

TOWN OF WAINWRIGHT

BYLAW NO. 2002 – 06

A Bylaw of the Town of Wainwright in the Province of Alberta to regulate and provide for the supply of natural gas, water and wastewater utilities.

WHEREAS the Town of Wainwright has constructed and now maintains utility systems to provide for natural gas, water and wastewater; and

WHEREAS it is deemed proper to levy rates and charges on all persons to whom such utility services are provided and to set forth the terms and conditions under which utility services will be provided.

NOW THEREFORE the Council of the Town of Wainwright duly assembled enacts as follows:

1. INTERPRETATION

1.1 TITLE

This bylaw may be called the “Utility Bylaw.”

1.2 DEFINITIONS

“Application for Utilities” means the application made by the customer to the Town for supply of utility services.

“Building Code” means the Alberta Building Code 1997 and amendments thereto or replacements thereof.

“Council” means the Council of the Town of Wainwright duly assembled.

“Customer” means any person, partnership, corporation or organization who has entered into a contract with the Town for utility services or who is the owner or occupant of any premises connected to or provided with a utility.

“Financial Institution” means a bank, trust company or a credit union, located in the Town.

“Municipal Administrator” means the Municipal Administrator for the Town of Wainwright or designate.

“Non-Residential Customer” means a person, firm, partnership, corporation or organization that uses a utility service for any purpose other than exclusively residential purposes.

“Owner” means the registered owner of a property or the purchaser thereof.

“Peace Officer” means a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer or Special Constable of the Town.

“Premise” means a site including any buildings erected thereon.

“Residential Customer” means a person who occupies a building used exclusively for residential purposes and connected to or provided a utility.

“Service Connection” means all that portion of pipes, wires or things that provide a public utility situate between the public utility main and the property line of the property to which such utility is supplied. In the case of the natural gas utility it is from the public utility main to the meter.

“Street” means all those lands situated within a road right-of-way registered at the Northern Alberta Land Titles Office.

“Town” means the Town of Wainwright.

“Utility” and “Utility Service” means and include as the context may require:

- (i) the supply of natural gas
- (ii) the supply of water
- (iii) the provision of wastewater collection and disposal

“Works Superintendent” means the Works Superintendent for the Town of Wainwright or designate.

2. SUPERVISION

- 2.1 The utility services shall be under the general supervision and control of the Municipal Administrator.
- 2.2 The Works Superintendent shall exercise the powers and perform the duties with respect to utility services conferred and placed upon him by this bylaw and any other bylaw of the Town applicable thereto and any order or direction of the Council and Municipal Administrator with respect thereto.
- 2.3 The Works Superintendent may enter upon any property for the purpose of inspection, observation, measurement, sampling or testing so as to determine if this bylaw is being complied with. If such an inspection discloses any failure, omission or neglect respecting any water, wastewater or natural gas services upon the property or discloses any defect in the location, construction, design, or maintenance of any facility or connection the Works Superintendent can request the consumer, owner, proprietor or occupier to remedy the cause for complaint.
- 2.4 The Works Superintendent may enter upon any property, which is subject to an easement in favour of the Town for the purpose of, but not limited to, the inspection, observation, measurement, repair or maintenance of any portion of the works lying within such easement.

3. SUPPLY AND OWNERSHIP OF FACILITIES AND EQUIPMENT

- 3.1 All meters and metering equipment shall be supplied, owned and maintained by the Town unless otherwise provided in this bylaw.
- 3.2 Notwithstanding the payment by a customer of any costs incurred by the Town, the Town shall retain full title to all lines, equipment and apparatus on its side of the point of delivery and to all meters and metering equipment provided by it.

4. ASSIGNMENT OF CONTRACT

- 4.1 The contract for utility service is not transferable by the customer and shall remain in full force and effect until the customer notifies the Town of their desire to terminate the contract or until the said contract shall have been terminated by the Town.

5. TOWN RESPONSIBILITY AND LIABILITY

- 5.1 The Town does not guarantee the continuous uninterrupted supply of any utility and reserves the right at any time without notice to shut off such supply where required in the maintenance or operation of the utility and the Town, its officers, employees or agents shall not be liable for any damages of any kind due to or arising out of the failure to supply a utility.

6. APPLICATION FOR UTILITY SERVICE

- 6.1 Any customer who requires utility services shall apply to the Town; complete the "Application for Utilities Form" and supply information respecting load and the manner in which the services will be utilized.
- 6.2 The utility account shall be set up:
 - (a) in the name of the owner's or;
 - (b) ⁵where there is evidence of a landlord-tenant situation, in the name of the tenant providing that an Owner/Occupier Agreement as per Schedule "E" has been signed, or
 - (c) ⁵in the name of the property owner in the case of a new building under construction.
- 6.3 An application shall be supported by such identification and legal authority of the applicant as the Municipal Administrator may require.
- 6.4 Upon making application, providing all information required by the Town and paying the deposit and any other sums herein required, there shall be a binding agreement between the customer and the Town for the utility service

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applied for and the provisions of the application and this bylaw shall constitute the terms and conditions of such agreement.

- 6.5 The customer shall have the option of one of two billing cycles:
- (a) Read Monthly – where meters are read once a month and the billing amount is based on actual consumption; or
 - (b) Budget Billing is a means of evenly spreading utility charges over a twelve-month period. Annual consumption is estimated and divided into twelve equal monthly payments with the meter readings in the twelfth month determining the account balance.
If a customer's budget billing account has been in arrears for two consecutive months or more; the Town in its sole discretion can change the account to the Read Monthly billing cycle.

7. CONDITIONS OF SERVICE

- 7.1 The Town shall not be obligated to provide utility services until access has been provided to the premise to enable the Town to obtain an initial meter reading for each utility service, which is metered.
- 7.2 Where the applicant is indebted to the Town for any utility services previously provided by the Town, the applicant may not be allowed to complete their application or be entitled to receive any utility services until satisfactory arrangements have been made for payment of such outstanding account and any deposit required.

8. DEPOSITS – GENERAL AND INTEREST

- 8.1 Customers are required to provide a guarantee of payment in the form of a cash deposit in the following cases:
- (a) first time customers and previous customers whose utility account is greater than two years old; or
 - (b) where payment of a utility account in the name of the applicant is in arrears; or
 - (c) where service to a property owned or occupied by the applicant has been shut off for non-payment of the account; or
 - (d) where a cheque received for payment of an account in the name of the applicant has been returned marked "Not Sufficient Funds" or "Payment Stopped", or with other words indicating that the cheque has not been honoured; or
 - (e) where the applicant's utility account has been written off as a bad debt and the applicant has applied for a new utility account; or

- (f) where collection proceedings, including legal action or referral to a collection agency, are commenced for recovery of the applicant's previous utility account and the applicant has applied for a new utility account; or
 - (g) where the applicant's existing or previous utility account(s) has not been maintained in good standing.
- 8.2 Before obtaining a utility account, applicants in the above categories shall pay all arrears or previous balances owing and shall provide a guarantee of payment in the form of cash as specified in Schedule "A".
- 8.3 Customers opening a new account due to a change in residence within Town shall, if a deposit was required for the applicant's previous account, be charged a deposit on the new account.
- 8.4 The Municipal Administrator may waive the requirement for a deposit.
- 8.5 The interest rate paid for utility deposit refunds shall be the monthly average of the Bank of Canada prime rate minus four (4) percent per annum.
- 8.6 The customer's deposit shall be returned after two years from the receipt of the deposit providing that the customer has established and maintained a credit worthiness satisfactory to the Town or upon termination of the contract. The deposit paid by such customer shall be refunded together with any accrued interest thereon after deducting therefrom all charges outstanding, including the cost of shutting off or discontinuing any utility service for non-payment of accounts rendered.

