;
- 2.14 "Council": The Municipal Council of The Town of Legal;

- 2.15 "County Resident Connection Fee": fee established by Town Council requested by the County by way of application to the Town and does not include or permit commercial potable water use;
- 2.16 "Cross Connection": means any physical connection to the Town's or Customer's water mains or piping whereby water may be contaminated and may enter the potable water system;
- 2.17 "Facilities": any physical facilities and infrastructure including transmission and distribution pipelines, valves, reservoirs, pumping stations, fire hydrants, chambers and pressure reducing valves, meters, and measurement devices owned and operated by the Town, used to supply potable water;
- 2.18 "Fees and Charges": The Town's fees and charges as set out in Schedule "C" of this Bylaw;
- 2.19 "Householder": any Owner, Occupant, Lessee, Tenant, Property Manager, or other Person designated by the Property Owner or any other person in charge of any Dwelling;
- 2.20 "Hydrant User": any person obtaining water from a fire hydrant for any purpose other than emergency fire protection;
- 2.21 "Institutional": a hospital, nursing home, hotel, or school;
- 2.22 "Master Control Valve": the privately owned valve typically installed on the water service line inside a building;
- 2.23 "Meter Pit": a pit-like enclosure that protects Water Meters installed outside of buildings and allows access for reading the Meters;
- 2.24 "Municipal Servicing Standards": The Town's engineered servicing standards as approved by Council;
- 2.25 "New Service Connection Fee": fee charged to the applicant who has requested a new water connection to the water main within the Town corporate boundaries;
- 2.26 "Owner": the person who is registered under the *Land Titles Act*, RSA 2000 c. L-4, as amended or replaced from time to time, as the Owner of the fee simple estate in land, or a Person who is recorded as the Owner of the property on the tax assessment roll of the Town;
- 2.27 "Person": any Person, Householder, firm, partnership, association, corporation, company, or organization of any kind;
- 2.28 "Point of Delivery": the point where the Service Connection occurs, which is, in most cases, at or near the property line that defines the point that the Owner has the responsibility for ownership, maintenance and repair to the Private Service Line;
- 2.29 "Private Service": all the water facilities serving the premises downstream of the Point of Delivery and includes the pipes, fittings, valves, and Appurtenances owned by the Owner but does not include the Meter;
- 2.30 "Public Health Inspector": the medical health officer of the Capital Health Authority, or their authorized representative;
- 2.31 "Publication": publication of a notice in a newspaper in general circulation within the Town, or the mailing or delivering of a notice to a Person or Persons, due to immediate needs the Town, as an interim measure, may post a notice on the Town's webpage or use its social media accesses;
- 2.32 "Remote Meter Reading Device": equipment installed to remotely read the Water Meter without obtaining access into the premise;

- 2.33 "Residential": any detached single-family dwelling or residence, duplex, or Multi Family Complex, row housing, park model, modular dwelling, in-law suite, guest house, garden suite, or garage suite designed for individual family living;
- 2.34 "*Safety Codes Act*": a Provincial Act that establishes the regulation for building, gas, plumbing, electrical and fire disciplines in the Province of Alberta;
- 2.35 "Service": the provision of water;
- 2.36 "Service Pipe": a pipe which carries water from the Town Water System onto or across private property, from and within the Owners premise to the CC;
- 2.37 "Snowbird": a person who vacations in or moves to a warmer climate during cold weather;
- 2.38 "Tenant": is:
- 2.38.1 a person who is permitted by the landlord to occupy residential premises under a residential tenancy agreement;
  - 2.38.2 a person who is permitted to occupy residential premises under an assignment or sublease of a residential tenancy agreement to which the landlord has consented under the *Residential Tenancies Act*; and
  - 2.38.3 an heir, assign or personal representative of a person referred to in subclause (2.38.1) or (2.38.2).
- 2.39 "Town": The Town of Legal, or its designate;
- 2.40 "Turn Off": the cessation or turning off of water service for a building or a property and may include a final meter reading;
- 2.41 "Turn On": the process where the delivery of potable water to the private system is activated;
- 2.42 "Urban Service Area": the service area within the Town of Legal;
- 2.43 "Utility Bill": a bill which sets out the fees levied by the Town on a monthly or bi-monthly basis for utility services provided by the Town;
- 2.44 "Water Demand Management Measures": 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 residence, place of business or any other premise located within the Town on any certain day for a certain period of time;
- 2.45 "Water Main": a water pipe in the street, public thoroughfare or easement area granted to the Town, which forms part of the Town water distribution network and delivers the water supply to the Water Service Connections;
- 2.46 "Water Meter" or "Meter": any Approved device installed by the Town which is designed to measure the quantity of water used by a Consumer and which may have attached to it a Remote Reading Device;
- 2.47 "Water Service": the provision of water to Consumers and associated services contemplated by the fees and charges, as provided for in Schedule "C" of this Bylaw, offered to the Consumer under this Bylaw;
- 2.48 "Water Service Connection": the lateral Water Service Pipe which connects an Owner's premises to the Town's Water System with the Owner owning that portion of the Service Pipe lying within the boundaries of the Owner's premises excluding any Service Pipe lying within the boundaries of any easement area granted to the Town for its Water System;
- 2.49 "Water System" or "Water Utility": a system of water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, and all other equipment, machinery, owned by the Town and which is

required to supply and distribute water to all Owners, and which is deemed to be a Public Utility within the meaning of the *Municipal Government Act*, RSA 2000, C M-26.

