



BYLAW NO. 26.10

BEING A BYLAW OF YELLOWHEAD COUNTY, IN THE PROVINCE OF ALBERTA, RESPECTING UTILITIES INCLUDING; WATER & WASTE WATER COLLECTION, TREATMENT, AND DISTRIBUTION; AND SOLID WASTE COLLECTION AND DISPOSAL SYSTEMS.

WHEREAS, Yellowhead County, being a municipal corporation in the Province of Alberta, owns and operates a water treatment and distribution system for supplying potable drinking water and fire protection, a wastewater collection, treatment, and disposal system and a solid waste collections and disposal system as a public utility for the benefit of residents, commercial, institutional, and industrial users and all other consumers in Yellowhead County, and subject to Council approval, to consumers outside the County boundaries;

AND WHEREAS, pursuant to the Municipal Government Act being Chapter M-26 R.S.A., 2000 and amendments thereto, the Council of Yellowhead County has the authority to enact a Bylaw affecting, controlling and regulating the public utility known as “Water System, Wastewater System and Solid Waste System”.

NOW THEREFORE, the Council of Yellowhead County enacts as follows:

1.0 TITLE:

This Bylaw may be cited as the “Utility Bylaw”.

2.0 IN THIS BYLAW:

Arrears	means those utility rates remaining outstanding after the due date.
Backflow	means a situation that may occur within the water or wastewater system where negative or reduced pressures occur within the water or wastewater distribution system causing a reversal in the normal direction of flow within the water or wastewater supply piping within a building or premise.
Backflow Prevention Device	means a mechanical device specifically designed, constructed, and approved for the control and prevention of Backflow.
Biochemical Oxygen Demand (BOD)	means a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by process bacteria.
Body Of Water	means any creek, stream, river, pond, lake, waterway, watercourse, canal or other flowing or standing water.
Building Wastewater Service	means that part of a drainage system outside a building commencing at the outer face of the wall of the building and connecting the building wastewater drain to the main wastewater system and terminating at the property line or place of disposal for wastewater.

Catch Basin	means an interceptor or area drain installed to prevent sand, grit, and other materials from passing into a drainage system.
Chemical Oxygen Demand (C.O.D.)	means a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant.
Chief Administrative Officer (C.A.O.)	means such person as shall be appointed from time to time by the County Council.
Combined Water Service Connection	means a potable water service connection, which supplies water for the domestic, commercial, institutional, or industrial use of a consumer and also as a fire protection system in the same premises.
Commercial Buildings	means all buildings, which generate revenue, but does not include multi-unit structures; institutional dwellings; and industrial buildings, but does include temporary residential buildings such as motels, hotels, etc.
Composite Sample	means a sample composed of a number of grab samples, which have been collected over a specified period of time, usually 24 hours or the industry's operating day, and combined in proportion to the volume of wastewater discharge they represent.
Consumer	means that person utilizing the water, wastewater or solid waste services whether it be an Owner or Tenant.
Conventional Pollutants	may include non-filterable residue (suspended solids), grease and oils, phosphorus, fecal and total coli form bacteria and substances that exert biochemical oxygen demand, chemical oxygen demand or that affect pH.
Council	means the Council of Yellowhead County.
County	means Yellowhead County, in the Province of Alberta (or its duly authorized representatives) or the area contained within its municipal boundaries, as the context requires.
Cross Connection	means an existing connection or a potential connection between any part of the potable water system and any other environment containing any substances other than potable water that, under any circumstances, allow such substances to enter the potable water system. Other substances may be gases, liquids, or solids such as chemicals, waste products, steam, water from other sources (potable or non-potable), or any matter that may change the colour or add odour to the potable water.
Curb stop	(See Water Service Valve).
Due Date	means up to and including 11:59 p.m. of the last day in which a payment can be made without incurring penalty.
Enforcement Officer	means the person appointed by Council to enforce compliance with the Bylaw, and also includes a Peace Officer.

Environmental Protection & Enhancement Act	means the Environmental Protection and Enhancement Act, Chapter E-12 of the Revised Statutes of Alberta and amendments thereto.
Fixture	means a receptacle, appliance, apparatus or other device that discharges water or wastewater and includes a floor drain.
Floor Drain	means a fixture used to receive water and/or wastewater from a floor of a building.
Garbage Bin	means a metal container of a type including size/weight suitable to be mechanically loaded by the County's or other Contractors' waste disposal vehicles.
Garbage Can	means a metal or plastic container of not less than 20 inches (51 cm) or more than 30 inches (76 cm) in height with a base diameter of not less than 17 inches (43 cm) or more than 20 inches (51 cm), which shall have a proper and tightly fitting metal or plastic cover.
Grab Sample	means a sample collected over a short period of time by taking and combining one or more samples of wastewater flow.
Hydrocarbon of Petroleum Origin	means those materials, which absorb onto Silica gel as described in the USA Environmental Protection Act's "Standard Methods".
Industrial Building	means any building that processes or manufactures goods and products.
Infrastructure Services	means that Department of Yellowhead County with the responsibility of constructing, operating and maintaining the water, wastewater and solid waste systems.
Inspector	means a person authorized by the C.A.O. to make inspections and/or to take samples where required and to otherwise enforce this Bylaw.
Institutional Building	means a building used by an organization or society for public or social purposes and, without restricting the generality of term, includes senior citizen housing and lodges, nursing homes, hospitals, day care centers, museums, libraries, schools, service and fraternal organizations, and government buildings.
Mercaptan (THIOLS)	means the sulphur analogs of alcohol and phenols with the general chemical formula RSH where R is the organic portion of the molecule.
Meter Spacer	means a length of pipe complete with couplings, installed on the internal potable water piping in a building which can be removed for the purpose of installing a water meter in Yellowhead County.
Multi Unit Structure	means a single building comprised of two (2) or more residential units separated one from another by party-walls (often sharing a single entrance way).

Natural Outlet	means any outlet from a natural watercourse into another watercourse, pond, ditch or lake, or other body of surface or groundwater.
Non-filterable Residue & Suspended Solids	means the solid matter suspended in water and wastewater.
Non-Potable Water	means untreated water that is not suitable for human consumption.
Oil & Grease	means an organic substance recoverable by procedures set forth in "Standard Methods" and includes but is not limited to hydrocarbons, esters, fats, oils, waxes and high molecular carboxylic acids.
Owner	means the person showing as assessed Owner of the property or building, or the Owner of the utility service itself unless specified otherwise.
Person	means any individual, firm, company, association, society, corporation or group.
PH	means the measure of the intensity of the acid or alkaline conditions of a solution determined by the hydrogen ion activity of the solution in accordance with procedures set forth in "Standard Methods".
Phenolic Compounds	means hydroxyl derivatives of benzene and its condensed nuclei. Concentrations of phenolic compounds shall be determined using either the 4-amino antipyrine method or the gas liquid chromatographic procedure given in "Standard Methods".
Phosphorus (Total)	includes all orthophosphates and condensed phosphates, dissolved and particulate, organic, and inorganic released from combination with organic matter by a digestion process equivalent to the Sulfuric acid – nitric acid digestion.
Plumber	means a Plumber employed and designated by the Owner of the premises and in the owner's application will be considered as the Agent of said Owner while employed in the execution of the work of introducing the water into such premises and will not be recognized as in any sense the Agent of the County nor will the County or its C.A.O. be responsible for the acts of said Plumber.
Pollutant	means a substance that is added to the water that causes an adverse deviation from the mean geochemical composition of the water. Pollutants shall be classified as conventional, non-conventional and priority. Non-conventional pollutants are those not classified as conventional or priority.
Potable Water	means water that has been treated to National and Provincial standards and that is suitable for human consumption.