9. METERS

- 9.1 All natural gas and water supplied by the Town to a customer shall be measured by a meter unless otherwise provided for in this bylaw.
- 9.2 Each customer shall provide adequate protection for the meter(s) supplied by the Town against freezing, heat or any other internal or external damage, failing which the customer shall pay to the Town all costs associated with the repair of such meter which amount shall be recoverable in the same manner as all other costs and charges provided for under this bylaw.
- 9.3 No person other than an authorized Town employee shall remove, disconnect, reconnect or tamper with a meter.

10. NON-REGISTERING METER

- 10.1 If, upon the reading of a meter it is determined that the meter has failed to record the consumption of the utility supplied then the consumption will be estimated and the account rendered based upon such method as the Municipal Administrator considers to be fair and equitable.

- 10.2 Where it has been determined by the Town that the meter is not recording the consumption of a utility, the Town, with reasonable notice to the customer, must be allowed to enter the premises to replace the meter.

11. TESTING OR CALIBRATION OF DISPUTED METERS

- 11.1 A customer who disputes a meter reading shall give written notice to the Town. Following receipt of written notice and the required deposit as specified in Schedule "A":
- (a) the natural gas meter situated on the customer's premises shall be tested or calibrated by an independent agency designated by the Department of Consumer and Corporate Affairs or such other Department as may from time to time be charged with such responsibility; or
 - (b) the water meter situated on the customer's premises shall be tested or calibrated by a qualified person designated by the Works Superintendent; and
 - (c) if it is found by such testing that the meter is recording within industry prescribed tolerances, the customer shall forfeit his deposit to the Town to cover the cost of removal and replacement of the meter and the cost of testing; or
 - (d) in the event that a meter is found not to be accurate within the industry prescribed tolerances, the meter will be replaced at the cost to the Town, the deposit will be refunded and the customer billing will be adjusted by the appropriate amount for the time that the meter was registering incorrectly. Unless an examination of past meter readings or other information discloses the time at which such an error commenced, then such error shall be deemed to have commenced three months prior to such testing of the meter or from the date upon which the meter was installed, whichever is less. The amount so determined shall be deemed accepted by the customer and the Town as settlement in full of all claims on accuracy of such meter.

12. METER READS

- 12.1 The Town shall endeavour to read the meters of non-residential customers once every month and to read the meters of residential customers at least every two months, or at such intervals as are reasonable and practical under the circumstances. If the Town cannot gain access safely to read the meter as aforesaid, the consumption of the utility shall be estimated upon such basis as the Municipal Administrator considers being fair and equitable and the account rendered in accordance with such estimate. Each meter shall be read at least once per year and if such reading cannot be obtained, the Town may discontinue any or all utility services supplied to the premises until such time as the Town is able to obtain an actual meter reading.

- 12.2 The customer shall ensure access to the meter(s) is easy, safe, well lit and free from hazards to the person reading the metering.

13. SERVICE CALLS

- 13.1 Notwithstanding anything herein provided, if a meter is required to be installed or connected, or should a utility service be required to be disconnected or reconnected after regular working hours Monday through Friday or on a Saturday or Sunday, or statutory or civic holiday, a fee as specified in Schedule "A" shall be paid by the customer.

14. PAYMENT OF UTILITY ACCOUNTS

- 14.1 All rates and charges payable hereunder shall be paid to the Town within the time prescribed by this bylaw.
- 14.2 The entire utility account is due and payable when rendered and if not paid on or before the due date stated on the utility bill is deemed to be in arrears. Failure to receive a utility bill does not relieve the customer of liability to pay the same.
- 14.3 A customer who has not paid the utility account rendered on or before the date stated in the utility account may have the supply of all or any utility services discontinued without notice and such service will not be reinstated until arrears and charges owed to the Town are paid.
- 14.4 When the customer pays the utility account as rendered after the due date stated in the account, such customer shall pay a penalty of 2% on overdue accounts. Payments must be received by the Town on or before the due date in order for the customer to avoid the penalty. Payments made at a financial institution must be received by the Town on or before the due date in order for the customer to avoid the penalty.
- 14.5 A customer is obliged to pay for utilities when the bill is rendered and it is a breach of the agreement to supply utilities for the customer to pay late. The late payment penalty is not to be construed as permission for the customer to pay late but is rather a penalty for breaching the terms of the utility service agreement.

15. NOVELTY PAYMENT METHODS

- 15.1 The Town may refuse to accept payment on a customer's account when payment by cheques is drawn on a form other than a bank cheque form. In the event that the Town accepts a payment by a cheque drawn on any other form, the customer shall be liable and pay the Town all charges and costs incurred to process the cheque. The Town will follow the Bank of Canada rules and regulations of currency acceptance limitations.

16. ENFORCEMENT

- 16.1 The Municipal Administrator is authorized to collect all amounts owing to the Town under this bylaw by taking any of the measures a municipality is authorized to take under the Municipal Government Act.

17. TERMINATION BY CUSTOMER

- 17.1 Upon notification by the customer to the Town to terminate the customer's contract, the Town shall when deemed necessary, obtain a final reading of any meter as soon as reasonably practical and the customer shall be liable for and pay for all service supplied prior to such reading. The Town may base the final charge for service on an estimated meter reading, which will be prorated from the time of an actual meter reading.

18. TERMINATION BY THE TOWN

- 18.1 When the premise to which utility service is provided becomes vacant and no new application for service has been made, the Town may terminate the contract and in lieu of disconnecting the service, open a new utility account in the name of the owner. Nothing herein shall prevent the owner from requesting that the Town disconnect such utility service provided that the owner pays all applicable charges.

- 18.2 The Town may discontinue the supply of all utility services for any of the following reasons:

- (a) non-payment of any utility accounts; or
- (b) inability of the Town to obtain access to a residential premises to read any meter for a period of six months or to a non-residential premises to read any meter for a period of three months; or
- (c) failure by or refusal of a customer to comply with any provision of this bylaw; or
- (d) failure or refusal of a customer to comply with any provisions of any Provincial Acts, the Building Code, or any regulations thereunder; or
- (e) at the owner's request to have services discontinued; or
- (f) in any other case provided for in this bylaw;

and in such event the Town, its officers, employees or agents shall not be liable for any damages of any kind from such discontinuance of service.

- 18.3 The Works Superintendent is hereby authorized and directed to enter upon and in any property upon which a meter or shut-off valve is situated for the purpose of terminating the supply of a utility to that property, or for the purpose of supplying a utility to that property.

WATER UTILITY

19. DEFINITIONS

“Town Service” or “Town Service Pipe” means that portion of a pipe used or intended to be used for the supply of water, which extends from the water main to the service valve.

“Combined Service” means the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection.

“Fire Line” means a pipe intended solely for the purpose of providing a supply of water for fire protection purpose.

“Private Service” or “Private Service Pipe” means that portion of a pipe used or intended to be used for the supply of water, which extends from the service valve to a meter.

“Remote Reading Device” means a device, which is connected to a water meter by the Town and provides a duplicate reading of the water consumed, which may be monitored from the exterior of the building.

“Service or Service Pipe” means a pipe used or intended to be used for supplying water, which extends from a water main to a meter.

“Service Valve” means the valve on the Town service pipe.

“Shut Off” means an interruption, or discontinuance of, the supply of water.

“Sprinkling” means the distribution of water to the surface or sub-surface of lawns, gardens, street or other areas situated outside the buildings by pipes, hoses, sprinklers or any other method and includes the washing of motor vehicles and the exterior of buildings.