### **3. ADMINISTRATION**

- 3.1 The CAO may designate the administration of this Bylaw to the following employee positions:
- 3.1.1 Public Works Supervisor or their designate;
  - 3.1.2 Manager of Corporate Services;
  - 3.1.3 Executive Assistant or position similar thereof.

### **4. GENERAL**

- 4.1 The Town, having constructed, operated, and maintained a Water System as a public utility shall continue, insofar as there is sufficient capacity and supply of water, to supply water, upon such terms as Council considers advisable, to any Owner within the Town's Urban Service Area or situated along the Town's Water Main.
- 4.2 In providing a Service Connection to Town Water Mains, the Town shall provide and install all Facilities up to the Point of Delivery or Water Service Connection point subject to the terms of this Bylaw. The Town shall remain the Owner of all Facilities provided by the Town for a Service Connection unless the Town and the Consumer have expressly agreed in writing otherwise. Any payment made by the Consumer reimbursing costs incurred by the Town in installing Facilities does not entitle the Consumer to ownership of any such Facilities unless an agreement in writing between the Town and the Consumer specifically provides otherwise.
- 4.3 An Owner is responsible for providing such facilities as considered necessary to have a continuous and uninterrupted supply of water for the Owner's specific needs provided such facilities are approved by the CAO and provided that such facilities do not interfere with the operation of the Water System.
- 4.4 The Town's employees, agents and other representatives shall have the right to enter a Consumer's premises at all reasonable times for the purpose of installing, maintaining, inspecting, sampling, replacing, testing, monitoring, reading, or removing the Town's Facilities and for any other purpose incidental to the provision of a Service Connection. The Consumer shall not prevent or hinder the Town's entry.
- 4.5 The Town has the right to enter a Consumer's premises at any reasonable hour to:
- 4.5.1 Install, inspect, test, repair or remove Town Facilities or equipment;
  - 4.5.2 Perform necessary maintenance to Town Facilities or equipment;
  - 4.5.3 Investigate a Consumer complaint or query;
  - 4.5.4 Conduct a surprise inspection of a concern with unauthorized use of water or tampering with the Water System including but not limited to the Meter and Service.
- 4.6 Before entering premises, the Town will make reasonable effort to notify the Consumer or other responsible Person who is at the premises and who appears to have sufficient authority to permit entry except:
- 4.6.1 In the case of emergency;
  - 4.6.2 Where entry is permitted by order of a court or administrative tribunal;
  - 4.6.3 Where otherwise legally empowered to enter;
  - 4.6.4 Where the purpose of entry is in accordance with Sections 4.5.3 or 4.5.4.
- 4.7 The Town shall not be liable for damages to furniture, appliances, electronics, or other such building contents including building losses:
- 4.7.1 Caused by a break within the Town's Water System; or
  - 4.7.2 Caused by the interference or cessation of water supply necessary in connection with the repair or proper maintenance of the Town Water System; or

- 4.7.3 Generally, for any accident due to the operation of the Town Water System, unless such action has been shown to be directly due to the negligence of the Town or its employees; or
- 4.7.4 Disconnection of service due to arrears.
- 4.8 No Person shall connect or cause to connect any other source of water to the Water System, either directly or indirectly.
- 4.9 No Person shall use an alternate source of water supply other than the Water System without submitting a written application and obtaining the consent of the CAO or their designate; provided that:
  - 4.9.1 The CAO or their designate, may give consent to an Owner using an alternate source of water, subject to such terms and conditions as the CAO or their designate, deems necessary and, notwithstanding the generality of the foregoing, they may set a limit on the period for which an alternate supply of water may be used.
- 4.10 No Person who has been granted permission to use an alternate source of water supply shall allow the alternate source of water to be connected to the Water System.
- 4.11 In all cases where boilers or equipment of a nature similar to that of a boiler are supplied with water from the Water System, the Owner of the boilers or other equipment shall equip such with at least one safety valve, vacuum valve, backflow preventer device or other proper device required by the *Alberta Safety Codes Act* to prevent the collapse or explosion thereof in the event the water supply is shut off, in addition to backflow prevention to ensure potentially contaminated water does not enter the municipal system.

## 5. DUTIES AND MANAGEMENT

- 5.1 The CAO is responsible for the administration and enforcement of this Bylaw including:
  - 5.1.1 The general installation, maintenance, and management of the Water System.
  - 5.1.2 The distribution and use of the water from the Water System;
  - 5.1.3 Enforcing terms and conditions under which water from the Water System is supplied to or made available for use by an Owner, Householder, Person, or Consumer and for shutting off the water or discontinuing the Water Service until the Owner, Householder, Person, or Consumer complies with the terms and conditions so designated.
- 5.2 In addition to the Municipal Servicing Standards, the Town may establish standards, guidelines and specifications for the design, construction, and maintenance of the Water System.
- 5.3 For the purposes of administering or enforcing the provisions of this Bylaw, the CAO may designate their powers to one (1) or more employees of the Town including the Manager of Corporate Services, Public Works Supervisor, or their designate.

