

**CORPORATION OF THE VILLAGE OF BARNWELL
IN THE
PROVINCE OF ALBERTA
WATER & SEWER BYLAW NO. 1-03**

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**CORPORATION OF THE VILLAGE OF BARNWELL
IN THE
PROVINCE OF ALBERTA**

BYLAW NO. 1-03

A BYLAW OF THE VILLAGE OF BARNWELL IN THE PROVINCE OF ALBERTA,
RESPECTING THE MANAGEMENT AND REGULATION OF THE WATER SUPPLY SYSTEM
AND THE SEWAGE SYSTEM

WHEREAS pursuant to the Municipal Government Act, being Chapter M-26 of Revised Statutes of Alberta, 2000, and amendments thereto, the Council of the Village of Barnwell has the authority to enact a Bylaw affecting and controlling the public utilities known as the Water Supply System and the Sewage System.

AND WHEREAS the Village of Barnwell, 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; and a sewage collection, treatment and disposal system as public utilities for the benefit of all consumers within the Village of Barnwell and subject to Council approval, to consumers outside the boundaries of the Village of Barnwell.

NOW, THEREFORE the Council of the Village of Barnwell duly assembled enacts as follows:

SECTION I TITLE AND RESCINDED BYLAWS

- 1.1 This Bylaw may be cited as "THE WATER & SEWER BYLAW"
- 1.2 Bylaw Numbers 8-80, 6-84, 3-86, 4-90, 2-91, 4-96 and 12-95 are hereby repealed in their entirety.

SECTION II DEFINITIONS

ADMINISTRATOR: means the person appointed to the position and title of Chief Administrative Officer by the Council of the Village of Barnwell.

BYLAW OFFICER: means a Bylaw Enforcement Officer of the Village of Barnwell and includes the Administrator when the Administrator is acting as a Bylaw Enforcement Officer.

CONSUMER: means that person utilizing the water services whether it be an Owner or a Tenant.

COUNCIL: means the Council of the Village of Barnwell

OWNER: includes any person shown as assessed Owner of a property or building, or the Owner of the water service itself unless specified otherwise.

POTABLE WATER: means water that has been treated to national and Provincial standards and that is suitable for human consumption.

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SEWER SERVICE: means the sewer line connecting a Consumer's premises to the Village sewer 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 Village for its sewage system.

SEWAGE SYSTEM OR UTILITY: means the system of Sewer Collection Lines, pumping stations, service connections, valves, fittings, back flow prevention devices and all other equipment required for the collection and treatment of sewage for all Consumers and is deemed a Public Utility within the meaning of the Municipal Government Act.

VILLAGE: means the Municipal Corporation of the Village of Barnwell or its duly authorized representatives, and where the context requires, means the area contained within the boundaries of the Village of Barnwell

WATER MAIN: means the system of pipes, valves, fittings, valve chambers, and appurtenances which supply and distribute potable water within the Village of Barnwell.

WATER METER: means any device approved by the Village 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 Village Water Main with the Consumer owning that portion of the pipe lying from the Water Service Valve to the Consumer's premises, excluding any pipe lying within the boundaries of any easement or right-of way area granted to the Village for its water system.

WATER SERVICE VALVE: means the water valve located on the water line between the Village water main and the Consumer's premise installed for the purpose of enabling the Village to turn on or off the water supply to a Consumer's premises; also know as a Curbstop

WATER SYSTEM OR UTILITY: means the system of raw water pipelines, water reservoirs, treatment plants, pumping stations, water mains, service connections, valves, fittings, hydrants, meters and all other equipment and machinery of whatever kind owned by the Village and which is required to supply and distribute potable water to all Consumers and which is deemed to be a Public Utility with the meaning of the Municipal Government Act.