“Water Main” means those pipes installed by the Town in the streets for the conveyance of water throughout the Town to which service pipes may be connected.

“Water Utility” means the system of water works owned and operated by the Town and all accessories and appurtenances thereto.

20. RATES PAYABLE

- 20.1 The Town hereby levies and the customer shall pay for all water supplied or services rendered hereunder the amounts and charges provided for in this bylaw and in Schedule “B” attached to and forming part of this bylaw.
- 20.2 The Municipal Administrator shall determine which rate contained in Schedule “B” shall apply to any particular customer.

- 20.3 The rate payable by a customer as set out in Schedule “B” of this bylaw for all water supplied shall be determined by reference to the reading of the meter supplied to a customer.
- 20.4 Where a remote reading device is installed in addition to the main water meter, the meter shall be the official reading.

21. CONNECTION TO PUBLIC WATER SUPPLY

- 21.1 Within sixty (60) days after a public water supply becomes available, the owner of every building situated on land abutting on any street in which there is a water main shall at the owner’s expense connect such building to the water system in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this bylaw.
- 21.2 At such time as the owner connects to the water main, the owner shall also open a utility account and make payment of all fees and deposits that may be required under this bylaw.
- 21.3 Notwithstanding the foregoing, the Municipal Administrator shall have the discretion to extend the period of time in which the connection to the public water supply must be made from sixty (60) days to a maximum of one hundred and eighty (180) days after a public water supply becomes available.
- 21.4 A person who has been directed to connect their building to the water system shall have the right to appeal the direction to Council within thirty (30) days of the date that the direction to connect has been served, and on hearing such appeal, Council may suspend or rescind such direction on such terms as it deems appropriate.

22. ADMINISTRATION OF WATER SUPPLY

- 22.1 The Works Superintendent may shut off water for any customer for any reason, which, in the opinion of the Works Superintendent, necessitates such shutting off providing that where practicable that sufficient notice is given of the turn off.
- 22.2 The Town does not guarantee the pressure nor the continuous supply of water and reserves the right at any and all times without notice to change operating water pressures and to shut off water and the Town, it’s officers employees or agents shall not be liable for any damages of any kind due to changes in water pressure, the shutting off of water, or by reason of water containing sediments, deposits or other foreign matter.
- 22.3 Customers depending upon a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted, pressure and quality of water required for their use.

- 22.4 The Town as a condition to the supply of water may inspect the premise of a customer who applies to the Town for such a supply in order to determine if it is advisable to supply water to such customer.
- 22.5 The Town may, with the permission of the customer, inspect the premise of the customer in order to do any tests on the piping or fixtures belonging to the customer so as to determine if this bylaw is being complied with and in the event that such customer fails or refuses to give such permission, the supply of water to that customer may be shut off.
- 22.6 The Town may at such times and for such lengths as the Works Superintendent considers necessary or advisable regulate, restrict or prohibit the use of water for use other than human consumption. The Works Superintendent may cause the water supply to any customer who causes, permits or allows consumption or sprinkling in contravention of any such regulation, restriction or prohibition to be shut off until such customer undertakes to abide by and comply with such regulation, restriction or prohibition.

23. RESTRICTION OF WATER SUPPLY

- 23.1 No customer shall operate, use, interfere with, obstruct or impede access to water facilities owned by the Town, or any portion thereof in a manner not expressly permitted by this bylaw, in default which, the Works Superintendent may cause the water being supplied to such customer to be shut off until such customer complies with all of the provisions of this bylaw.
- 23.2 No customer shall extract or remove any water from a fire hydrant within the Town without first obtaining a letter in writing signed by the Works Superintendent authorizing such removal.
- 23.3 No person shall allow anything to be constructed, placed, erected or planted adjacent to a fire hydrant, which may in any way interfere with the access to, use, maintenance or visibility of the hydrant.
- 23.4 During such periods as the Municipal Administrator may designate by notice published in a newspaper in the Town,
- (a) No customer shall use, permit, suffer or allow to be used, any water supplied to any premise, the numerical designation of which (not including the street designation) ends in an odd number, for vehicle washing, lawn watering or other irrigation purposes on any day of the period which is an even number; and
 - (b) No customer shall use, permit, suffer or allow to be used, any water supplied to any premises, the numerical designation of which (not including the street designation) ends in an even number, for vehicle washing, lawn watering or other irrigation purposes on any day of the period which is an odd number.

- 23.5 During such period as the Municipal Administrator by notice published in a newspaper may designate, no customer shall use, permit, suffer or allow to be used, any water supplied to a premises for vehicle washing, lawn watering or other irrigation purposes.

24. INVESTIGATION INTO WATER SUPPLY SERVICE FAILURE

- 24.1 Any customer complaining of a failure or interruption of water supply, the investigation of which complaint necessitates the opening up and excavation of a street shall, prior to such opening up and excavating, deposit with the Municipal Administrator the costs thereof as estimated by the Works Superintendent, or sign an agreement, agreeing to pay such costs, as directed by the Municipal Administrator.
- 24.2 In the event that the failure or interruption of water supply was caused by the Town service, the customer shall not be liable for such costs and any deposit paid shall be refunded.
- 24.3 In the event that the failure or interruption was caused by the private service, the actual cost of the work shall be paid by the customer and the deposit shall be applied thereto with any excess refunded to the customer and any deficiency collected in the same manner as water rates.

25. NOISE AND PRESSURE SURGES

- 25.1 No customer shall cause, permit, or allow any apparatus, fitting or fixture to be or remain connected to the customer's water supply or to be operated in a manner which may cause noise, pressure surges, or other disturbances which may in the opinion of the Works Superintendent result in annoyance or damage to other customers or to the water utility.

26. CONTAMINATION

- 26.1 No person shall cause, permit or allow to be or remain connected to the customer's water supply system any piping, fixture, fitting, container or other appliance which may cause water from a source other than the water utility or any other harmful or deleterious liquid or substance to enter the water utility. The Works Superintendent may cause the water supply to any customer contravening the provisions of this section to be shut off provided that the Works Superintendent shall, if he considers practicable to do so, give notice to the customer prior to shutting off the water supply. The water supply shall not be restored until the customer has paid to the Town all costs associated with shutting off of the water supply, the cleanup of contamination and the remedying of the customer's default under this section.

27. WATER METERS

- 27.1 Water meters supplied by the Town shall be two inches (2" or 50 millimetres) in size or smaller and shall be installed by the Town with no direct charge to the customer. Meters larger than two inches (2" or 50 millimetres) shall be supplied and installed by the Town at the expense of

the customer and shall thereafter be maintained by the Town at their expense.

- 27.2 A customer, may at their expense for their own benefit, install a water meter between the meter supplied by the Town and the point of use of the water supply provided that the Town shall not read and maintain the meter.
- 27.3 A customer shall make provision for the installation of a water meter to the satisfaction of the Works Superintendent and when required shall install a properly valved bypass.
The customer shall ensure that the meter as installed:
- (a) shall be in a horizontal position;
 - (b) is no more than twenty-four inches (600mm) from the point that the water service enters through the floor slab or wall;
 - (c) is located so that the distance from the floor to the bottom of the meter is not less than twelve inches (300mm) or not more than three feet (900mm);
 - (d) is located so that the distance from the centre line of the piping adjacent to the meter setting to any entrance wall or outside wall is not less than twelve inches (300mm);
 - (e) is located so that the minimum clearance of three feet (900mm), horizontally and vertically, can be maintained from any other fixture or moveable object and in a location that provides for convenient and unobstructed access at all times;
 - (f) in the case of new construction, the builder at the builder's expense shall install wiring for a remote reading device for each meter to the Town's specifications.
- 27.4 Unless the Works Superintendent otherwise approves, the Town shall not be obligated to supply more than one meter for any one building. In the event additional water meters are approved a separate curb stop will be required for each additional water meter.
- 27.5 Notwithstanding Section 27.4, the Town shall supply a separate water meter for each of the two semi-detached dwelling units contained within a duplex residential building. A separate curb stop will be required for each water meter.
- 27.6 Any customer whose water meter is not positioned to the satisfaction of the Works Superintendent shall make provision for the meter to be moved and the customer shall pay all costs.
- 27.7 When in the opinion of the Works Superintendent, a building or other premise intended to be supplied with water is too far away from the Town service to conveniently install a meter in such building or premise, or if a

number of buildings are to be supplied or for any other reason in the opinion of the Works Superintendent, then the customer shall, at the customer's sole expense, construct and maintain a container for a meter and such container shall in all respects including location, construction size, access and otherwise howsoever be to the satisfaction of the Works Superintendent.