## 6. CONSTRUCTION AND INSTALLATION OF SERVICE PIPE

- 6.1 No person, without first filing an application or submitting a letter of request for construction and installation to obtain permission to do so from the Town of Legal, shall make connection whatsoever to any of the Town's Water Mains.
- 6.2 All applications for construction and for all installations contemplated under this Bylaw shall be done or made in accordance with the provision of the *Safety Codes Act*, RSA 2000, c. S-1 as amended from time to time and regulations made thereunder and the Town's Municipal Servicing Standards. The applicant shall be totally liable for any damage caused while making such connections.
- 6.3 No person shall install or permit to be installed an additional Service Pipe between a Water Meter and the CC, located at or near the property line.

- 6.4 The Owner of multiple housing and commercial developments shall submit service design plans, duly signed by a Professional Engineer, to the CAO or their designate, for review and approval prior to construction start.
- 6.5 An Owner shall provide to the CAO or their designate, two (2) sets of "As Built" plans, together with a letter indicating that the Private Service is fully operational and satisfactory bacteria sampling results have been provided. The Town may require that the plans together with a letter duly signed by a Professional Engineer indicating that the private service is fully operational and satisfactory bacteria sampling results have been provided.

## **7. SERVICE PIPE FOR DOMESTIC PURPOSES**

- 7.1 Neither the Town employees, nor their agents, shall carry out any work pertaining to the construction or repair or renewal of Service Pipe on private property, except with the authority of the CAO or their designate, and then only after satisfactory arrangements have been made with the Owner for payment for doing such work.
- 7.2 Unless the CAO, or their designate, determines otherwise, at the request of the Owner, a Service Pipe shall be constructed only to those properties, which Abut directly on the Town Water System.
- 7.3 A Service Pipe shall not be extended from one lot to another.
- 7.4 Upon notice to any Owner that an existing Private Service fails to meet the requirements of the Bylaw or for any reason is unsatisfactory to the CAO or their designate, the Owner shall effect the changes required in the notice by the date specified in the notice at the expense of the Owner.
- 7.5 All additional construction costs on the Service Pipe and after Point of Delivery due to development on private property, including additional costs required for repairing of disturbed streets, shall be borne by the Owner on whose property development is occurring.
- 7.6 An Owner shall be responsible for the cost to thaw out frozen Service Pipes from the point of delivery or curb cock to the dwelling as per Schedule "C" of this Bylaw. The Town shall be responsible for the cost to thaw out frozen Service Pipes from the distribution main to the point of connection or curb cock. The Town shall provide the service to the Owner and the Owner shall pay for the thawing of the Service Pipe.
- 7.7 When a Service Pipe passes through an excavation or backfill, or through a basement way, finished or unfinished, or through a retaining wall, the Town shall not be responsible for any damage due to displacement, settlement, or any cause due to the Owner's operations, whether the damage occurs during construction or afterwards.
- 7.8 In the event that mains are required in order to provide services for the applicant, the applicant will be required to pay the cost of the said mains.
- 7.9 The CAO may refuse to make any new connection or install any new or change any existing service at any time for any reason, which it may consider sufficient.

## **8. INSTRUCTIONS FOR PLUMBING AND MECHANICAL CONTRACTORS**

- 8.1 Conditions in this Section apply to the portion of a Service Pipe from the CC through to the Meter and apply to both new construction and to any renewal, alteration or change in old construction. Plumbers and Contractors shall comply with the provisions of the *Safety Codes Act*, RSA 2000, c. S-2, and its regulations.
- 8.2 The Point of Delivery to private property, as agreed to at the time of application, for a Service Pipe shall be strictly adhered to; costs arising from non-adherence shall be borne by the Owner.

- 8.3 Construction specifications of all new construction or repair/replacement of old construction will adhere to Municipal Servicing Standards as deemed by the Town.
- 8.4 All contracts formed by the filing of an application for water and the acceptance thereof by the Town are hereby declared to be subject to all the terms and conditions of this Bylaw, which shall be understood as forming part of all contracts for the supply and distribution of water.
- 8.5 The Town upon approval from the CAO, or their designate, may allow the use of unmetered water during the construction phase of a principal building. The Consumer must ensure a back flow preventer is installed prior to use to avoid cross contamination of the potable water source.

## 9. WATER METERS

- 9.1 The Town shall remain the Owner of all metering facilities it provides to serve the Consumer, unless the Town and the Consumer have expressly agreed in writing otherwise the CAO or their designate, shall determine the size and type and number of Water Meters to be supplied and installed by the Town. The CAO or their designate, shall approve the Metering requirements where water is supplied for fire protection purposes.
- 9.2 The Town shall supply, install, own, and maintain all Water Meters and Meter Pits in accordance with manufacturers' specifications, except those privately owned or in a separate agreement for ownership and operation with the Town on the understanding that the Owner shall give every facility for the introduction, placing, and inspection of such water meter and meter pit and the reading of such water meter.
- 9.3 The Owner 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 resulting from neglect by the Owner will be charged to the Owner. The Owner 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 Owner shall not draw water from the service piping in advance of the meter.
- 9.4 The Owner 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 its own property lines.
- 9.5 No person, other than an employee or representative of the Town shall install, test, remove, repair, replace, or disconnect a Water Meter.
- 9.6 No person shall interfere with or tamper with the operation of any Water Meter or Remote Meter Reading Device, subject to 9.5. Any person interfering with or tampering with any meter seal, meter reading equipment, or water shut-off equipment, shall be liable to a fine as specified down in Schedule "C" of this Bylaw.
- 9.7 The Town may charge for and recover from the Owner the cost of supplying, installing, altering, repairing, relocating, or replacing a Water Meter. Any such charge may be collected in the same manner as water rates.
- 9.8 All Water Service Connections must be constructed and installed in an approved manner. Should the Water Service Connection not be constructed according to the approved application the Town:
  - 9.8.1 May enter the premises to construct, maintain or repair the Water Service Connection; or
  - 9.8.2 Shall have the right to refuse to supply water to the premises.
- 9.9 No Owner shall relocate, alter, or change any existing Water Metering facilities. The Owner shall submit plans and specifications for any proposed relocation of Water Metering facilities and, if approved by the CAO or their designate, the Owner shall pay the entire cost, including any costs incurred by the Town, in making such relocation, alteration, or change.