Priority Pollutants	includes chemicals and metals that have a toxic effect on the biological activity of the wastewater treatment processes and/or the receiving stream. These may include phenolic compounds, pesticides, chlorinated hydrocarbons, antimony, arsenic, barium, boron, chromium, copper, cadmium, lead, mercury, nickel, selenium, silver and zinc.
Public Health Inspector	means the Medical Officer of Health for Yellowhead County.
Raw Water Supply Lines	means the system of pipes, valves, fittings, valve chambers, and appurtenances that supply raw untreated water to the water reservoirs and water treatment plant.
Receiving Waters	means any watercourse receiving or ultimately receiving the discharge of wastewater or storm water.
Residential Dwelling	means any single family residential dwelling.
Safety Codes Act	means the Safety Codes Act, Chapter S-1 of the Revised Statutes of Alberta, 1991 and amendments thereto.
Safety Codes Officer	means a qualified person certified by the Provincial Government to perform inspections related to the Provincial Safety Codes Act and Plumbing regulations.
Scavenge	means to salvage from discarded or refuse material.
Sewage	means wastewater.
Solid Waste	means garbage, junk, rubbish, trash, and other residential, commercial, institutional, and industrial waste produced by normal human living and processes which are disposed of in a sanitary landfill, or in the case of recyclable materials, which are disposed of through normal recycling practices.
Solid Waste Collector	means any person or contractor employed or hired by the County for purposes of collection, removal or disposal of solid waste materials.
Solid Waste Receptacle	means a suitably sized enclosure used to store solid waste until it is collected.
Standard Methods	means the current Code of Practice and/or approvals issued by Alberta Environment.
Storm Wastewater	means a wastewater that conveys storm water and surface drainage.
Surface Water	means water in a watercourse.
Tenant	means that person who rents or leases property and occupies it.
True Colour Units	means the measure of the colour of the water from which turbidity has been removed.
Unpolluted Cooling Waters	means cooling water to which no chemicals or substances have been added and which have not picked up amounts of pollutants in excess of concentrations allowed in the connection permit.

Utility	means all utilities including water, wastewater and solid waste collection provided by the County.
Utility Rate	means the charges for any utility provided to a parcel of land by the County that represents an amount owing to the County by the customer.
Wastewater	means sewage.
Wastewater Collection System	means a wastewater main, which carries wastewater and to which storm, surface and ground waters are not intentionally admitted.
Wastewater Service	means the wastewater line connecting a consumer's premises to the County sanitary wastewater main or point of wastewater disposal with the Consumer owning that portion of the pipe lying within the boundaries of the Consumer's premises, excluding any pipe lying within the boundaries of any easement or right-of-way area granted to the County for its wastewater system.
Wastewater System	means a wastewater or system of wastewaters or any plants, structures, equipment, pipes, apparatus or other things for or incidental to the collection, treatment or disposal of wastewater.
Wastewater Treatment Facility	means any system or method used to treat wastewater biologically, chemically, electrically, mechanically or otherwise and includes the wastewater collection system therefore.
Watercourse	means: (a) the bed and shore of a river, stream, lake, creek, lagoon, swamp marsh or other natural body of water; or (b) a canal, ditch, reservoir or other man-made surface feature whether it contains or conveys water continuously or intermittently.
Water Main	means the system of pipes, valves, fittings, valve chambers and appurtenances that supply and distribute potable water within Yellowhead County.
Water Meter	means any device approved by the County that is designed to measure the quantity of water used by the consumer.
Water Service	means that lateral water pipe which connects a consumer's premises to the County water main with the consumer owning that portion of the pipe lying within the boundaries of the consumer's premises, excluding any pipe lying within the boundaries of any easement or right-of-way area granted to the County for its water system.
Water Service Valve	means the water valve on the County owned portion of the water service connection, located between the County water main and the property or building line, installed for the purpose of enabling the County to turn on or off the water supply to a consumer's premises (also known as a "Curb stop").

Water System or Water Utility means the system of raw water pipelines, water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, backflow prevention devices and all other equipment and machinery of whatever kind owned by the County and which is required to supply and distribute potable water to all consumers and which is a Municipal Public Utility within the meaning of the Municipal Government Act.

Note: In this By-law, words importing the singular include the plural and vice versa; words importing the masculine gender include the feminine and vice versa; and words importing persons include firms or corporations and vice versa.

3.0 MUNICIPAL OFFICIAL

- 3.1 The C.A.O. is the individual appointed to the position of Chief Administrative Officer (CAO) as defined in the Municipal Government Act.
- 3.2 The C.A.O. or his designate may establish standards, guidelines and specifications for the design, construction and maintenance of the utility system.
- 3.3 For the purpose of administering or enforcing the provisions of this Bylaw the C.A.O. may delegate his powers to one or more employees of the County.

4.0 GENERAL

4.1 Provincial & Federal Regulations

In addition to the conditions and requirements outlined in this Bylaw, all applicable Provincial and Federal regulations and requirements are in effect whether specifically stated or not.

4.2 Authority

- a) The C.A.O. or his delegate, also referred to as his designate is hereby authorized to administer and enforce the provisions of this Bylaw. In addition to those duties, without limiting them, the C.A.O. may make binding contracts with customers for utility services and may levy charges and fines in accordance with this Bylaw.
- b) The C.A.O. shall have the discretion to discontinue utility services in the event of noncompliance with this Bylaw or contracts for supply of utilities.

4.3 Supply of Service

- a) The County having constructed, operated and maintained water, wastewater, and solid waste systems as a Municipal Public Utility shall continue, insofar as there is sufficient plant capacity available, and upon such terms as Council considers advisable, to supply water and collect wastewater and solid waste to or from any resident or industry or other consumer located within a hamlet whose land is situated adjacent to any water and wastewater main, or Municipal right of way containing water and wastewater mains, upon being so requested in writing by the Owner. The County undertakes to supply water, wastewater collection and solid waste collection to such owner's or consumer's system at the property line of the street, lane or boundary of an easement granted to the County for its water, sanitary and solid waste system.
- b) Provision for water and wastewater services to consumers outside of hamlet limits shall be in accordance with County policy.
- c) The County has no obligation to supply water, sanitary wastewater and solid waste utilities in any area where the County does not own nor develop the means to provide such utilities.

4.4 Sole Source Of Service

- a) No person shall use a source of water supply or wastewater disposal and solid waste collection other than the County system without consent of the County.
- b) The County may give its consent for a person to use an alternate source for the supply of water, wastewater and solid waste facilities subject to such terms and conditions as deemed necessary and not withstanding that the generality of the foregoing may set a limit on the period of time for which an alternate supply may be used.
- c) No person who has been granted permission to use an alternate supply shall allow that alternate supply to be connected to the County systems.

4.5 Alterations To Water & Wastewater Systems

- a) No person may maintain, repair, replace or upgrade the County's water and wastewater systems without being contracted by the County to do so.
- b) No person except those acting with the C.A.O.'s permission shall tamper with any connection of any public or private pipes or mains, either in the streets, lanes, houses or private grounds.
- c) No person may connect to or extend the County's water and wastewater systems without first obtaining written approval from the County and Alberta Environmental Protection.
- d) All persons engaged in maintaining, repairing, replacing, upgrading, or extending the County's water and wastewater systems must be County employees or qualified experienced municipal water and wastewater contractors acting on behalf of the County.

4.6 Consumer Responsibility

A consumer is responsible for providing such facilities as the County considers necessary in order to have a continuous and uninterrupted access to water, wastewater and solid waste systems for the consumer's specific needs, provided such facilities are approved by the County and also provided that such facilities do not interfere with the operation of the water, wastewater and solid waste systems.

4.7 Ownership of Water & Wastewater Service Connection By The County

The County is the owner of the water and wastewater service connections within any street, lane, easement or County property. No person(s) shall make connections to any of the service lines or water and wastewater mains without first having obtained a permit to do so from the County.

4.8 Number Of Services

- a) Single Service – Multi-Unit Structures All newly constructed multi-unit structures located on one lot shall be serviced with one water and wastewater service, and one water meter which will register water consumption for all units located within the building. The utility bill for multi-unit structures shall be forwarded directly to the property owner for payment and is ultimately the owner's responsibility.
In the event a property owner requests more than one service, they will be responsible for all additional costs associated with the extra service(s). Extra service installation will only be permitted upon first acquiring written approval from the County and advance payment in full of said additional costs. In this instance, where

disconnection of any one unit as a result of non-payment of rates is possible, the utility bill may be forwarded to the tenant for payment.

b) Double Service

Permission will not be granted to supply two (2) or more buildings fronting on the same street with a single service, unless only one of the serviced buildings occupies the frontage on a single lot and others are located in the rear of the said front building. In that instance, permission may be granted to supply all the buildings on one lot from one service, subject to the conditions prescribed by the County.

c) Designated Manufactured Home

Designated Manufactured Home Parks shall be serviced (Trailer Courts) with one water and wastewater service and one water meter which registers consumption for all units within the Park. The utility bill for the Park shall be forwarded directly to the Designated Manufactured Home Park owner for payment and is their responsibility.