28. METER SIZE

28.1 The size of the meters shall be determined as follows:

- (a) if the internal diameter of the private service three-quarter inch (3/4" or 20 millimetres) or less a five-eighths inch (5/8" or 16 millimetres) meter shall be used; or
- (b) if the internal diameter of the private service exceeds three-quarter inch (3/4" or 20 millimetres); the size of the meter shall be one size smaller than the size of the private service; or
- (c) if the private service is a combined service the internal diameter of the private service branch to be used for purposes other than fire protection shall determine the meter size as set out in subsections (a) and (b) of this section.

29. BYPASSES and VALVING

29.1 Any customer having a water meter two inches (2" or 50 millimetres) in size or larger shall at the customer's own expense construct and maintain a properly valved bypass satisfactory to the Works Superintendent which bypasses shall be sealed by the Town and shall be opened by the customer only in case of emergency. The customer shall notify the Town within twenty-four (24) hours after the seal on the bypass has been broke, failing which the Works Superintendent may cause the water supply to such customer to be shut off until satisfactory arrangements have been made for the calculation of and payment for water supplied and not recorded on the meter.

29.2 Any customer having a meter smaller than two inches (2" or 50 millimetres) in size shall, at the customer's sole expense, supply and maintain valves on both sides of and within twelve inches (12" or 300 millimetres) of the meter.

30. SERVICES AND SERVICING

30.1 All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the provisions of the applicable Building Code, regulations and the bylaws of the Town.

30.2 Unless the Works Superintendent otherwise approves;

- (a) there shall not be more than one private service to any building, and

(b) a private service shall be buried to a depth of at least nine feet (9' or 2.7 metres).

- 30.3 The Town shall not thaw a private service or plumbing system unless the customer first signs an acknowledgement recognizing that thawing may be inherently dangerous to property including the private service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against the Town for any such damage caused by negligence of the Town. The customer may be required to pay the amount as specified in Schedule "B".
- 30.4 The cost payable by a customer for installing a service between November 1st and May 1st of the following year shall include the extra cost of thawing as determined by the Works Superintendent unless frost conditions designate otherwise.
- 30.5 The size of a service required for residential purposes shall be determined in accordance with the Building Code, provided that the Town shall not install a service having a size smaller than three-quarter inch (3/4" or 20 millimetres).

31. REQUESTED WATER SHUT OFF

- 31.1 If a customer requires the supply of water to be shut off for his or her own purposes, the customer may be required to pay the amount as specified in Schedule "B".

32. CROSS CONNECTIONS and BACKFLOW PREVENTION

- 32.1 No customer or other person shall connect, cause to be connected, or allow to remain connected to the water supply system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or polluted water, wastewater, or any other liquid, chemical or substance to enter the water supply system.
- 32.2 If a condition is found to exist which is contrary to Section 32.1 the Works Superintendent may issue such order or orders to the customer as may be required to obtain compliance.
- 32.3 Notwithstanding anything herein contained, where in the opinion of the Works Superintendent, the configuration of any water connection which creates a high risk of contamination to the water system, the customer, upon being given notice by the Works Superintendent, shall install on their water service an approved cross connection control device, in addition to any cross connection control devices already installed in the customer's water system at the source of potential contamination.
- 32.4 All cross connection control devices shall be inspected and tested at the expense of the customer, upon installation, and thereafter annually or more often if required by the Works Superintendent by personnel qualified to carry out such tests to demonstrate that the device is in good working condition.

The customer shall submit a report on a form approved by the Works Superintendent on any and all tests performed on a cross connection control device within thirty (30) days of a test and a record card issued by the Works Superintendent shall be displayed on or near the device. The tester shall record thereon the name and address of the owner of the device; the location, type, manufacture, serial number and size of the device; and the test date, the tester's initials, the tester's name (if self employed) or the name of the testers employer and the tester's license number.

- 32.5 When the results of a test referred to in section 32.4 of this bylaw show that a cross connection device is not in good working condition, the customer when so directed by the Works Superintendent, make repairs or replace the device within ninety-six (96) hours. If a customer fails to comply with the direction given, the Town may shut off the water service(s).
- 32.6 If a customer fails to have a cross connection control device tested, the Works Superintendent may notify the customer that the device must be tested within ninety-six (96) hours of the customer receiving the notice. If a customer fails to have the device tested within the time specified, the Works Superintendent may cause the water service(s) to be shut off until the cross control device has been tested and approved as per Section 32.4.
- 32.7 No person other than those who have achieved journeyman or "Certificate of Competency" in cross connection control program of Alberta may conduct the tests of cross connection control devices, except with special permission from the authority having jurisdiction over the trade.
- 32.8 If a customer to whom the Works Superintendent has issued an order fails to comply with that order he may direct that the water service(s) be shut off without prior notice.

33. SERVICE BOXES

- 33.1 Service boxes to buildings under construction shall be protected from damage by the owner from the time the building permit is issued to the time of occupancy.
- 33.2 At all times during construction, the owner shall keep the service box exposed at final grade level and clearly marked with a blue wooden stake.
- 33.3 If the service box is damaged prior to the owner occupying the site the Town shall be notified by the owner prior to application for a building permit being made.
- 33.4 If the installation of a water or sewer service or the repair of a water or sewer service necessitates excavation at the service box, the Town may require replacement of the service box by the person doing the installation or repairs. The Town will provide a replacement service box at no charge if the damage to the service box is not the fault of the owner of the property or the person performing the work.

WASTEWATER UTILITY

34. DEFINITIONS

“Backflow valve” means a device or method to prevent backflow;

“B.O.D.” denoting Biochemical Oxygen Demand means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in parts per million by weight;

“Building Drain” means the part of the lowest horizontal piping, which receives discharge from soil, waste or other drainage pipes within a building and conducts it to the building sewer beginning one (1) metre outside the building wall;

“Building Sewer” means the part of a wastewater drainage system outside a building commencing at a point one (1) metre from the outer face of the building and connecting the building drain to the sanitary sewer or place of disposal of wastewater;

“Cleanout” means a pipefitting that has a removable cap or plug and is so constructed that it will permit pipe cleaning;

“C.O.D.” denoting Chemical Oxygen Demand means the oxygen equivalent of organic matter and related empirically to B.O.D.;

“Dangerous Goods” means dangerous goods as defined in the Dangerous Goods Transportation and Handling Act and amendments thereto;

“Garbage Disposal Unit” means any device, garborator, equipment, or machinery designed, used, or intended to be used for the purpose of grinding or otherwise treating refuse to enable the same to be introduced into a public sewer;