- 9.10 The Owner of a premise in which a Meter is located shall;
- 9.10.1 Comply with all directions of the Town to prevent Meter damage due to frost, heat, or other causes;
  - 9.10.2 Promptly notify the Town of any condition or event which has resulted in any meter damage due to frost, heat, or other causes.
- 9.11 If a meter is damaged or destroyed, the Owner of the premise in which the Meter is located shall pay for the entire cost of the Meter removal, repair, and re-installation or for the cost of replacing the Meter.
- 9.12 Repairs necessitated to meters through normal operation and wear will be repaired by the Town and will be considered as an operation expense and as such charged to the Town's operating budget.
- 9.13 Should the CAO or their designate, determine that a Meter should not be positioned inside a premise to which Service is provided, the Owner shall construct a Meter Pit on the Owner's property near the property line at the Owner's expense and in accordance with the Municipal Servicing Standards.
- 9.14 Unless otherwise determined by the CAO or their designate, for single-family dwellings and for single unit commercial or industrial buildings, a single Water Service Connection shall be constructed, and a single Meter shall be installed by the Town.
- 9.15 In the event a water meter cannot be read remotely, the CAO or their designate, notwithstanding Sections 4.4 and 4.5 of this agreement will require to gain access to the premises for the purpose to read the meter and repair the meter. In the event a Consumer refuses to allow a Meter to be read for a period more than two (2) months from the date the meter was found to be faulty, the CAO or their designate, may shut off the supply of water to that Meter until access is gained for the meter read and the repair of the meter.
- 9.16 No Person shall do, or shall cause to be done, or shall permit to be done, any act which may obstruct or impede direct safe and convenient access to a Meter for the purpose of installation, inspection, removal, repair, replacement, reading or the like at all times.
- 9.17 If access to a Meter cannot be obtained, the Town will send estimated utility bills.
- 9.18 If required for any reason, Town employees may request to have a Town Bylaw Enforcement Officer accompany them to any Consumer's residence or business for any reason.
- 9.19 In the event of a discrepancy between the Remote Meter Reading Device and the Meter, the Meter shall be deemed correct.
- 9.20 If an Owner doubts the accuracy of a meter installed in a building they own or occupy, a written notice must be given to notify the Town and a deposit in accordance with Schedule "C" of this Bylaw - Meter Testing (refer to Schedule "C" of this Bylaw) shall accompany the written notice. The Town shall have the Meter tested by an Approved external agency, after the written/s notice and deposit is received.
- 9.21 If the test shows the Meter is recording between 98.5% and 101.5% of true consumption, the Owner shall forfeit the deposit to cover the cost of the testing, including the cost of the meter change-out by a Town employee or agent. If the test shows the Meter is not recording between 98.5% and 101.5% of true consumption, the Consumer will be credited back the deposit, the meter will be repaired or replaced with another meter and the expense shall be borne by the Town, and the rates for the previous two (2) meter reading periods shall be adjusted by the same percentage as the meter found to be in error, provided however, that no rate shall be reduced below a minimum rate normally charged, if one exists.
- 9.22 The Owner may be notified of test results and receive a copy of the test results.



## **10. HYDRANTS AND VALVES**

- 10.1 No person(s) other than Town employees or persons authorized by the Town shall open, close, or interfere with any valve, hydrant, or fireplug, or draw water therefrom.
- 10.2 The Chief of the Town Fire Department, their assistants, officers and members of that Department, are authorized to use the hydrants or plugs for the purpose of extinguishing fires, for fire protection, for equipment testing, and for fire training practices, but all such uses shall be under the direction and supervision of the said Chief or their duly authorized assistants, and in no event shall any inexperienced or incompetent person be permitted to manipulate or control in any way, hydrants or plugs.
- 10.3 No person(s) shall in any matter whatsoever obstruct or interfere with the free access to any hydrant, valve, or curb cock. No vehicle, building, rubbish, or any other matter which would cause such obstruction or interference shall be placed nearer to a hydrant than the property line of the street where the hydrant is located nor within five (5) meters of either side of the hydrant in a direction parallel with the property line. Costs of repairs required as a result of obstruction or damage to any hydrant, valve or curb stop are the responsibility of the person who caused the obstruction or damage.