4.9 New Services

a) The County, or its agent, shall install that portion of the water and/or wastewater service connection that is on County property and which runs from the County water and/or wastewater main to the property line of the street, lane, or boundary of an easement or right-of-way granted to the County for its utility system. The owner of a property is responsible for all costs related to servicing from the main to the property and as such the owner shall be a charged connection and installation fee for all new service connections. The owner is required to pay the fees in full, in advance, before installation of service connections takes place, as set out in the County Bylaws.

b) Utilities will be turned on to the premises only after the owner has concluded the work to the satisfaction of the County and the entire structure is inspected and approved by the Building Inspector and the occupancy permit issued. The County will not turn on the utility to any new building or new plumbing system until a Provincial Plumbing Permit is presented to the County for that building.

c) The Council 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. Applicants refused shall be provided with reasons therefore.

d) Replacements And Relocation

Any owner who desires to have an existing water and/or wastewater service connection within any street, lane, easement or County property replaced with a connection of a different size or relocated to a different location, shall apply to the County in writing for approval and the County may authorize the work to be carried out by the County or its agents subject to payment in advance, of the cost of the project as determined by the County.

e) Any new buildings requiring fire protection must be identified in the development permit application to the County.

4.10 Winter Connections

Service connections to the water and wastewater mains shall not be made between October 15th and April 15th unless otherwise approved in writing by the County.

4.11 Frozen Connections

If a water and/or wastewater service connection is frozen on private property, it shall be the consumer's responsibility to have it thawed at the consumer's expense. The use of electrical thawing equipment shall be prohibited.

4.12 Owner/Tenant Accounts

The landowner must request a service to a property and the account will be in the owner's name. Copies of utilities bills will be sent to tenant's at the owner's request. Any unpaid accounts are the responsibility of the owner.

4.13 Access To Premises

- a) Inspectors, agents, contractors, or employees of the County shall have the right to clear and unobstructed access to enter onto private property receiving the utility service at all reasonable hours of the day for the purpose of disconnection of services for non-payment of utility rates or violation of any of the provisions of this Bylaw, conducting inspections, usage surveys, sampling, leakage, flow and pressure tests, reading water meters, remote readouts, or installing, inspecting, repairing, replacing and removing water meters, remote readouts, backflow prevention devices and related equipment upon any utility service connection. If upon inspection, it is discovered that there exists any misuse of utilities all previous payments on account of utility rates will be forfeited and the supply cut off.
- b) In the event that an animal is present on private property and that animal attacks or threatens the personal safety of the inspectors, agents, contractors, or employees of the County, or acts in a manner such as to cause the inspectors, agents, contractors, or employees of the County to reasonably believe that their personal safety is threatened or that an attack is imminent, the owner of the property and/or the person in possession or control of the animal shall take such action as necessary to control the animal and remove the danger to the inspectors, agents, contractors, or employees of the County.
- c) In the event that an inspector, agent, contractor or employee of the County is attacked by an animal, or an animal acts in a manner so as to cause the inspector, agent, contractor or employee of the County to reasonably believe that an attack is imminent, the inspector, agent, contractor or employee of the County shall be entitled to use such reasonable force as is necessary to ensure their personal safety and ability to perform their job. Where the circumstances of the case require, such actions may include the use of such animal repellants as are legally available for use within the Province of Alberta and which have been provided for use by the County.

5.0 WATER SYSTEM

5.1 Responsibility of Water Consumed

The consumer shall be responsible for all water consumed on a premise, whether the water consumption was registered by the water meter or consumed by accidental or illegal means.

5.2 Waste of Water, Leaks & Defects

- a) At the sole discretion of the County, no person shall waste any water supplied by the County in any way, whether by improper, leaky, frozen, or broken service pipes, fixtures or taps, or by excessive use of water when yard watering, car washing, cleaning or other uses.
- b) Where water has been shut off to a consumer's premises for water wastage, leaks, or defects in the consumer's portion of the water service connection, or in other water pipes on the property, or in the interior plumbing system within the consumer's premises, the County may refuse to turn the water on again until the consumer has delivered proof that

the necessary repairs have been made and has paid the specified re-connect fee as defined in **SCHEDULE 'A'**.

- c) Whenever water has been turned off for non-payment of rates or for purposes of repair or construction or for any necessary or proper reason, no person shall turn it on again who is not duly authorized to do so by the County.

5.3 Restriction of Water Use

The C.A.O. or designate may at any time issue such orders necessary to control or restrict water consumption in the County in the event that contamination, pollution, fire, drought, or other natural or manmade disasters should have a detrimental effect on the County's ability to supply potable water to its consumers.

5.4 Protection of Water Service Valves

- a) No person shall interfere with, damage, or make inaccessible any water service valve or it's casing due to the construction of walks, driveways, landscaping, or in any other way. The owner of a property shall make every effort to protect the water service valve servicing his or her property from damage.
- b) At the time of issuance of a permit to commence construction of a building or other improvements on a property, the owner of the property may be required to pay to the County a construction deposit as determined by the C.A.O. or designate, which may be refundable upon completion of finished landscaping, and after inspection by the County determines that the water service valve has not been damaged in any way.
- c) If the water service valve has been damaged, the County may retain the construction deposit and recover the difference in the amount of the construction deposit and the actual cost incurred to repair the water service valve. Any additional costs over and above the construction deposit may be collected in the same manner as utility rates.
- d) If the water service valve is made inaccessible by any reason, the County may require such work to be performed to provide accessibility with all costs to be borne by the property owner. Any such costs may be collected in the same manner as utility rates.

5.5 Boosting Devices

No person shall use any devices for the purpose of increasing water pressure on any water service connection on the upstream side of a water meter or water shut-off valve.

5.6 Fire Protection & Branch Supply Lines, Outlets or Fixtures

- a) No person shall install branch supply line, outlets or fixtures before a water meter or shut-off valve, except for fire protection purposes. Any branch supply line, outlet or fixture installed before a water meter or water shut-off valve for fire protection shall only be installed with written permission from the County.
- b) No person(s) shall use water from a water service connection that supplies water to private fire hydrants, for any purpose other than fire protection, unless the water service connection is connected to a water meter, supplied and installed by the County.

5.7 Seals

No person shall tamper with, break or remove any seal installed by the County on any valve or flagged outlet on water service connections or water metering facilities except in the case of an emergency.

5.8 Broken Seals

In the event a person breaks a seal on a valve in order to obtain a supply of water for emergency purposes, that person shall notify the County within twenty-four (24) hours.

5.9 Operation of Valves

No person, except County employees shall turn on or off a water service valve or any other main valve or valves in the water system.

5.10 Shut-Off Valves

All buildings connected to a water service are required to provide a water shut-off valve placed before the water meter to permit the meter to be isolated for safe removal and to enable a consumer to shut off the supply of water in case of any emergency, when making repairs, or to prevent flooding of the premises or in the event the premises are permanently or temporarily vacated. The owner shall maintain the water shut-off valves in good mechanical condition and easily accessible at all times to ensure that it is operable in case of emergency.

5.11 Location and Access to Shut-Off Valves, Water Meter & Remote Readout

The water shut off valves and meter shall be located in a physically accessible and heated area. If the water shut-off valve and meter cannot be located in a heated area (i.e. Designated Manufactured Homes) then the meter and supply lines must be heat taped and insulated to prevent freezing. At all times, the owner of the property shall ensure that the County has clear unobstructed access to the shut-off valve, water meter and remote readout.

5.12 Supply & Ownership of Water Meters & Remote Readouts

- a) All water meters are to be supplied by the County and shall be the property of the County. County employees shall inspect the installation of these meters. Said meters shall be supplied only after receipt of a valid "Utilities – Connection/Disconnection Notice".
- b) The County will supply one standard 5/8" x 3/4" water meter. The owner of a property shall pay for each additional standard meter, cost for supplying and installing water meters where installation as approved by the County requires a larger water meter, a fire service type water meter, or other special type of water meter. These additional costs may be collected in the same manner as utility rates. Notwithstanding the payment of such additional costs, the water meter shall remain the property of the County. (See **SCHEDULE 'A'** for Water Meter Fees).
- c) Damaged meters shall be returned to the County for repair, and should the meter be repairable, the difference between cost of repair and replacement shall be refunded to the owner.

5.13 Individual Meters & Remote Readout

Each building and individual dwelling unit shall have a separate water meter and remote readout device attached to it as a component of the meter.

- a) The wire connecting the remote readout to the meter is to be three (3) wires, minimum of 22-gauge bell wire.
- b) On all existing buildings being retrofitted with new meters and readouts, the property owner shall be responsible for installing the wire and interconnecting the meter and remote readout.
- c) On all new construction the electrical contractor shall be responsible for installing the wire and interconnecting the meter and remote readout.