“Grease and Oil” means any material recovered as a substance soluble in trichlorotriflourethane and may also include sulphur, organic dyes, and chlorophyll, using the “Standard Methods” for the examination of water and wastewater from the latest editions of American Public Health Association, American Water Works Association and American Water Pollution Control Federation;

“Hydrocarbons” means compounds made up of only carbon and hydrogen;

“Industrial Wastes” means liquid waste from industrial processes, dairies, breweries, packing plants and similar processes;

“Lime Slurry and Residues” means a mixture of lime and water resulting in a pH in excess of 10, or suspended solids in excess of 1000 milligrams per litre;

“Natural Outlet” means any naturally occurring outlet into a water course, pond, ditch, lake or other body of surface or groundwater not constructed by any person;

“pH” means the logarithm of the reciprocal of the weight of hydrogen ion in grams per litre of solution and denotes alkalinity or acidity;

“Phosphates” means a chemical salt classified as orthophosphates, condensed phosphates and poly-phosphates;

“Polluted Wastes” and “Polluted Water” means materials or water that are contaminated with wastes in excess of that permitted by this bylaw;

“Refuse” means all putrescible materials resulting from the handling, preparation, cooking, consumption and storage of food;

“Sanitary Sewer” means a sewer located on public property, which is designated by the Works Superintendent to carry wastewater only;

“Sewer” means a pipe or conduit for carrying wastewater;

“Sewage Works” means all sewers and facilities for collecting, pumping, treating and disposing of wastewater;

“Storm Sewer or Storm Drain” means a pipe or conduit, which is designated by the Works Superintendent to carry storm, surface drainage and groundwaters only;

“Suspended Solids” means solids that either float on the surface of, or are in suspension of the water, wastewater, or other liquids and which are removable by laboratory filtering;

“Wastewater” means a combination of the water carried wastes from all buildings in Town and without limiting the generality of the foregoing includes residences, business buildings, institutions and industrial establishments;

“Wastewater Treatment Plant” means any facility used for treating wastewater, and without restricting the generality of the foregoing shall include a wastewater disposal system;

“Water Course” means a channel in which a flow of water occurs either continuously or intermittently.

35. RATES PAYABLE

- 3.5.1 The Town hereby levies a sewage charge on all persons occupying property connected with the Town sewage works the amounts and charges provided for in this bylaw and in Schedule “C” attached to and forming part of this bylaw.

- 35.2 The Municipal Administrator shall determine which rate contained in Schedule "C" shall apply to any particular customer.

36. USE OF SANITARY SEWERS REQUIRED

- 36.1 No person shall place, deposit, or permit to be deposited in any manner upon public or private property within the Town or in any area under the jurisdiction of the Town, any human or animal excrement, or other waste, or dangerous goods.
- 36.2 No person shall discharge from any natural outlet within the Town or to any area under the jurisdiction of the Town, any wastewater, industrial waste, dangerous goods, or polluted waters, except where suitable pre-treatment is within the provisions of this bylaw.

37. CONNECTION TO PUBLIC SEWER SYSTEM

- 37.1 Within sixty (60) days after sewer service becomes available, the owner of every building situated on land abutting on any street in which there is a sewer main shall at their own expense install toilet facilities and connect the building to the sewer system in accordance with the requirements and standards set out in the Building Code and elsewhere in this bylaw.
- 37.2 At such time as the owner connects to the sewer main, the owner shall open a utility account and make payment of all fees and deposits that may be required under this bylaw.
- 37.3 Notwithstanding the foregoing, the Municipal Administrator shall have the discretion to extend the period of time in which the connection to the public sewer system must be made from sixty (60) days to a maximum of one hundred and eighty (180) days after a public sewer system becomes available.
- 37.4 A person that has been directed to connect their building to the sewer system shall have the right to appeal the direction to Council within thirty (30) days of the date that the direction to connect has been served and on hearing such appeal, Council may suspend or rescind such direction on such terms as it deems appropriate.
- 37.4 Except as permitted by this bylaw, no person shall construct or maintain in the Town any privy or pit toilet, septic tank, cesspool, or other facility intended or used for the collection or disposal of wastewater.

38. CLEANOUTS

- 38.1 A building sewer that is connected to a sanitary sewer shall be equipped with a main cleanout with a minimum diameter of four (4") inches (100mm) located not more than one hundred (100') feet (30m) from the sanitary sewer main. The main cleanout shall be located as close as practical to the point where the sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (7' or 2m) for effective

rodding and cleaning. The building sewer from cleanout to the property line is to be as straight as possible. A maximum of one forty-five (45°) degree bend is permitted for the cleanout and a maximum of one forty-five (45°) degree bend may be used between the cleanout and the property line. Total bends shall not exceed ninety (90°) degrees.

39. BACKFLOW VALVES

- 39.1 Where premises are subject to backflow, all plumbing fixtures and floor drains set below the level of the ground surface of the adjoining street or property shall be protected from backflow by an approved valve.

40. TREES AND ROOTS

- 40.1 No deep rooting trees (without limiting the generality of the foregoing, including willow, poplar and elm) shall be planted over sewer lines on private property. If it is determined that roots are entering the sewage works from trees upon private property, the Town at the owner's expense may remove the trees.

41. PRIVATE WASTEWATER DISPOSAL

- 41.1 Where a sanitary sewer is not available for connection as required under the provisions of Section 37.1, the building sewer shall be connected to a private wastewater disposal system complying with the provisions of the bylaw, the Building Code and such additional requirements as may be imposed by the Works Superintendent.
- 41.2 The owner shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times at no expense to the Town.
- 41.3 After the owner has connected to the sewer system as required by Section 37.1, the owner shall within sixty (60) days of the date of connection to the sewer system, empty any septic tanks, cesspools, and similar private wastewater disposal facilities and shall remove them or fill them with dirt or other suitable material.

42. BUILDING SEWERS AND CONNECTIONS

- 42.1 Any person desiring to connect their premises with a sanitary sewer shall sign and file with the Town a written application for permission to make such connection. The permit application shall be supplemented by any plans, specifications, or other information deemed necessary in the opinion of the Works Superintendent.
- 42.2 No person shall uncover, make any connections with or opening into, use, alter or disturb any sanitary sewer or appurtenances thereof, unless authorized by the Works Superintendent.
- 42.3 All building sewers when approved shall be constructed by municipal forces or municipal contractors from the sanitary sewer to the property line.

- 42.4 All building sewers on private property shall be constructed by the owner's forces and expense to the requirements of this bylaw and the Building Code.
- 42.5 The Town shall maintain the building sewer line from the sanitary sewer to the property line at the expense of the Town. From the property line to the building connection the sewer line shall be maintained by the property owner at his or her own expense.
- 42.6 When a sewer connection is abandoned, the owner of the property shall effectively block off the connection at a suitable location within their property so as to prevent wastewater backing up into the soil, or soil from being washed into the sewer.
- 42.7 No weeping tile or other ground water drainage system shall be connected to any building sewer or sanitary sewer.