## **11. UNAUTHORIZED USE, INTERFERENCE OR OBSTRUCTION**

- 11.1 Any person obtaining water service from the Town shall only use the water supplied for that person's own use and that person shall not vend, sell, dispose, or distribute the water supplied to third parties.
- 11.2 No Person, other than Town employees or agents, or those authorized to complete new installations or repairs to existing services shall operate, handle, or interfere with the Town's provision of a Service including the Town's CC's, valves, and pipes; nor shall any unauthorized Person operate, handle, or interfere with a Town meter, meter seal, or meter reading equipment.
- 11.3 No Person, other than Town employees or agents, or those authorized by the CAO or their designate, shall make, keep, use, or dispose of any key or wrench, the purpose of which is to operate any valve, CC, fire hydrant, Meter Pit, or any other Appurtenances on the Town's water system.
- 11.4 No Person shall obstruct or impede direct and free access to the Town's Water System. Costs of removing obstructions or impediments shall be borne by the offending party and may be added to the utility bill.
- 11.5 Any Person found in violation of Sections 11.1, 11.2, or 11.3 is subject to Interference, Tampering, or Unauthorized Use penalty as per Schedule "C" of this Bylaw.

## **12. AUTHORITY TO RESTRICT OR SHUT OFF SUPPLY**

- 12.1 The CAO or their designate may without notice shut off the water supply to any part of the Town should they decide an emergency makes such action necessary.
- 12.2 The CAO or their designate, may in a non-emergent situation shut off water supply to any part of the Town provided reasonable notice of such intended shut off is given to all affected Owners, except in the event of routine maintenance with shut off not to exceed thirty (30) minutes. The CAO or their designate shall have the sole discretion to determine what reasonable notice in the circumstance is.
- 12.3 The CAO or their designate, may restrict and regulate the hours or time during which water may be used for any purpose other than for firefighting.
- 12.4 The CAO or their designate, may, by Publication upon reasonable notice, implement Water Demand Management Measures.

- 12.5 After Publication of any Water Demand Management Measures, it shall be an offence for a person to use water in contravention of the declared Water Demand Management Measures.
- 12.6 No Person shall allow the wastage of water.
- 12.7 If the CAO or their designate, determines that water is being wasted, they may give notice to the Owner of their intent to discontinue Service.
- 12.8 In giving notice to discontinue a Service, the CAO or their designate, shall bear in mind all the circumstances of the particular case including, but not limited to the estimated rate of wastage, the age of piping, the possibility of damage to adjacent property and the season of the year. The time allowed for stopping the wastage shall be reasonable but at the discretion of the CAO or their designate.

### **13. BULK WATER**

- 13.1 The CAO or their designate, may, at their discretion and with just cause, restrict, or deny use of a Bulk Water Outlet to any Person if receiving tanks, trucks, or hoses are in a condition deemed not sanitary for the transference of water, or misuses facilities and surrounding area.
- 13.2 Commercial tanks and vessels used for bulk water transportation to offsite locations for human consumption must be inspected, approved, and have a permit issued by the local Public Health Inspector. Water use and maintenance of the tanks, etc. are at the responsibility of the Commercial operator.
- 13.3 The CAO or their designate, may at their discretion restrict, limit, shut down or deny the use of the Bulk Water Outlet for Demand Management Measures. In the event of an emergency, the CAO or their designate may impose limits or restrictions immediately without notice and such action will remain in effect until the emergency ceases and reservoir levels are filled to an acceptable level determined by the CAO or their designate. Notices will be posted at the bulk water outlet as time permits.
- 13.4 The CAO or their designate, may at their discretion restrict, limit, shut down or deny the use of the Bulk Water Outlet should the CAO or their designate impose Water Demand Management Measures B or C as identified in the Town's Operational Plan for Drinking Water. Notification of such action shall be posted on social media, the Town's website and by posting a notice on site at the Bulk Water Outlet station.
- 13.5 The CAO or their designate will review annually Consumer usage for those users who have an account for the Bulk Water Outlet. Those Consumers who have not accessed the facility for a period two (2) years (24 months) or more and have an account balance of less than fifty dollars (\$50.00) will have their account closed and the Town shall not be required to provide the Consumer with a refund or such notification.
- 13.6 The CAO or their designate will review annually Consumer usage for those users who have an account for the Bulk Water Outlet. Those Consumers who have not used the facility for a period of two (2) years (24 months) or more and have an account balance exceeding fifty dollars (\$50.00) will be contacted by telecommunication to advise the user that the account has been inactive for a period exceeding two (2) years. Should the Consumer no longer require the services of the Bulk Water Outlet, the Town will refund the Consumer the balance remaining on the account. Should the Consumer no longer exist and the Town has exhausted their efforts to contact the Consumer, the CAO or their designate will bring the matter to Council for approval to terminate the account and any remaining funds.

### **14. WATER RATES AND CHARGES, OPENING AND CLOSING OF ACCOUNTS**

- 14.1 The rates and charges to be charged for the provision of Water Service shall be as set out in Schedule "C" of this Bylaw.