5.14 Meter Reading

- a) Each water meter shall be read at such times or intervals as the County may designate. As described in the previous section, the meter reader shall have the right to enter such portions of all premises within the County as may be required for the purpose of performing meter reading duties at all reasonable times.
- b) In the event that the County is unable to read the water meter due to the inaccessibility of the water meter, or for any other reason, the County shall estimate the utility billing and establish the charges based on consumption and on the number of days the customer has occupied the premise.
- c) Payment of an estimated amount shall not relieve the consumer from liability for payment of a greater amount that may be due after a meter is read.
- d) If the County estimates the charges pursuant to s. 5.14(b) for a billing period, the County may provide a written notice to the customer. The notice will advise the customer of the next actual meter reading date along with instructions to have the water meter accessible for future readings. The notice may also include direction to the property owner to have a remote readout device installed and connected to the water meter. In the event the customer fails or refuses to comply with any of the requirements indicated in the notice the County may shut off the water service to the property after having given the owner and occupants twenty-four (24) hours notice. The service will only be re-connected once the customer/property owner has delivered proof that the necessary changes have been made and that the specified re-connect fee has been paid in full.

5.15 Protection and Maintenance Of Meters And Service Pipes

The cost of all normal repairs to meters so supplied by the County shall be borne by the owner. The owner of a property is responsible for the safekeeping of the water meter and any remote reading devices that may be installed with the water meter on the owner's property. Property owners shall protect the water meter and connecting valves and pipes from freezing, excessive heat, overheating of water, external and internal damage of any kind or any other thing which may effect the operation or reading of the water meter and shall pay the cost of repairing or replacing any water meter facilities supplied and installed by the County that may be damaged from the foregoing cause or any other causes within the owner's control.

5.16 Equipment Maintenance

The County may set or alter the position of any water meter, remote readout, or backflow prevention device, or any pipe, valve or fitting forming part of the water system for the purposes of protecting, testing or regulating the use of any water meter, backflow prevention device or other equipment forming part of the water system.

5.17 Cost Recovery

The County may charge for and recover from the owner of a property the cost of supplying, installing, altering, repairing, relocating, or removing a water meter or remote read out. Any such charges may be collected in the same manner as the utility rates.

5.18 Installation of Water Meters

- a) The owner of a property shall make provisions for the installation of water meters in a horizontal position. Exceptions may be permitted upon prior written approval from the County.
- b) The owner of a property shall furnish all meters located within the owner's premises with a permanent support adequate to prevent the weight of the meter from damaging the building's internal water supply piping.

- c) If an inspection of a newly installed meter or remote readout indicates the installation does not meet County approval the owner of the property shall correct or modify the installation at their expense.
- d) If an owner wishes to have installed other meter, pipe or valve arrangements, the owner shall apply to the County for approval in writing prior to installation.
 - i) Any such installation shall be at the owner's sole responsibility and expense.
 - ii) The County shall accept no responsibility for such installation and the approval by the County shall not be an acceptance of responsibility. The County may in sole judgment, require the owner to indemnify the County prior to installation of other metering, piping or valve arrangement.
- e) If the owner of a property does not make the installation in the manner approved by the County, the County shall have the right to refuse to supply water to the premises.

5.19 Relocation of Water Service to the Meter

No person shall relocate, alter or change any existing water service up to the meter without the written approval of the County. The owner or their authorized agent may submit plans and specifications for any proposed relocation of water service up to the meter and, if approved by the County, the owner shall pay the entire cost, including any costs incurred by the County, in making such relocation, alteration or change. Any such costs may be collected in the same manner as the utility rates.

5.20 Size, Type And Number of Meters

The County shall approve the size, type and number of water meters to be supplied by the County and installed by the owner of the property. Where the water supplied through a water meter is for fire protection purposes, or for combined fire protection/potable water use or other uses, then the water meter shall be of a fire service type, supplied by the County and the owner shall pay for all additional costs. Any such additional costs may be collected in the same manner as the utility rates.

5.21 Multiple Unit Structures - Meters

In a multi-unit structure having a single water service connection, only one water meter will be issued by the County for installation. The utility bill shall be forwarded to the property owner for payment.

5.22 Meter Enclosure

- a) All water meters are to be located within the primary building that is supplied by a water service connection.
- b) Where a water meter cannot be installed in a building, it is the property owner's responsibility to provide a building or vault to house the water meter on the owner's property at the owner's expense and with the County's approval.
 - i) Any such building or vault is to be insulated and heated during the freezing months.
 - ii) The property owner shall maintain and repair the meter building and/or vault at the owner's expense. If the owner, after receiving written notice from the County, neglects to repair or improve his meter building or vault, the County may either authorize the necessary repair to be carried out, and charge the owner for the costs incurred, or to shutoff the supply of water until the repair is carried out to the County's satisfaction.

5.23 Location of Remote Readout Device

Remote readout devices shall be located:

- a) At a convenient location on the front of all newly constructed buildings;
- b) If possible at a convenient location on the front of all existing buildings, or alternately near the power meter.

5.24 Relocation of Water Meter Remote Readout

If the County is dissatisfied with the location of any remote readout for any reason, the County may require that the remote readout be relocated to a more suitable or convenient location and the cost to be borne by the property owner. In the event that the property owner requests that the remote readout be relocated all costs associated with relocating the remote readout including any County costs shall be paid by the property owner. All such costs may be collected in the same manner as utility rates.

5.25 Notification of Malfunction

A consumer shall notify the County immediately whenever a water meter or remote readout device is not operating or if any part of it becomes damaged or broken.

5.26 Removed or Stolen Meter

- a) If a water meter or remote readout is removed or stolen, the owner of the property shall pay the cost of replacing any such measuring device, including installation. Any such cost may be collected in the same manner as utility rates.
- b) If a property owner fails or refuses to pay the cost of replacing any such measuring device the cost may be added to the taxes levied on the property and collected in the same manner as municipal taxes.

5.27 Meter Spacers

Where the use of a water meter is mandatory under this Bylaw, no person shall use a meter spacer in place of a meter except for the testing of a new plumbing system or a water meter.

5.28 Temporary Water Service Connections

Provision is hereby made to allow for a temporary water service permit thereby providing a service for contractors during the construction stage. Approval for such service shall be obtained from the County Office for the fixed fees as prescribed in **SCHEDULE 'A'** and shall be for a limited time as requested, but in no case shall approval be given for more than 60 days for each application. The water service will be shut off on the pre-established expiry date unless renewal and/or meter service is approved.

5.29 Accuracy of Meters

- a) If any water meter has, in the opinion of the County, failed to accurately register the flow of water through the meter since the last reading, the water charge shall be adjusted to the greater of the:
 - i) The amount of water recorded by the meter; or
 - ii) The minimum rate for water supplied to the premises; or
 - iii) The average consumption of the previous three (3) actual readings for billing periods.

- b) If a consumer is in doubt as to the accuracy of the meter installed in his or her premises, the consumer may request that the County test the water meter to verify its accuracy.
 - i) If the water meter is found to be measuring within five (5) percent of the meter manufacturers' specified accuracy, the consumer shall pay a fee as set out by Yellowhead County in **SCHEDULE 'A'**.
 - ii) If the water meter is found to be measuring in excess of five (5) percent of the meter manufacturers' specified accuracy, the consumer will not be charged any fee and the existing meter will be replaced.

5.30 Maintenance and Testing

The County for maintenance and testing on a periodic basis may remove water meters. The County may remove and test the meter at a County approved testing facility.

5.31 Discontinuance of Water Use

- a) Any owner and/or consumer about to vacate a property or premises that has been supplied with water, or who wishes to discontinue the use of the water supply, the owner must give notice in writing to the County requesting that the County shut off the water supply.
- b) If notice pursuant to Subsection (a) is not given the owner will be liable for the accruing rates until such notice is given or the water is turned off, but no rebate shall be made for any fractional part of the month in which any such notice is given.
- c) Notwithstanding subsection (a) or (b) above, the fact that a premises or land is vacant is not reason for nonpayment of specified rates unless proper written notice is given to the County.
- d) Where an owner discontinues the use of the water supplied by the County, or the County refuses to continue to supply water, the County may at all reasonable times enter the subject premises that was supplied with water for the purpose of removing any fittings, machines, apparatus, meters, pipes, remote readouts or other things that are the property of the County and are located in or upon such premises.
- e) Whenever any premises are vacated the turn off valve on the inside walls of the building shall be turned off by the party leaving, or the Owner. In the case of said fixtures not being kept in good order and repair, the County may cut off the supply of water without notice, and collect expenses incurred from the owner of the property as taxes.