SECTION III DELEGATION OF AUTHORITY

- 3.1 The Council of the Village of Barnwell hereby delegates to the Administrator the power to:



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- a) Establish regulations for the general maintenance or management or conduct, of any employee of the Water and Sewer Utilities and of the By-Law Officer and others employed in connection with the Water and Sewer Utility services;
 - b) Fix, in connection with the Water and Sewer Utilities, the times and places where rates, charges and rents under this Bylaw are payable;
 - c) Provide for the rent or sale of fittings, machines, apparatus, meters or other things sold or leased to the consumer;
 - d) Collect the rates, charges or rents in connection with this Bylaw;
 - e) Enforce payments of those rates, charges or rents 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 of such amounts to the property tax account of the registered owner pursuant to the Municipal Government Act, R.S.A. 2000,, Chapter M-26 as amended, plus fee for transfer.
 - f) Enforce the terms and conditions under which the water and sewer utility is supplied either:
 - i) by enforcing this Bylaw, any new directions from Council, and any amendments to directions provided under this Bylaw; or
 - ii) by enforcing any agreement made between the Village and a Consumer;
 - iii) by enforcing provincial regulations including 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 or provincial regulations.
- 3.2** The provisions of this Bylaw shall apply to all persons using the Village's Water or Sewer Utility System both in and outside the Village, and regardless of whether any person using this system has a contract for Water and/or Sewer service with the Village.
- 3.3** The Administrator may delegate the Administrator's duties and authorities to such agents and employees of the Village as the Administrator deems appropriate.



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SECTION IV GENERAL

4.1 Supply of Service

The Village having constructed, operated and maintained a Water System and Sewer System as a 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 sewage to or from any resident or industry or other consumer within the Village situated along any water and sewer main, or Municipal right of way, upon being so requested in writing by the owner. The Village undertakes to supply water and sewage collection to the owner's system at the property line of the street, lane or boundary of an easement granted to the Village for its water and sewage system.

4.2 Alterations to Water & Sewer Systems

- a) No person(s) may maintain, repair, replace, or upgrade the Villages' water and sewer systems without being contracted by the Village to do so.
- b) No person(s) may connect to or extend the Villages' water and sewer systems without first obtaining written approval and permission from the Village of Barnwell.

4.3 Ownership of Water & Sewer Service Lines & Connections

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

4.4 New Services

- a) The Village shall install that portion of the water and sewer service connection that is on Village property and which runs from the Village water and sewer main to the property line of the street, lane, or boundary of an easement or right-of-way granted to the Village for its Water and Sewer system. The owner of the property is responsible for all costs related to servicing a property and as such the owner shall be charged connection and installation fees, as set by Bylaw or Resolution of Council for all new service connections.
- b) Council may refuse to make any new water or sewer service connection or install any new service or change any existing service at any time for any reason which it may consider sufficient.

4.5 Replacements & Relocation

Any owner who desires to have an existing water and/or sewer service connection within any street, lane, easement or Village property replaced with a connection of a different size or relocated to a different location, shall apply to



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the Village in writing for approval and the Village may authorize the work to be carried out by the Village or its agents subject to payment in advance, of the cost of the project as determined by the Village.

4.6 Winter Connections

Service connections to the water and sewer mains shall not be made between November 1st and April 1st of the following year, unless otherwise authorized by the Village.

4.7 Frozen Connections

If a water and/or sewer service connection is frozen on private property it shall be the consumer's responsibility to have it thawed at the consumer's expense.

4.8 Owner's Responsibility for Utility Service

- a) The Village of Barnwell shall provide water and sewer services to a parcel of land on the request of the owner of the parcel of land, when it is able to do so and subject to any terms, costs or charges established by council.
- b) The Village of Barnwell shall not provide water and sewer services to a parcel of land on the request of the occupant of the parcel who is not the owner.
- c) The owner of the parcel of land shall be responsible for all utility charges applied to that parcel of land.

4.9 Water and Sewer Rates

- a) Every person, firm or corporation, being the owner of property which is served directly or indirectly by a connection with the water system or sewer system of the Village of Barnwell shall pay the Village monthly water and sewer rates as set out in Schedule "A" attached hereto and forming part of this Bylaw or as amended from time to time by resolution of council.
- b) Council shall have the right to determine into which classification any service belongs and the Council's decision shall be final and binding on all persons concerned.
- c) Council shall have the right to establish or amend water and sewer rates and rebates from time to time, by resolution of council.