- 14.2 The Town requires that new account requests or changes to Consumer utility services, provided by the Municipality, be placed in the name of the Owner(s) registered on the property title only as per Alberta Land Titles.
- 14.3 Where an Owner has set up an Account for Water Service, an Owner may request that the invoice for the Account be sent directly to the Consumer via email, as per Schedule 'B', and/or mailing address as identified by the Owner. Notwithstanding this Section, the Owner remains the Account holder responsible for all debts incurred under that Account.
- 14.3.1 In the event a Tenant, Property Manager, or other Person designated by the Property Owner requests Town utility services, the Property Owner shall complete and sign Schedule "A" Utility Billing Request Form, permitting duplicate copies of the utility bill to be emailed, as per Schedule "B", and/or mailed to the Tenant, Property Manager, or other Person designated by the Property Owner. The utility account shall remain the responsibility of the Property Owner.
- 14.3.2 A Consumer is not relieved from paying Utility Charges by reason of non-receipt of a Utility Bill, whatever the reason for non-receipt.
- 14.4 A property not vacated will be charged the minimum charge and any consumption exceeding the minimum consumption allocation set in Schedule "C" of this Bylaw will be charged to the account holder until such time as the Consumer vacates the property or new Consumers have made application to the Town or the Consumers have requested a disconnection.
- 14.5 Any Occupier, Tenant, Property Manager, other Person designated by the Property Owner or Property Owner not requesting closure of service will be charged the minimum rate as established in Schedule "C" of this Bylaw.
- 14.6 An administration fee, as per Schedule "C" of this Bylaw, shall be applied each time there is a change in Consumer on a property and/or utility account (including owner changes and/or tenant, Property Manager, or other Person designated by the Property Owner changes), prior to water being consumed. The request for change may be accepted verbally or in be required in writing depending on the circumstances. The administration fee will be included on the Consumer's first utility bill.
- 14.7 That the CAO or their designate shall have the right to determine into which classification any service belongs and the CAO or their designate decision shall be final and binding on all persons concerned.
- 14.8 Consumers who consume water without opening an account will be liable for the cost of water consumed as estimated by the Town.
- 14.9 All Utility Bills will be due and payable when rendered by the Town and payments will be made at the address indicated on the Utility Bill or to an agent of the Town.
- 14.10 A Consumer shall:
- 14.10.1 Pay all charges, fees and bills for Water Services performed by the Town in accordance with Schedule "C" of this Bylaw;
- 14.10.2 Adhere to the requirements of this Bylaw;
- 14.10.3 Promptly pay their Account or any penalties assessed;
- 14.10.4 Provide payment at the Town Office, the Consumer's bank, pre-authorized payment plan or through online banking services.
- 14.11 The CAO or their designate, may disconnect Water Services to a Householder in the event that a Utility Bill remains unpaid as described in section 14.21 of this Bylaw.
- 14.12 Consumer may contact the Town for temporary or permanent Turn Off (service disconnection) of Water Service; charges may apply as per Schedule "C" of this Bylaw.
- 14.12.1 In the event of a vacated dwelling and/or building, the water service may be turned off at the Curb Cock or at the meter inside the dwelling and/or building providing the dwelling and/or building is heated during the winter months; the Town of Legal will not be responsible for any damages incurred.

- 14.13 The CAO or their designate may Turn Off Service without notice for any of the following reasons:
- 14.13.1 Failure to open an account;
  - 14.13.2 Neglects or refuses to pay by due date any charges levied pursuant to this Bylaw and Schedule "C" of this Bylaw;
  - 14.13.3 If, in the opinion of the CAO or their designate, an emergency exists;
  - 14.13.4 The Consumer's facilities are unsafe or defective, leak excessively or cause a risk of contamination or deterioration to the Water System;
  - 14.13.5 For the purposes of repairing and maintaining the Water System;
  - 14.13.6 The Consumer fails to provide the Town adequate access to the Water System on private property or access to the premises for the purposes of reading, verification, testing, repairing, replicating or inspection of the meter as required;
  - 14.13.7 If, in the opinion of the CAO or their designate, it is reasonable to do so.
- 14.14 No person shall have any claim for compensation or damages as the result of the Town shutting off the water without notice or from failure of the water supply from any cause whatsoever.
- 14.15 The CAO or their designate, may at any time, upon endeavoring to provide forty-eight (48) hours' notice to a Consumer and without any further notice Turn Off a Water Service or refuse to open an Account, if the Consumer:
- 14.15.1 Fails to perform any term of an Account;
  - 14.15.2 Contravenes any other section of this Bylaw;
  - 14.15.3 Fails to comply with notice to discontinue water use during Water Demand Management Measures or;
  - 14.15.4 Fails to comply with notice to discontinue wastage of water.
- 14.16 A reconnect fee as specified in Schedule "C" of this Bylaw will be levied before reconnection of a Service.
- 14.17 All Consumers shall pay for their water consumption and all other rates and charges as provided for in Schedule "C" of this Bylaw.
- 14.18 No reduction in rates will be made in the monthly or bi-monthly charges for water supplied to or made available to the Consumer for use by the Town due to any interruption or any cause whatsoever for the supply of water.
- 14.19 All rates and charges shall be included in a bi-monthly water bill, provided to the Consumer on the Utility Bill, and shall be due and payable monthly in the manner herein provided.
- 14.20 In the event a Utility Bill remains unpaid after the due date, a penalty as established in Schedule "C" of this Bylaw shall be added to the principal outstanding amount thereto and form part of the rates levied.
- 14.21 In the event that the water bill remains unpaid by the following billing cycle (30 days for a tenant, Property Manager, or other Person designated by the Property Owner, and 60 days for homeowner):
- 14.21.1 A letter of notice of disconnection will be included with the utility bill indicating payment of arrears is to be made to the Town within fourteen (14) calendar days and payment must be received by 12:00 p.m.
  - 14.21.2 If the payment is not received by the Town on the date specified on the letter of notice of disconnection, a final notice for disconnection in the form of a door tag will be hand delivered to the property advising the homeowner that a payment due date of forty-eight (48) hours must be made by 12:00 p.m. (noon).
  - 14.21.3 If payment is not received by the Town Office on the date specified on the final notice for disconnection (door tag), the utilities will be disconnected at the Curb Cock (CC) with no further notice.