5.32 Moving or Demolishing Buildings

- a) When a building that is connected to the County water system is to be moved from its existing location or when the water service lines are to be permanently disconnected from any building for any cause, the owner of the land on which the building is situated is required to contact the County prior to such action for disconnection of services and water meter removal.
- b) The owner of the land from which a building connected to the County water system is to be removed shall pay to the County a flat fee for disconnection as per **SCHEDULE 'A'** before the permit for the demolition or moving of the building is issued pursuant to other County Bylaws.

5.33 Right of Water Shut-Off

- a) In the event of an emergency as determined by the C.A.O. or designate or in the case of making repairs or in construction of new work or in connecting or repairing service pipes, the County shall have the right to shut off the water from any consumer without notice and keep it off as long as may be necessary. The County shall endeavor to provide notice to all consumers affected in advance of shut off of the water.
- b) The County shall have the right to limit the amount of water furnished to any customer should, in the C.A.O.'s opinion, circumstances warrant such action.
- c) The County shall have the right to discontinue utility services to any property upon reasonable notice in the event of non-payment of utility rates or for violation of any of the provisions of this Bylaw, or any other rules or regulations of the County pertaining to the water works system.

5.34 Ownership and Use of County Fire Hydrants

- a) All fire hydrants, except fire hydrants situated on private property are the property of the County.
- b) No person or persons, except County employees, or those authorized by the County, shall open, close or interfere with any fire hydrant, hydrant gate or hydrant valve connected to the water system.

5.35 Relocation of Hydrants from County-Owned Property

Any person who wishes to have a fire hydrant relocated that is situated on property owned by the County may, in writing, request the County to relocate that hydrant. If the County considers it feasible to relocate the hydrant, the person making the request shall pay in advance the full cost to relocate the hydrant.

5.36 Interference with Fire Hydrant Access

- a) Subject to the provisions of the Alberta Fire Code, no person shall allow anything to be constructed, erected or planted adjacent to a fire hydrant, which may in any way interfere with the access to, the use, maintenance or visibility of the hydrant. Nor shall any person paint a fire hydrant without prior written approval from the County.
- b) Subject to the provisions of Alberta Fire Code no person shall do anything to obstruct access to a fire hydrant or to interfere with the operation of a fire hydrant.

5.37 Fire Hydrants - Other Uses

No person shall, without the written permission of the County authorize the use of water from a fire hydrant for a purpose other than emergency fire protection. The County may authorize such other use upon such terms and conditions and subject to payment of such rates as the County determines.

5.38 Fire Damage And Loss

The County shall not be liable for loss or damage suffered by any person or property by reason of low water pressure, or by interruption to, or failure of, the water system to deliver water in adequate volume and pressure for supplying water for fire protection purposes.

5.39 Cross Connection Control Inspection Prior To Occupancy

No person shall turn on a water service valve to provide water to the occupants of any newly constructed, renovated or reconstructed premises until the plumbing system in such premises has been inspected for cross connections by a qualified person.

5.40 Inspection and Issuance of Cross Connection Control Orders

- a) If a condition is found to exist which is contrary to Sections of this Bylaw, the County may request the owner or developer to have an inspection carried out immediately by a permitting agency.
- b) If the owner, consumer, or other person fails to comply with the terms and conditions ordered by the permitting agency the County may:
 - i) Give notice to the owner, consumer or other person to correct the fault at his expense within a specified time period.
 - ii) Shut off the water service or services without prior notice.
- c) All costs of inspections and reconnection of services shall be borne by the owner and may be recovered as taxes.

5.41 Backflow Prevention Devices

- a) Where a hazard condition exists, or may exist on the water supply system within a property, which in the opinion of the County creates a serious risk of contamination to the County water system, the County may require that the owner shall immediately install on his water service connection a backflow prevention device approved by the County in addition to any other backflow prevention devices installed in the consumer's water system at the source of potential contamination.
- b) The County, at its discretion, may grant an owner a specified time period to install the required devices.
- c) If the owner fails or refuses to install the required devices as directed, the County may shut off the water service without further notice and the owner is responsible for all reconnection fees.

5.42 Inspection & Testing Of Backflow Prevention Devices

- a) All testable backflow prevention devices installed in a premise shall be inspected and tested at the expense of the owner upon installation, and annually thereafter.
- b) The County may request an owner to carry out such tests to demonstrate that the device is in good working condition whenever the County believes such testing is necessary.
- c) The test, in all cases shall be undertaken by a journeyman plumber certified by the Western Canada Section of the American Water Works Association.
- d) The owner of a property shall submit a report to the County from a journeyman plumber on any or all tests performed on a backflow prevention device within thirty (30) days of a test.
- e) The tester shall affix a tag to all backflow prevention devices that the tester has tested. The tester shall record the following information on the tag:
 - i) The address of the premise where the device is located.
 - ii) The location of the device within the premise.
 - iii) The type of device, its manufacturer, size, model number, and the serial number of the device.
 - iv) The date the device was installed.
 - v) The test date, the tester's initials, the tester's name (if self-employed) or the name of their employer and tester's license number.

5.43 Repairs & Replacements of Backflow Prevention Devices

- a) When the results of a test referred to in the previous section show that a backflow prevention device is not in good working condition, the owner shall make repairs or replace the device within ninety-six (96) hours of the failed test.
- b) If the owner fails to comply with part a) of this section of the Bylaw the County may shut off the water service or services without further notice. Owner is responsible for any reconnection fees.

5.44 Failure To Test Backflow Prevention Devices

- a) If an owner fails to have a backflow prevention device tested, the County may notify the owner that the backflow prevention device must be tested within ninety-six (96) hours of the owner receiving the notice.
- b) The County may shut off the water to the premises until the backflow prevention device has been tested and approved. Owner is responsible for any reconnection fees.

5.45 Selling and Supply of Water

No person of any house, building or other place supplied with water from the water system, unless authorized by the County, shall:

- a) lend, sell or dispose of the water thereof or give away, or permit the same to be taken or carried away or used, or applied to the use or benefit of others, or to any other than his/her or their own use, and benefit, nor shall increase the supply of water beyond that agreed to with the County or unlawfully neglect or improperly waste the water.
- b) supply water by a pipe or a hose from the water system, or any other source, to any other premises without the prior consent of the County.

5.46 Allowable Water Uses

The County may allow a contractor, consumer, or other persons to run water without charge for the water consumed for the purposes of:

- a) flushing water mains, hydrant leads, and water service connections in order to clean them, or
- b) conducting water flow tests, or
- c) training fire fighters employed by the County's Fire Department, or
- d) such other purposes as may be approved by the County from time to time.

5.47 Willful Act Prohibitions

- a) No person or persons shall:
 - i) Willfully or maliciously hinder or interrupt or cause or procure to be hindered or interrupted the County or its contractors, servants, agents, or workers in the exercise of any of the powers and duties related to water utility system and authorized by, or contained in this Bylaw;
 - ii) Throw or deposit any injurious, noxious or offensive matter or water contaminant into the water system, or in any way cause willful damage or injury to the water system, or encourage the same to be done;
 - iii) Willfully alter or tamper with in any way, any water meter so as to lessen or alter the amount of water registered by the water meter, valves or any appurtenances;

- iv) Attach or connect any pipe to any water main or service, or in any other way obtain or use the water system in a manner contrary to this Bylaw without the written consent of the County; or
- v) Willfully and without authority hinder, disrupt or cut off the supply of water to any consumer of the water system.

5.48 Responsibility For Contamination & Pollution

Any person who contaminates or pollutes the water system by any means will bear the full cost of any and all damages and/or repairs and maintenance including any environment orders and liabilities required for the County to restore normal water service to its customers.

6.0 WASTEWATER COLLECTION SYSTEM

6.1 Authority

- a) Except as otherwise provided in this Bylaw, no person shall discharge into any water course any wastewater or waste.
- b) The provisions of this Bylaw shall apply to all persons using the County's wastewater system.
- c) Any owner or occupier of property connected or required to be connected to the wastewater system shall, upon request of the County, provide such information as the type quantity and chemical composition of pollutants which are or may be discharged into the wastewater system.
- d) Those persons desiring wastewater system service must apply in writing to the County. Rates to be charged for wastewater service shall be as set out in **SCHEDULE 'A'**.
- e) The Inspector shall be permitted reasonable access upon all property in the County for the purpose of inspection, measurement, sampling and testing in accordance with this Bylaw. If such inspection discloses any act or omission contrary to the provisions of this Bylaw or the inspection discloses any defect or insufficiency in the location, construction, design or maintenance of any equipment in connection with the wastewater discharge, the Inspector may direct the owner or occupier of the premises to correct the act or omission or any defect or insufficiency. No person shall obstruct or interfere with the Inspector in the discharge of his duties under this Bylaw.