43. USE OF PUBLIC SEWERS

- 43.1 No person shall discharge, or cause to be discharged, storm water, surface water, groundwater, roof run-off, subsurface drainage or cooling water from any industrial process to any sanitary sewer; provided that the Works Superintendent may, on application, authorize such discharge where in the Works Superintendent's opinion exceptional conditions prevent compliance with the foregoing provisions.
- 43.2 No person shall deposit or permit the deposit of a deleterious substance, as defined by the Works Superintendent, of any type in the storm sewers of the Town.
- 43.3 No person shall discharge, cause or permit to be discharged into any sanitary sewer any:
- (a) dangerous goods;
 - (b) ashes, cinders, sand, potters clay, cement, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, paint, wood, or other solid or viscous substance capable of causing obstruction, or other interference with, the operation of the sewage works;
 - (c)
 - (i) paunch manure or intestinal contents from horses, cattle, sheep, poultry or swine;
 - (ii) animal hooves, toenails, or bone scraps;
 - (iv) animal intestines or stomach casings;
 - (v) bones;
 - (vi) hog bristles;
 - (vii) hides or parts thereof;
 - (viii) animal fat or flesh, in particular larger than can pass through a six (6) millimetre screen;
 - (ix) horse, cattle, sheep or swine manure;
 - (x) poultry entails, heads, feet, feathers or eggshells;

- (xi) fleshings and hair resulting from tanning operations;
 - (xii) blood;
- (d) water or wastes having pH lower than 5.5 or higher than 10.0, or having any corrosive property capable of causing damage or hazard to structures, equipment, biological wastewater treatment processes and personnel of, the sewage works;
- (e) wastewater containing substances in concentrations exceeding the following:

Antimony	1.0 mg/l
Arsenic	1.0 mg/l
Barium	3.0 mg/l
Boron	1.0 mg/l
Cadmium	.05 mg/l
Chromium	1.0 mg/l
Chlorinated Hydrocarbons	.02 mg/l
Copper	0.5 mg/l
Cyanide	1.0 mg/l
Lead	1.0 mg/l
Manganese	1.0 mg/l
Mercury	0.1 mg/l
Nickel	0.5 mg/l
Total Pesticides	0.1 mg/l
Phenolic Compounds	0.1 mg/l
Selenium	1.0 mg/l
Silver	1.0 mg/l
Sulphide	1.0 mg/l
Zinc	1.0 mg/l

- (f) Wastewater which contains more than:

Suspended Solids	1000 mg/l
B.O.D.	1000 mg/l
C.O.D.	2000 mg/l
Oil and Grease	500 mg/l
Hydrocarbons	100 mg/l
Phosphates	100 mg/l

- (g) lime slurry and residues;
- (h) any substance which, in the opinion of the Works Superintendent,
- (i) is or may become harmful to any recipient water course or sewage system or part thereof;
 - (ii) may interfere with the proper operation of the sewage system;
 - (iii) may impair or interfere with any wastewater treatment process, or

(iv) may become hazardous to persons, property or animals.

43.4 The Works Superintendent may cause samples of wastewater to be taken to determine the content thereof, and, notwithstanding the provisions of Section 43.3(f), where any person has discharged, caused or permitted to be discharged into any sanitary sewer any:

- (a) Suspended solids which exceed 200 mg/L; or
- (b) B.O.D. which exceed 200 mg/L; or
- (c) Oil and grease which exceeds 100 mg/L;

Then such persons shall pay rates for treatment for such substances as set forth in Schedule "C" of this bylaw. Where the discharge of substances do not exceed the amount specified in this subsection, then such person shall pay the volume rate for discharge of wastewater.

43.5 Grease, oil and sand interceptions or filters shall be provided on private property for all restaurants, garages, petroleum service stations, vehicle and equipment washing establishments.

43.6 Interceptors will be required for other types of businesses when, in the opinion of the Works Superintendent, they are necessary for the proper handling of wastewater containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients.

43.7 All interceptors shall of a type and capacity approved by the Town and shall be so located as to be readily and easily accessible for cleaning and inspection and shall be maintained by the owner at his expense in continuously efficient operation at all times.

43.8 Should any blockage, either wholly or in part, of the sewage works be caused by reason of failure, omission, or neglect of a customer, or owner of property, to comply strictly with the provisions of this bylaw, the customer or owner shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay the Town for all costs of clearing such blockage as determined pursuant to Schedule "C" and for any other amount for which the Town may be held legally liable because of such blockage.

43.9 Any person who contravenes any of the provisions of Section 43.3 shall, in addition to any penalty for infraction of this bylaw, be liable to and shall pay on demand to the Town all costs of cleaning up and removing any of the materials listed in Section 43.3 and removing and cleaning up a contamination resulting from the discharging of any such materials into a sanitary sewer, and for any other amount for which the Town may be held legally liable because of such contamination.

43.10 No person shall discharge or cause to be discharged into any sewer or sanitary sewer, wastewater, or industrial waste in a greater volume than 100,000 cubic feet (9,300 cubic metres) per month without first obtaining

written consent from the Town, but no such consent shall be given by the Town until:

- (a) an application in writing for permission to discharge industrial waste or wastewater into a sewer within the Town system is delivered to the Works Superintendent, and
- (b) the Works Superintendent has been provided with the chemical and physical analysis, quantity and rate of discharge of wastewater or industrial waste to be so discharged, and any other detailed information that the Works Superintendent may require, including all pertinent information relating to any pre-treatment before discharge.

43.11 The Works Superintendent may require the person making application to discharge wastewater to provide, at their own expense, such preliminary treatment as may be necessary to change the characteristics of the industrial waste or wastewater to the standards required under the provisions of this bylaw.

Where preliminary treatment facilities are provided for any industrial waste or wastewater, they shall be maintained continuously in satisfactory and effective operation at the owner's expense.

43.12.1 The Works Superintendent may require the installation of a manhole in a wastewater service connection.

43.12.2 Notwithstanding the above, when required by the Works Superintendent, the installation of a manhole in a wastewater service connection to an industrial, commercial, or other development will be required:

- (a) to facilitate the clearing of blockages where, in the opinion of the Works Superintendent, the risk of sewer blockage is high;
- (b) for observation, sampling and measurement of the waste of premises served by a wastewater service connection carrying industrial waste.

43.13 Without limiting the generality of the foregoing, manholes may be required for, but not limited to:

- (a) Industrial – Oil related industries, dairies, breweries, packing plants, processing plants, feed mills, manufacturing plants, fabricating plants, and painting shops.
- (b) Commercial – Shopping centres, heavy machine repair, welding shops, automobile repair, service stations, car washes, restaurants, paint stores, hotels, motels, dry cleaners, and laundries.
- (c) Other – Residential dwellings over six (6) units, apartments over six (6) units, institutions, hospitals, dental labs, funeral homes, churches, schools.

- 43.14 Such manholes may be constructed by the Town , at the cost of the applicant for wastewater services, at the service connection to the sanitary main or such manhole may be constructed at the applicants expense, on property/easement line in accordance with plans approved by the Works Superintendent and shall be maintained by the applicant so as to be safe and accessible at all times.
- 43.15 All measurements, tests and analysis of the characteristics of industrial waste, wastewater or water to which reference is made in this bylaw shall be determined in accordance with the “Standard Methods for the Examination of Water and Waste Water” as published by the American Public Health Association, and shall be determined from suitable samples taken at the control manhole provided in Section 43.12. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in a sanitary sewer to the point at which the sewer connection enters the sanitary sewer.

NATURAL GAS UTILITY

44. DEFINITIONS

“Natural Gas Service” means the natural gas service line as well as the associated regulating and metering equipment that is required.

“Natural Gas Utility” means the natural gas distribution system operated by the Town and all accessories and appurtenances thereto.

“Safety Codes” means the Safety Codes Act RSA 2000 applicable regulations and amendments thereto.

“Service Area” means the lands contained within the corporate limits of the Town of Wainwright and any service connection provide outside of the corporate limits.

“Point of Supply” means the outlet flange of the meter, or regulator if the regulator is preceded by the meter.

45. RATES PAYABLE

- 45.1 The Town hereby levies and the customer shall pay for all natural gas supplied or services rendered hereunder the amounts and charges provided for in this bylaw and in Schedule “D” attached to and forming part of this bylaw.
- 45.2 The Municipal Administrator shall determine which rate contained in Schedule “D” shall apply to a particular customer.
- 45.3 The rate payable by a customer as set out in Schedule “D” of this bylaw for all natural gas supplied shall be determined by reference to the reading of the meter supplied to a customer.