- 14.21.4 As per Schedule "C" of this Bylaw, a reconnection fee along with the payment of arrears must be paid prior to reconnection of service to the property.
- 14.22 In the event utility services have been shut off, by reason of non-payment, a reconnection fee as set out in Schedule "C" of this Bylaw shall be payable in advance for turning on the service as well as the outstanding bill.
- 14.23 Any Utility Bill remaining unpaid under this Bylaw will constitute a debt owing to the Town and is recoverable by any or all of the following methods, namely:
  - 14.23.1 by shutting off or discontinuing any Water Service being supplied by the Owner without notice;
  - 14.23.2 by collecting in a like manner as municipal rates and taxes;
  - 14.23.3 by action of any court of competent jurisdiction.
- 14.24 Consumers wishing to close their Account must request a Turn Off order at least two (2) working days before the order is to become effective.
- 14.25 The Town may continue to levy Water Service charges in accordance with Schedule "C" of this Bylaw until the Account is closed.

**15. WELLS**

- 15.1 All persons having charge of or being Owners or occupiers of premises containing a well shall not connect any piping that may cause cross connection and contaminate the Town's Water Distribution System. Failure to comply shall be an offence and shall be fined as per Schedule "C" of this Bylaw.

**16. SEVERABILITY**

- 16.1 Should any provision of this Bylaw be invalid, then such provision shall be severed and the remaining Bylaw shall be maintained.

**17. MISCELLANEOUS**

- 17.1 Nothing in this Bylaw will operate to relieve any Person from complying with any Federal, Provincial or Municipal laws, order, regulation, or Bylaw.
- 17.2 The power to do any of the things provided for in this Bylaw, for the purpose of enforcing payment of any Utility Bill as may be deemed necessary, is hereby designated to the CAO.
- 17.3 That Bylaw #09-2022 is hereby repealed. This Bylaw will come into force and effect after receiving third reading and having been signed.

READ A FIRST TIME THIS 17 DAY OF April, 2023

  
 \_\_\_\_\_  
 Mayor

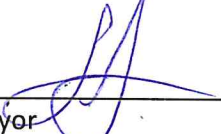
  
 \_\_\_\_\_  
 Chief Administrative Officer

READ A SECOND TIME THIS 17 DAY OF April, 2023.

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Chief Administrative Officer

READ A THIRD TIME THIS 17 DAY OF April, 2023

  
 \_\_\_\_\_  
 Mayor

  
 \_\_\_\_\_  
 Chief Administrative Officer

## SCHEDULE 'A'

### UTILITY BILLING REQUEST FORM

**Property Owners:** Please complete this form if you wish for ONE (1) duplicate copy of your utility bill to be sent to someone else, such as a tenant, property manager or any other person of your choice.

I, \_\_\_\_\_, hold legal land title to the following property:  
*Print Registered Owners Name*

\_\_\_\_\_  
*Civic Address of Property and / or Legal Land Description*

Utility Services means the Town of Legal service provision of water, sewer, recycle collection and garbage collection. As the Registered Owner of the property listed above, I accept full responsibility for payment of the utility services provided by the Town of Legal. I understand that the "Original" utility bills will be issued in my name and sent via email (as per Schedule B) and/or to the mailing address as stated in this document. A "Duplicate Copy" will be issued in the name of the person(s) listed below and sent via email (as per Schedule B) and/or to their mailing address as stated in this document.

A \$30.00 administration fee will be applied to the utility account for any change and will be applied to the first utility bill. It is the responsibility of the property owner to inform any new tenants, Property Manager, or other Person designated by the Property Owner of the \$30.00 administration fee.

Should the account become past due, I (Owner) am responsible for the payment of any and all utility services that have been accrued for the above stated property. Should the account still be in arrears at the time of either sale of the property, or tax assessment, the utility service costs will be added to the Property Tax Roll.

**Owner Information:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Town: \_\_\_\_\_

Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Alternate Phone#: \_\_\_\_\_

**Copy of bill to be sent to (check one):**  Tenant, or  Property Manager, or  other person designated by owner

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Town: \_\_\_\_\_

Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_ Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Alternate Phone#: \_\_\_\_\_

**I understand and accept the terms as stated above:**

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

*The information on this form is collected under the authority of Section 33 (c) of the Freedom of Information and Protection of Privacy Act (FOIP), Revised Statutes of Alberta 2000, Chapter F-25, and is used solely for purposes relating to utility accounts with the Town of Legal.*

**SCHEDULE 'B'**

**UTILITIES EMAIL REQUEST FORM**

If you wish to receive your utility bill by email only, please complete this form and return to the Town of Legal Office:

<b>NAME:</b> _____	<b>UTILITY ACCOUNT:</b> _____
<b>CIVIC ADDRESS:</b> _____	<b>PHONE NUMBER:</b> _____
<b>LEGAL, AB TOG 1L0</b>	<b>ALTERNATE PHONE #:</b> _____
<b>OWNER/OCCUPIER EMAIL ADDRESS:</b> _____	

- Please note that if there are any changes to the email address, it is the responsibility of the Owner and/or Occupier to inform the Town accordingly.
- A Consumer is not relieved from paying Utility Charges by reason of non-receipt of a Utility Bill, whatever the reason for non-receipt, as per the Bylaws of the Town of Legal.
- Payment due dates do not change. Penalties still apply if payment is late for any reason.