6.2 Wastewater Service

- a) No person shall uncover, make any connections with or opening into, use, alter or disturb any part of the County wastewater system or appurtenances thereof without prior written authorization from the County.
- b) No person shall connect private wastewater lines to sanitary, combined, or storm wastewaters without first obtaining the necessary written approval from the County.
- c) No person shall discharge or cause to be discharged into any wastewater system or watercourse within, or entering the County wastewater system, any wastewater, without obtaining written approval to do so from the County. No such approval shall be given by the County until:
 - i) Such person has entered into a wastewater dumping agreement for permission to discharge wastewater into a County lagoon;

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- ii) Such person has given the chemical and physical analysis, quantity and rate of discharge of wastewater proposed to be so discharged, any other detailed information that is required, including all pertinent information relating to any proposed pretreatment before discharge;
 - iii) Such person has given assurance that the discharge into the wastewater system will at all times meet the criteria set out in Clause 6.4 a) or c) whichever is applicable; and
 - iv) Such person has provided for facilities to control the rate of discharge into the wastewater system as directed by the County.
- d) In order for the County to construct a new or replacement wastewater service from the wastewater main to the property line, the property owner requesting the service shall supply the County with the size and accurate location of all wastewater services.

e) Mains

If a wastewater backup has its origins within the wastewater main, the County will be responsible for all the costs required to restore the wastewater main to proper operating condition. Any backup into basements is not the responsibility of the County. No claims for compensation shall be considered unless negligence can be proven on the part of the County, its employees or authorized agents. If any property owner incurs damages to a property or building due to a wastewater main backup and the owner wishes to claim compensation, the owner must submit in writing a claim to the County's insurance company.

f) Services – Private

If a wastewater backup does not originate within the wastewater main, the County shall advise the owner:

- i) To obtain the services of a plumber to check the wastewater service to determine the nature and type of blockage.
- ii) If the blockage is located on private property, e.g. between the property line and the basement, the owner is responsible for all costs associated with the wastewater backup.

g) Services – Yellowhead County

If the plumber determines the wastewater blockage is beyond the property line, e.g. between the property line and the wastewater main, the following will apply:

- i) If grease, hair and other foreign objects cause the blockage or materials found in the wastewater service causing the blockage, the owner is responsible for all costs.
- ii) If the blockage is caused by a collapsed or misaligned service line, the County will pay all costs to repair the wastewater service including the plumbing costs incurred by the owner to discover the cause of the problem. The County will not be responsible for any clean up of basement for wastewater that has backed up into the basement.

h) Wastewater blockage – due to root buildup

- i) Root blockage of wastewater mains shall be dealt with as per 6.2 e).
- ii) Root blockage of a wastewater service, whether on private property or County property, will be the responsibility of the property owner. The County will assist in determining the most appropriate treatment for the problem. The origin of the roots will have no bearing on the allocation of the repair costs.

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- i) County assistance to private property owners
 - i) To assist in the determination in the cause of a wastewater blockage, the owner with the County's written approval may request a camera inspection of the wastewater service. The cost of the inspection will be borne by the party responsible for the wastewater repair.
 - ii) If the owner is unable to obtain the services of a plumber, the County or its authorized agent may undertake the work required and bill the owner accordingly. Prior to commencement of any repairs, the owner must authorize the work in writing and agree to the terms and conditions of the County.
 - j) Where required by the County, the owner or occupier of property serviced by a County wastewater shall install a suitable sampling manhole in the wastewater service for determining the wastewater quality, temperature, rate of flow and other measurements. Such manhole shall be:
 - i) Located and constructed in accordance with plans approved by the Inspector, and
 - ii) Installed and maintained at all times by the owner at their own expense.
 - k) Weeping Tiles

No person shall allow water collected from foundation drains or weeping tiles, sumps from weeping tiles, roof drains, eaves troughs, yard drains or roof spouts to enter the wastewater system of the County.

6.3 Wastewater Facilities On Private Property

- a) The owner of property used for employment, recreation or other purposes, situated within the County and abutting on any street, lane or right of way in which there is a County wastewater system shall install, at his own expense, suitable toilet facilities therein and shall connect to the County wastewater system with the proper wastewater connection in accordance with the provisions of the Safety Codes Act and regulation as amended and the County's Design Guidelines and Construction Standards, within sixty (60) days of the Public Health Inspector or representative of the County notifying him to do so.

Where a County sanitary wastewater system is not available, the owner of the property described above shall connect the building wastewater to a private wastewater disposal system which shall comply with the provisions of this Bylaw, The Safety Codes Act, and the regulations of the Provincial Board of Health.
- b) At such time as a County wastewater system becomes available to a property served by a private wastewater disposal system, the provisions of Clause 6.3 a) shall then apply to the property and a direct connection shall be made to the public wastewater system and any septic tanks, cesspools or similar private wastewater disposal facilities shall be abandoned and filled with suitable material. The cost to connect shall be borne by the owner and paid for prior to any work is completed.
- c) The owner at his expense in conformity with this Bylaw and The Safety Codes Act shall construct any wastewater service on private property.
- d) Permits for building wastewaters on private property shall be obtained from a Safety Codes Officer. Permit applications shall be supplemented by any plans, specifications or other information considered necessary by the Safety Codes Officer.
- e) The owner shall, at his own expense, maintain the wastewater service from his property line to the building.

- f) The owner shall, at his own expense, operate and maintain his private wastewater disposal facilities in a sanitary condition.
- g)
 - i) The owners of all garages, gasoline service stations, vehicle and equipment washing establishments, restaurants, or any other establishment disposing of grease shall provide oil and sand interceptors on private property.
 - ii) Interceptors will be required for other types of business if the Safety Codes Officer determines they are necessary for the proper handling of liquid waste.
 - iii) All interceptors shall be:
 - a. of a type and capacity approved by the Safety Codes Officer.;
 - b. located to be readily and easily accessible for cleaning and inspection; and
 - c. maintained by the owner or occupier at his expense.
- h) The owner or occupier at his expense shall maintain catch basins on private property.

6.4 Wastewater Strength Limits

a) Storm Wastewater System

Unpolluted water shall be discharged to the storm wastewater system or to a natural watercourse. Water, including storm water, surface water, and sub-surface drainage shall be considered to be unpolluted if it is free from:

- i) Pollutants prohibited from being discharged under Federal or Provincial legislation and amendments thereto;
- ii) Any substance which, in the opinion of the County, is or may become harmful to any recipient water course or storm wastewater system or part thereof, may interfere with the proper operation of the wastewater system, may impair or interfere with any treatment process, or may become a hazard to persons, property or animals.

b) Sanitary Wastewater

No person shall discharge or cause to be discharged any surface water, sub-surface drainage to any sanitary wastewater. The County may on application authorize such discharge where exceptional conditions prevent compliance with the foregoing provision.

c) Sanitary Wastewater System

Except as hereinafter provided, no person shall discharge, cause, or permit to be discharged any of the following described water or wastes to any County sanitary wastewater system:

- i) any liquid or vapor having a temperature higher than 75°C;
- ii) any gasoline, solvents or similar products;
- iii) any tar or other viscous material of mineral origin;
- iv) any garbage no larger than what will pass through a 6mm screen;
- v) any ashes, cinders, wood, wood-shavings, sawdust, rags, sand, mud, straw, metal, glass, fiberglass, plastics, eggshells, feathers, and improperly shredded paper or other solids;
- vi) any water or wastes which contain material that will solidify or become viscous at temperatures between 5°C and 80°C;
- vii) animal parts or wastes including; but not limited to:
 - any manure or intestinal contents from horses, cattle, sheep, swine or poultry,
 - hooves or toenails,
 - intestines or stomach casings or animal body parts,
 - bones,
 - bristles and hair,
 - hides or parts thereof,