- 45.4 The rates payable for the installation of a natural gas service line, metering and regulating equipment shall be as specified in Schedule "D".

46. CONNECTION TO NATURAL GAS SUPPLY

- 46.1 Natural gas is the only combustible fuel that may be used for space heating purposes and other processes. Within sixty (60) days after natural gas supply becomes available, the owner of every building situated on land abutting on any street in which there is a natural gas main may at the owner's expense connect such building to the natural gas system in accordance with the requirements and standards set out in this bylaw.
- 46.2 At such time as the owner connects to the natural gas main, the owner shall also open a utility account and make payment of all fees and deposits that may be required under this bylaw.

47. ADMINISTRATION OF NATURAL GAS SUPPLY

- 47.1 The Works Superintendent may shut off natural gas for any customer for any reason, which, in the opinion of the Works Superintendent, necessitates such shutting off providing that where practicable that sufficient notice is given of the turn off.
- 47.2 The Town reserves the right to disconnect the supply of natural gas to any customer violating the provisions of this bylaw and shall not be liable for damages either direct or consequential resulting from such interruption or failure.
- 47.3 The Town as a condition to the supply of natural gas may inspect the premises of the customer who applies to the Town for such a supply to determine if it is advisable to supply natural gas to the customer.
- 47.4 The Town, may, with permission of the customer, inspect the premises of the customer in order to do any tests on piping or fixtures belonging to the customer so as to determine if this bylaw is being complied with and in the event that such customer fails or refuses to give such permission, the supply of natural gas to that customer may be shut off.
- 47.5 No customer shall interfere with, obstruct or impede access to natural gas distribution facilities owned by the Town, or any portion thereof in a manner not expressly permitted by this bylaw, in default which, the Works Superintendent may cause the natural gas supplied to such customer to be shut off until such customer complies with all the provisions of this bylaw.

48. NATURAL GAS METERS

- 48.1 For measuring the natural gas consumed by the customer the Town shall install on the customer's premise such meters and regulator(s) as the Town deems necessary, which shall remain the property of the Town.

- 48.2 A customer, may for their own benefit and expense, install a natural gas meter between the meter supplied by the Town and the point of use of the natural gas supply provided that the Town shall not read and maintain the meter.
- 48.3 A customer shall make provision for the installation of a natural gas meter to the satisfaction of the Works Superintendent. Unless the Works Superintendent otherwise approves, the Town shall not be obligated to supply more than one meter for any one building.
- 48.4 Any customer whose natural gas meter is not positioned to the satisfaction of the Works Superintendent so as to provide free and easy access for reading, repair or maintenance shall make provision for the meter to be moved and the customer shall pay the cost.
- 48.5 The owner of the premise, if required, will be responsible for the cost of providing the necessary protection to the gas meter installation.
- 48.6 No person other than an employee of the Town's natural gas utility shall move or otherwise disturb any gas meter, metering equipment, tag, notice, seal nor alter, adjust or disturb the pressure setting of any gas regulating or pressure relief equipment.

49. REQUESTED NATURAL GAS SHUT OFF

- 49.1 If a customer requires the supply of natural gas to be shut off for his or her own purposes, the customer may be required to pay the amount as specified in the Schedule "D".

50. SERVICES AND SERVICING

- 50.1 All persons desiring to install pipes or connect any apparatus for the use of natural gas supplied by the Town shall before commencing or doing any natural gas construction work of any kind, obtain a permit from an accredited agency in accordance with the Safety Codes Act and applicable regulations.
- 50.2 No new service or service alteration shall be connected by the Works Superintendent until an approved permit, issued by an accredited agency in accordance with the Safety Codes Act and applicable regulations, has been presented to the Town.
- 50.3 The Works Superintendent shall disconnect any service if required in writing by a Safety Codes Officer and in such case; the Town shall not be liable for any damages resulting from such interruption or failure.
- 50.4 The service connection, meters and regulating equipment supplied by the Town for each customer have a definite capacity. The customer shall obtain approval from the Town for any proposed changes to the connected load.
- 50.5 An applicant who requires service at a location which is in an area, which at the time of application, is not adequately served by the distribution system shall be required to pay the Town;

- (a) an additional connection fee as established by the Town; or
- (b) the actual cost of the extension required to provide such service as calculated by the Works Superintendent.

50.6 The Town shall not be liable for damages either direct or consequential resulting from the use or misuse of natural gas by the customer or from natural gas faults on the customer's piping system, appliances or any other apparatus connected to the natural gas service.

50.7 The Town shall use reasonable diligence to provide a regular and uninterrupted supply of service. Should the supply be interrupted or fail by any causes whatsoever, the Town shall not be liable for damages either direct or consequential resulting from such interruption or failure.

51. TREES AND ROOTS

51.1 No trees shall be planted over natural gas lines on private property. If removal is required in order to repair or maintain the line, the Town at the owner's expense may remove the tree.

52. OFFENCE TICKET

52.1¹ Any person that breaches or contravenes any provisions of this bylaw or fails to act in compliance and accordance with any notice given to him under this bylaw is guilty of an offence.

52.2¹ When a Peace Officer has reasonable grounds to believe that a person has contravened any provisions of this bylaw, he may serve upon such person an offence ticket allowing the payment of a specified penalty of \$125.00 to the Town within fourteen (14) days of the issuance date of the offence ticket. The Town shall accept such payment in lieu of prosecution for the offence.

52.3¹ Service of an offence ticket shall be sufficient if it is:

- (a) personally served;
- (b) mailed by registered mail to the address of the person who has contravened the bylaw.

52.4¹ The offence ticket shall state:

- (a) the name and address of the offender if ascertainable;
- (b) the offence;
- (c) the location, date and time of the offence;

¹ 2002-10

(d) the specified penalty described in Section 52.2, and

(e) that the penalty shall be paid within fourteen (14) days of the issuance of the offence ticket to avoid prosecution for the offence.

52.5¹ Unless otherwise stated in this bylaw, where contravention of this bylaw is of a continuing nature, further offence tickets may be issued by a Peace Officer, provided that no more than one offence ticket shall be issued for each day that the contravention continues.

53. VIOLATION TICKET

53.1² A Peace Officer is hereby authorized to issue a violation ticket in accordance with the provisions of the Provincial Offences Procedure Act, Chapter 21, R.S.A. 2000 and amendments thereto to any person who:

- (a) fails to pay the penalty specified in an offence ticket issued under Section 52.2 within the prescribed time period,
- (b) if in the opinion of the Peace Officer, commits a major breach of Section 36(1), 36(2) or 43(3) of this bylaw; or
- (c) fails to act in compliance and accordance with any notice given to him under this bylaw.

53.2² Any person issued a violation ticket pursuant to Section 53.1(b) or 53.1(c) shall be liable to a penalty of not less than \$500.00 and not more than \$2,500.00 plus court costs and in default of payment of the penalty and costs, to a term of imprisonment not exceeding six months.

54. REPEAL

54.1 This bylaw shall repeal Bylaws 51-11, 69-01, 71-27, 77-44, 78-21, 79-11, 81-14, 84-10, 88-13 and 89-04.

55. EFFECTIVE DATE

55.1 This bylaw shall come into full force and effect upon passing of the third reading.

READ A First Time in Council this 4th day of June, A.D., 2002.

READ A Second Time in Council this 4th day of June, A.D., 2002.

READ A Third Time in Council this 18th day of June, A.D., 2002.