**AUTHORIZATION:**

I agree that I wish to receive my utility bill via email only and that I will inform the Town of Legal if this email address is no longer valid.

\_\_\_\_\_  
NAME OF APPLICANT *(Please Print)*

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE

*The information on this form is collected under the authority of Section 33 © of the Freedom of Information and Protection of Privacy Act (FOIP), Revised Statutes of Alberta 2000, Chapter F-25, and is used solely for purposes relating to utility accounts with the Town of Legal.*

## SCHEDULE 'C'

### WATER RATES

#### 1.1 DEFINITION OF WATER RATES AND CHARGES:

**Basic Charge:** A flat fee charge that is intended to recover costs for such things as: billing and other related charges, customer service, energy related charges, communication, facilities, and administration of customer accounts.

**Consumption Charge:** A variable volumetric charge, unless water is un-metered, that reflects the cost of supply for water consumed.

#### 1.2 SCHEDULE OF WATER RATES AND CHARGES:

##### RESIDENTIAL/COMMERCIAL/INSTITUTIONAL

	Charge	Application
Basic Charge	\$74.50	bi-monthly for first nine cubic meters of water consumption
Consumption Charge	\$1.52	per cubic meter consumed during each billing period over the initial nine cubic meters of water

##### Bulk Water (Truckfill) Pre-Paid

	Charge	Application
Consumption Charge	\$4.50	per cubic meter

#### 1.3 DEFINITION OF OTHER WATER RATES AND CHARGES:

**Administration Fee:** A flat fee that represents costs associated with the account processing changes required when there is a consumer change on a property and/or utility account. This process includes administration of new utility agreements, creation of new utility account, tenant, Property Manager, or other Person designated by the Property Owner changes, final meter reading, production of final bill and related administration.

**Connection Charge:** New service requests where a new physical connection is required to accommodate the service will have a fixed charge to offset the construction cost.

**Interference or Tampering Penalty:** A flat fee charge that is issued to anyone who has been found to have interfered with or tampering with any meter seal, meter reading equipment, or water shut-off equipment.

**Late Payment Penalty:** A Utility Bill which remains unpaid after the date fixed for payment, a penalty of one hundred twenty percent (120%) per annum or ten percent (10%) per month shall be added to the principal outstanding amount.

**Meter Testing:** A fee charge that is intended to reflect the cost of removing, testing and re-installation of a meter that the Consumer believes is faulty. If the meter is found faulty the Consumer will be credited back the Meter Testing charge.

**Reconnection Charge:** A flat fee charge that reflects the cost of managing and processing the administration and collection of utility accounts.

- A charge that is applied in the event that utility services are disconnected due to a utility account that is in arrears or where a Consumer has defaulted on payment. The Reconnection Fee must be paid prior to services being reconnected.
- A charge that is applied in the event the Consumer requests utilities to be reconnected.
- Reconnections shall only be performed during normal business hours.

**Service Calls:** A ~~per-hour~~ charge applicable to those Consumers who require service over and above that of the Basic Service provided for non-emergent issues.



**Service Disruption:** Provides an option for Consumers who wish to have their service temporarily disconnected. The charge includes a Service Call.

**1.4 SCHEDULE OF OTHER WATER RATES AND CHARGES:**

	<b>Charge</b>	<b>Application</b>
Administration Fee	\$30.00	Per change in Consumer utility services – applied on the Consumer’s first utility bill, split between water and wastewater
Connection to main	\$500.00	Tapping into main for new service
Connection of New Meter	5/8” T10 E-Coder: \$612.80 5/8” x 3/4” T10 E-Coder: \$616.00 3/4” T10 E-Coder: \$680.00 1” T10 E-Coder: \$835.20 1 ½” T10 E-Coder: \$1,300.00 2” T10 E-Coder: \$1,532.00	Per request of Owner
Late Payment Penalty	120% per annum (10% per month)	applicable to outstanding balance – applied to total Utility Bill (less penalty) after the date due
Meter Testing Deposit	\$200.00 Plus flow through of costs of testing results	Per Consumer request, flow through of testing charge plus Service Call
Re-Connection Charge	\$50.00	Per consumer request (i.e. Snowbird) or as a result of disconnection
Service Calls	\$100.00 plus \$50.00 per hour if required during regular business hours; \$100.00 plus \$100.00 per hour if required outside of regular business hours	plus any additional costs that may be incurred in attending to non-emergent issues
Service Disruption	Service Call Charge	per notification or event, per utility account

**1.5 SCHEDULE OF FINES AND PENALTIES:**

	<b>Fine – 1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> and Subsequent Offences</b>
Contravention of Water Demand Measures	\$250.00	\$500.00
Interference, Tampering or Unauthorized Use Penalty	\$250.00 Per event	\$500.00
Any offence under this Bylaw for which a penalty is not otherwise provided	\$250.00	\$500.00