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- fat or flesh particles no larger than what will pass through a 6mm screen,
 - fleshing and hair resulting from tanning operations,
 - viii) any wastewater having a pH lower than 6.0 or above 10.0;
 - ix) wastewater which is in or is capable of being transformed into, two or more separate layers;
 - x) Pollutants prohibited from being discharged under Federal or Provincial legislation and amendments thereto;
 - xi) Any noxious or malodorous gas or substance capable of creating public nuisance including, but not limited to, hydrogen sulphide, mercaptans (thiols), carbon disulphides, other reduced sulphur compounds, amines, and ammonia;
 - xii) Wastewater containing substances in concentrations exceeding Alberta Environmental guidelines;
 - xiii) lime slurry and residues;
 - xiv) any substance which, in the opinion of the County, is or may become harmful to any recipient water course or wastewater system or part thereof, may interfere with the proper operation of the wastewater system, may impair or interfere with any treatment process, or may become a hazard to persons, property or animals.
- d) No person shall discharge, or allow to discharge, wastewater entering the County's sanitary wastewater system exceeding any of the following characteristics and limits:
- i) B.O.D. - 1000 mg/L
 - ii) C.O.D. - 1500 mg/L
 - iii) Non-filterable residue - 1000 mg/L
 - iv) Grease and oils - 300 mg/L
 - v) Hydrocarbon of petroleum origin - 50 mg/L
 - vi) TKN - 80 mg/L
 - vii) Total phosphorus - 20 mg/L
- Failure to comply shall result in the person being responsible for all the cost of clean up and damages caused by the discharged substance(s).
- e) The following regulations apply to wastewater hauled from within County limits for disposal to the County's sanitary wastewater system required by the County's wastewater dumping agreement:
- i) pursuant to requirements of the County, and any changes and amendments thereto, persons hauling wastewater such as septic tank sludge and other water for discharge into the County's wastewater system shall enter a wastewater dumping agreement.
 - ii) approval from the County is subject to cancellation for any violation of this Bylaw.
 - iii) persons hauling wastewater or other waters for treatment shall discharge the wastewater or other waters into the County's wastewater system only at sites designated for such disposal, which shall be marked with the appropriate signage.
 - iv) wastewater and other waters discharged shall meet the limits established in clause 6.4 c).
 - v) treatment of wastewater or other waters so discharged shall be paid for in accordance with the fee schedule set out in **SCHEDULE 'A'**.
 - vi) designated sites shall allow the material being discharged to be sampled and shall provide information on the wastewater being discharged. This information shall include, but not be limited to, source of wastewater, and quantity of wastewater, trucking firm name and truck license number.
- f) No person shall place or deposit, or permit to be deposited in any manner that is unsanitary in the opinion of the Public Health Inspector upon public or private property

within the County or in any area under the jurisdiction of the County, any human or animal excrement, garbage or other objectionable waste.

- g) No person shall discharge to any natural outlet within the County or any area under the jurisdiction of the County, any sanitary wastewater, industrial wastewater or other polluted water.

6.5 Sampling And Pretreatment

- a) i) where the County or person using the County wastewater system must provide pretreatment of wastewater, or storm water to bring it within the limits established in this Bylaw, that pretreatment facility shall be provided at the expense of the user.
- ii) where pretreatment facilities are required, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.
- b) All measurements, tests and analyses of the characteristics of industrial waste, wastewater or water to which reference is made in this Bylaw shall be determined in accordance with:
- i) Standard Methods
- ii) Methods Manual for Chemical Analysis of Water and Wastes, Alberta Environment Environmental Protection Services, Pollution Control Division, Pollution Control Laboratory
- iii) Annual book of A.S.T.M. Standards - American Society for Testing and Materials, or
- iv) Other methods consistent with, or promulgated in, the professional literature. The measurements, tests and analyses shall be determined from aliquots of samples collected from the sampling manhole or other sampling points approved by the County.
- c) No statement contained in this Bylaw shall be construed as preventing any special agreement or arrangement between the County and any industrial concern whereby the County for treatment, subject to payment, may accept an industrial waste of unusual strength or character thereof by the industrial concern.
- d) Sampling shall be conducted and the Inspector will make decisions regarding sampling. The procedure for taking individual and composite samples for the purpose of determining surcharges and conducting tests is outlined below:
- i) monitoring to determine pollutant concentrations may be performed on one or more grab samples obtained at any time from approved sampling points.
- ii) monitoring to determine wastewater strength shall be performed on daily composite samples obtained from approved sampling points and combined using a method identified below. The following is the standard procedure for this sampling:
- 1) Grab samples of approximately equal volumes will be taken at random time intervals during the customer's operating day or over a 24-hour period.
- 2) The sampler may observe the flow in the wastewater line being sampled and estimate the rate of flow.
- 3) The series of grab samples collected will be combined into a composite sample for analysis. The grab samples may be combined in proportion to the volume of water used or discharged during the sampling period, to the estimated flow, or where neither actual nor the estimated flow is available; the grab samples may be combined on an equal volume basis. Any combination of the above may be used in the appropriate circumstances.

7.0 SOLID WASTE MANAGEMENT, COLLECTION, AND DISPOSAL

- 7.1
- a) No person shall collect, dispose of or remove solid waste except in accordance with the provisions of this Bylaw.
 - b) No persons shall scavenge the contents of a solid waste receptacle.
 - c) No person shall deposit any dead animal, manure, excrement, refuse, liquid waste or solid waste upon or into any street, service lane, alley, highway, ditch, well, lake, pond, river, stream or water course or onto any land except with the written consent of the Public Health Inspector.
 - d) No person shall directly or indirectly dispose of, or permit any person to dispose of, any explosive, volatile, noxious, hazardous, toxic or dangerous device, substance, chemical, hot ashes or burning matter in any garbage can, plastic bag or solid waste receptacle.
 - e) No person shall directly or otherwise dispose of or permit any person to dispose of any unwrapped waste in any covered garbage can, garbage bin or solid waste receptacle.
 - f) No person shall operate a vehicle transporting solid waste within the County unless the solid waste is completely enclosed or securely covered so as to prevent any portion of the solid waste from falling off or out of the vehicle while in transit.
 - g) Except as otherwise herein provided, no person shall place or keep solid waste receptacles upon any portion of a street, lane or alley. Any such solid waste receptacles may be removed and disposed of by the County.
 - h) Forty-five (45) and fifty (50) gallon drums and barrels are strictly prohibited from being used as garbage cans or solid waste receptacles.
 - i) Residential garbage bins are supplied by property owner and should not contain recycling products or construction materials (wood, metal or concrete).
 - j) No person shall fill a garbage can to a greater height than within two (2) inches (5 cm) from the top thereof or with material of such weight that the combined weight of the receptacle and its contents exceeds fifty (50) pounds (22.7 kilograms).
 - k) The County shall not pick up any lawn clippings, shrubs or trees. Residents are encouraged to transport to local transfer site for disposal.

7.2 Authority of The Solid Waste Collector & County

- a) The solid waste collector, at his discretion, shall have the right to refuse to remove any solid waste where the container does not meet the requirements of this Bylaw or is in a dilapidated, unsafe or unsanitary condition.
- b) The solid waste collector shall not collect any solid waste that is not contained in a properly placed solid waste receptacle.
- c) A solid waste collector shall not be required to empty any garbage can that together with its contents exceeds fifty (50) pounds (22.7 kilograms) and not over a limit of three receptacles.
- d) The solid waste collector shall not be responsible for the collection and removal of any of the following types of solid waste except under a separate agreement between the County and the householder or proprietor and upon payment of such charges as may be set out in such an agreement:

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- i) Trade solid waste resulting from the construction, repair, decorating, clearing or grading of a building or premises,
 - ii) Scrap metals including car bodies, chassis, machinery or parts or garage refuse,
 - iii) Household chattel, material or equipment which has an overall length of more than four (4) feet (1.2 metres) or an overall weight of more than fifty (50) pounds (22.7 kilograms),
 - iv) Other solid waste which cannot be loaded from solid waste receptacles including such items as tires, auto parts and boxes.
- e) Collections of solid waste shall be made by the solid waste collector on such days and at such times as the County may appoint, and the solid waste collector shall have the right to enter such portions of the premises within the County as may be required for the purpose of performing his collection, removal and disposal duties at all appointed times.
- f) The County may at any time, and from time to time, enter into a contract or contracts with any person, firm or corporation for the collection, removal, and disposal of the whole, or any part of, the solid waste accumulated within the County, or may provide for the collection, removal and disposal of solid waste by the use of equipment and employees of the County.
- g) The County may, by written notice, direct any householder, person or proprietor to promptly provide additional garbage cans or other approved receptacles or to provide such receptacles in a proper condition where the County considers either that the number of approved receptacles or their condition is inadequate or insufficient in practice to meet the spirit and intent of this Bylaw. Failure to comply may cause the County to refuse service.