² 2002-10

SCHEDULE "A"

CASH DEPOSITS

⁵ Residential Accounts	\$300.00
⁵ Commercial/Business Accounts Contractors/Developers	\$400.00

VERIFICATION AND TESTING OF DISPUTED METERS

Water Meter	\$55.00 plus GST
Natural Gas Meter	\$100.00 plus GST

SERVICE CALLS

¹⁰ During Regular Working Hours	\$45.00 per service call plus GST
¹¹ After Regular Working Hours	\$160.00 per call out plus GST

⁵ 2006-08
¹⁰ 2011-06
¹¹ 2011-06

SCHEDULE "B"

¹²WATER RATES

Effective May 1st, 2011

Fixed Monthly Charge	\$15.00
Variable Charge	\$0.53/cubic meter
Cost of Water	Based on current CFB/ASU Charge

Effective January 1st, 2012

Fixed Monthly Charge	\$15.00
Variable Charge	\$0.57/cubic meter
Cost of Water	Based on current CFB/ASU Charge

Effective January 1st, 2013

Fixed Monthly Charge	\$15.00
Variable Charge	\$0.60/cubic meter
Cost of Water	Based on current CFB/ASU Charge

THAWING SERVICE

Based on actual costs for labour and equipment plus GST.

REQUESTED WATER SHUT OFF

¹⁰During Regular Working Hours \$45.00 per service call plus GST

¹¹After Regular Working Hours \$160.00 per call out plus GST

SCHEDULE "C"

¹³WASTEWATER RATES

1. Effective May 1st, 2011 the cost of wastewater service for residential premises connected to the Town sewage system and which contains not more than two dwelling units shall be a flat fee of \$16.00 per month.

Effective January 1 st , 2012	\$16.70 per month
Effective January 1 st , 2013	\$17.70 per month

¹⁰ 2011-06

¹¹ 2011-06

¹² 2011-06

¹³ 2011-06

2. Where there are more than two dwelling units in residential premises or for other properties served by a single water meter, the customer shall pay a rate of:

Effective May 1st, 2011 \$06918 per cubic metre of wastewater calculated in the manner herein set forth with a minimum of \$16.00 per month.

Effective January 1st, 2012 \$0.7422 per cubic metre-\$16.70/mth minimum
 Effective January 1st, 2013 \$0.7867 per cubic metre-\$17.70/mth minimum

For the purpose of calculating the sewage charge payable by a customer, the volume of wastewater contributed by a customer to the sewage works shall be deemed to be equal to 90% of the water delivered to the customer's premises, whether the water was received from the Town or from other sources.

3. Effective May 1st, 2011 the cost of wastewater service for Bunge Canada edible oils processing plant shall be a flat fee of \$2,106.47 per month.

Effective January 1st, 2012 \$2,259.82 per month
 Effective January 1st, 2013 \$2,395.18 per month

¹³TREATMENT OF WASTEWATER

1. Where the Director of Public Works has tested the discharge of wastewater into the sewage system pursuant to Clause 43 and found the wastewater exceeds the limits of B.O.D., suspended solids or grease set out in this bylaw, then the customer shall pay for service as follows:

- (a) a volume charge based on \$0.7867 per cubic metre
- (b) a treatment charge based on the amount of B.O.D., grease or suspended solids at the following rates:

B.O.D. :	\$0.4817 per kg
Suspended Solids:	\$0.5206 per kg
Grease	\$0.1488 per kg

CLEARING OF BLOCKAGE

¹⁰During Regular Working Hours \$65.00 per service call plus GST

¹¹After Regular Working Hours \$125.00 per call out plus GST

¹⁰ 2011-06

¹¹ 2011-06

¹³ 2011-06

SCHEDULE "D"

¹⁴NATURAL GAS RATES

1. Rate #1

Customers consuming less than 20,000 GJ on an annual basis.

Effective May 1st, 2011

Fixed Monthly Charge	\$18.00
Variable Charge	\$1.10/GJ
Commodity Charge	Cost of Gas + 2.5%

Effective January 1st, 2012

Fixed Monthly Charge	\$20.00
Variable Charge	\$1.10/GJ
Commodity Charge	Cost of Gas + 2.5%

Effective January 1st, 2013

Fixed Monthly Charge	\$22.00
Variable Charge	\$1.10/GJ
Commodity Charge	Cost of Gas + 2.5%

2. Rate #2

Customers consuming 20,000 GJ or more on an annual basis.

Effective May 1st, 2011

Fixed Monthly Charge	\$350.00
Demand Charge	\$4.50/GJ
Variable Charge	\$0.40/GJ
Commodity Charge	Cost of Gas + 2.5%

Effective May 1st, 2012

Fixed Monthly Charge	\$350.00
Demand Charge	\$4.50/GJ
Variable Charge	\$0.35/GJ
Commodity Charge	Cost of Gas + 2.5%

¹⁴ 2011-06

¹⁴Effective May 1st, 2013

Fixed Monthly Charge	\$350.00
Demand Charge	\$4.50/GJ
Variable Charge	\$0.30/GL
Commodity Charge	Cost of Gas + 2.5%

All rates are subject to the addition of GST.

⁸**NATURAL GAS SERVICE INSTALLATION**

1. ³/₄" Gas Service
Basic fee of \$435.00 plus \$22.00 per lineal metre
2. ³/₄" Duplex Gas Service
Basic fee of \$724.00 plus \$22.00 per lineal metre
3. 1" Gas Service
Basic fee of \$520.00 plus \$22.50 per lineal metre
4. 2" Gas Service
Basic fee of \$780.00 plus \$30.00 per lineal metre

Winter installation is an additional \$35.00 per lineal metre.
All rates are subject to the addition of GST.

REQUESTED NATURAL GAS TURN OFF

- | | |
|--|-----------------------------------|
| ¹⁰ During Regular Working Hours | \$45.00 per service call plus GST |
| ¹¹ After Regular Working Hours | \$160.00 per call out plus GST |

⁸ 2010-07

¹⁰ 2011-06

¹¹ 2011-06

⁹SCHEDULE "E"



**TOWN OF WAINWRIGHT
APPLICATION FOR UTILITIES
BYLAW 2002-06 OWNER/OCCUPIER AGREEMENT**

THIS AGREEMENT made effective this _____ day of _____,
20____

BETWEEN:

**TOWN OF WAINWRIGHT
(hereinafter called the "Town")**

OF THE FIRST PART

AND

**(hereinafter called the "Owner(s)"
As shown on the Tax Roll)**

OF THE SECOND PART

1. _____ **Natural Gas** 2. _____ **Water** 3. _____ **Sewer**

The Owner agrees to have the Town supply the above listed utilities to the Occupier.

The Owner agrees to supply the Town with their Occupier's name at the time of signing this agreement and whenever there is a change in occupancy. The Town requires forty-eight (48) hours notice to make this change.

The Owner agrees to take full responsibility for this utility account if the Occupier doesn't keep the utility account current or if the Occupier moves out of this location and leaves an outstanding/unpaid utility bill.

An Occupier must pay the Cash Deposit as per Schedule "A" of Utility Bylaw 2002-06 and amendments thereto prior to the Town changing the utility billing from the Owner to the Occupier.

An Occupier who has not paid their outstanding utility account on or before the date stated on the Utility Bill will have the supply of all or any utility services disconnected without further notice and such service will not be re-instated until arrears and charges owned to the Town are paid by the Occupier or the Owner. Upon disconnection the utility account will be placed in the Owner's name.

When weather conditions do not permit the disconnection of the natural gas utility the utility account will be transferred from the Occupier to the Owner in lieu of disconnection.³

⁹ 2010-07