8.0 RECYCLING

8.1 Recycling

The County promotes the use of the recycling depot for those products that can be recycled for the purposes of aiding the environment and reducing the size of the solid waste stream.

Commercial and residential cardboard can be deposited at approved recycling depots. Residential cardboard recycling is also provided at all transfer sites.

8.2 Cost Recovery

The County shall assess or levy any charges or fees necessary to recover a portion or the entire cost of the recycling program from the customer. These charges shall be collected in the same manner as the utility rates as per **SCHEDULE 'A'**.

9.0 RATES/ PENALTIES/ PAYMENT OF UTILITY BILLS (Including Disconnection of Services for Non-Payment)

- 9.1
- a) All property owners will be assessed the specified rates as per **SCHEDULE 'A'** in all locations where one or more County utility service is provided.
 - b) The water, wastewater and solid waste rates and fees to be charged by the County and payable to the County under the terms of this Bylaw for the supply of water, wastewater and solid waste disposal/collection to or made available for use by a consumer, shall be those set forth in the **SCHEDULE 'A'** which shall form part of this Bylaw and may be amended by resolution from time to time by Council.
 - c) Collection of the revenue derived from the water, wastewater, and solid waste disposal/collection systems, the payment of disbursements connected therewith, and the supervision of all accounts and records shall be under the immediate control and direction of the C.A.O. or designate.

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- d) The rates shall be due and payable when rendered and a penalty will be charged on all current amounts that are not paid by the due date in accordance with **SCHEDULE 'A'**.
 - e) Where the County is owed payment for outstanding rates, costs and charges, the County will not supply new services until all arrears from previous accounts are paid in full and the customer has paid to the County a utility deposit as well as disconnection and reconnection fees outlined in **SCHEDULE 'A'**.
 - f) When utility services are disconnected for non-payment of rates or for violation of any of the provisions of this Bylaw, or any other rules or regulations of the County pertaining to the utility system, it shall not be re-connected again until the party in default has paid all the utility rates owing by them and shall have complied with the provision of the said Bylaw, rule or regulation, and have further paid the amount defined as Re-connect Fee in **SCHEDULE 'A'** for re-connecting the utility services.
 - g) Non-receipt of a utility bill does not exempt a consumer from payment for the services rendered.
- 9.2 The water, wastewater and solid waste rates and fees set out in the attached **SCHEDULE 'A'** shall be invoiced in accordance with operational policies, penalties and collection procedures in accordance with County Policy. In all hamlets where garbage service pickup is provided all residential owners and occupants will be charged a fee for the service.
- 9.3 When the occupant is the owner of a building or lot or part of a lot, the sum payable by them for the utility service supplied by the County to them or for their use and all rates, costs and charges imposed by this Bylaw are a preferential lien and charge on the building or land or part of a land and on the personal property of the property owner and may be levied and collected in a like manner as municipal rates and taxes are recoverable.
- 9.4 Fines - General
- Except where a fine is specified for breach of a provision of this bylaw, any person who contravenes any provision of this Bylaw is guilty of an offence and upon Summary Conviction is liable to a minimum fine of Five Hundred (\$500.00) Dollars and a maximum fine of Ten Thousand (\$10,000.00) Dollars (exclusive of costs) for each contravention of this Bylaw.
- 9.5 Surcharges - Solid Waste Management Collection & Disposal
- a) In any multi-unit structures all the units shall be assessed a solid waste management collection and disposal fee as set out in **SCHEDULE 'A'** whether occupied or not.
- 9.6 Offences
- a) Any person who contravenes any provision of this Bylaw is guilty of an offence.
 - b) A notice or form commonly called an Offence Ticket having printed wording approved by the C.A.O., may be issued by an Enforcement Officer to any person alleged to have breached any provision of this Bylaw, and the said notice shall required the payment to the County in the amount specified in this Bylaw.
 - c) An Offence Ticket shall be deemed to be sufficiently served:
 - i) if served personally on the accused; or
 - ii) if mailed to the last known address of the accused lessee, licensee or occupant.
 - e) Any person found in contravention of a provision of this Bylaw and who does not comply with the directions of the C.A.O. in correcting the violation under this Bylaw is guilty of an offence and the said violation may be remedied by the County.

- f) In addition to any other remedy available to the County for non-compliance with this Bylaw, the County may correct the violation and the costs incurred therefore shall be paid to the County upon demand, and failing payment, may be collected as a debt due to the County.
- g) The specified penalty for any breach of any provision of this Bylaw is One Thousand (\$1,000.00) Dollars.
- h) Prosecution for a contravention of this Bylaw does not relieve the person from compliance with this Bylaw.

11.0 LIABILITY FOR DAMAGES INCURRED

- 11.1 Except as provided for in the Municipal Government Act, being Chapter M-26 R.S.A., 2000 and amendments thereto, or other relevant legislation, the County is not liable for damages:
- a) caused by the break of any County water and/or wastewater main, water and/or wastewater service connection or other pipe or for the settlement of any excavation or trench made for the installation or repair of any part of the utility, or
 - b) caused by the disruption of any supply of water from the water utility whether notice is provided or not. In the event of such a situation, no deduction shall be made from the utility billing, or
 - c) caused by emergencies as determined by the C.A.O., force majeure, acts of God, strikes and other utility outages.

11.0 DELEGATION OF AUTHORITY

The Municipal Council of Yellowhead County hereby delegates to the C.A.O. the power to:

- a) Establish regulations for the general maintenance or management or conduct, of any employee of the utility and of the Enforcement Officer and others employed in connection with the utility services;
- b) Fix, in connection with the utility, the times and places where rates, charges as outlined in **SCHEDULE 'A'** are payable;
- c) Collect the rates, charges or fees in connection with the water, wastewater, solid waste collection & disposal systems;
- d) Enforce payments of those rates, charges or fees by all or any of the following methods, namely:
 - i) by action in any court of competent jurisdiction;
 - ii) by shutting off the water being supplied to the consumer or discontinuing the service thereof;
 - iii) by distress and sale of the goods and chattels of the person owing rates, charges or rents wherever they may be found in the municipality;
 - iv) by transfer to the tax roll of the property to which the utility service is provided, pursuant to the Municipal Government Act, being Chapter M-26 R.S.A., 2000 as amended, including an administration fee for transfer.
- e) Enforce the terms and conditions under which the utility services are supplied either:
 - i) by enforcing this Bylaw; or
 - ii) by enforcing any agreement made between the County as supplier and consumer; or
 - iii) by enforcing provincial/federal regulations.

- iv) Enforcement of this Bylaw or any agreement may include shutting off the water utility being supplied to the consumer or discontinuing the service thereof until the consumer complies with the terms and conditions of this Bylaw, agreement or provincial/federal regulations.

12.0 NOTICE

In any case where the County is required to notify a consumer or owner pursuant to this Bylaw, the C.A.O. or his designate shall affect such notice either:

- a) by causing a written copy of the notice to be delivered to and left in a conspicuous place at or about the premises within which the utility was being consumed by the owner or the consumer affected by such notice; or
- b) by causing a written copy of the notice to be mailed or delivered to the last known address of the owner as disclosed in the land registry system established by the Land Titles Act of Alberta as shall appear to the County most appropriate in the circumstances.
- c) by causing a written copy of the notice to be mailed or delivered to the last known address of the owner as provided by the consumer or owner on a change of address notification.

13.0 AMENDMENTS

Council may, by resolution passed at a duly assembled meeting of Council amend **SCHEDULE 'A'** from time to time.

14.0 APPLICATION OF THIS BYLAW

- a) The provisions of this Bylaw which regulate the provision of water, wastewater and solid waste collection to properties within the County apply in those areas of the County where the County offers those services. All other provisions apply throughout the County.

15.0 RESCINDED OR AMENDED BYLAWS

Bylaw Number 11.06 as amended is hereby repealed.

16.0 EFFECTIVE DATE

This Bylaw shall take force and effect upon the final reading thereof.

READ a first time this _____ day of _____, A.D., 2010.

READ a second time this _____ day of _____, A.D., 2010.

READ a third time this _____ day of _____, A.D., 2010.

SIGNED this _____ day of _____, A.D., 2010.

Mayor, Gerald Soroka

Chief Administrative Officer, Jack Ramme