4.10 Billing & Collection & Enforcement Regulations

- a) A Utility Bill showing the current service charges to the user shall be mailed to the user each month and payment for the amount due for water, sewer and garbage charges shall be due and payable when the account is rendered with payment to be made at the office of the Administrator or at such other place as may be designated from time to



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time by the Council, and failure to receive a Utility bill shall in no way affect the liability of the consumer to pay the account.

- b) If the Utility bill is to a rental property, the bill will be sent to the registered property owner. If the registered property owner requests, a copy of the utility bill will be mailed to the renter. This will not relieve the registered property owner's responsibility as per Section 4.8 (c).
- c) In the event that any utility bill remains unpaid after the 25th day of the month following the billing period there will be added thereto a penalty in the amount of 2% and this penalty shall be part of the arrears and subject to collection in the same manner as all other rates and charges.
- d) In the event that any utility bill remains unpaid for a period of ninety (90) days after the date of mailing of the account, the Administrator shall cause a written notice to be served on the delinquent consumer or the owner, where the consumer is not the owner, advising that the water service will be shut off unless that account is paid in full within forty-eight (48) hours.
- e) If, after the forty-eight (48) hours, as provided for in clause 4.9(d), the account remains unpaid, the Administrator shall shut off the water, unless it is considered there are extenuating circumstances, in which case the matter may be referred to Council for a decision, and the Administrator may take such further collection action including those set out in Clause 3.1(e) as the Administrator deems appropriate.
- f) In the event that a water service has been shut-off, by reason of non-payment of fees, or for violation of any of the provisions of this Bylaw, or any other rules or regulation of the Village pertaining to the water and sewer system, it shall not be turned on again until the party in default shall have paid all the charges owing by him/her or due in connection with the said services and shall have complied with the provisions of this Bylaw, rule or regulation, and have further paid the Disconnection/Re-connection fee as set out in Schedule "A" to this Bylaw. Payment must be made by cash, money order, or certified cheque or by payment arrangements approved by either the Administrator or by resolution of Council.
- g) Payment shall be applied to the account on the date received in the Village Office. Postmark dates will have no bearing on date received.

SECTION V WATER SYSTEM

5.1 Responsibility For Water Consumption

The owner of a property shall be responsible for all water delivered to a premises, whether the water consumption was registered by the water meter or



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delivered or released by accidental or illegal means.

5.2 Waste of Water, Leaks & Defects

No person shall waste any water supplied by the Village 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.

5.3 Selling and Supply of Water

No person, unless authorized by the Village shall:

- a) Sell, lend or give away water obtained from the water utility.
- b) Supply water by a pipe or a hose from the water system, or any other source, to any other premises which could be supplied with water through its own water service connection.

5.4 Restriction of Water Use

Council may issue such orders necessary to control or restrict water consumption in the Village in the event that contamination, pollution, fire, drought, or other natural or manmade disasters should have a detrimental effect on the Villages' ability to supply potable water to consumers.

5.5 Water Valves

- a) No person shall interfere with, damage, or make inaccessible any water service valve or casing due to the construction of walks, driveways, landscaping or in any other way.
- b) No person, except those duly authorized to do so by the Village, shall turn on or off a water service valve or any other main valve or valves in the water system.
- c) The owner of the property is responsible for the safe keeping of the water service valve servicing his property and shall make every effort to protect it from damage.
- b) If it is required to make any repairs or construction changes due to the inaccessibility or damage to a water service valve, the owners of the property serviced by the water service valve shall, in addition to the penalties of this Bylaw, be required to assume all costs involved.

5.6 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.



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- 5.7** Branch Supply Lines, Outlets or Fixtures
No person shall install branch supply line, outlets or fixtures on the upstream side of a water meter or shut-off valve, except for fire protection purposes. Any branch supply line, outlet or fixture installed on the upstream side of the water meter or water shut-off valve for fire protection shall only be installed with written permission from the Village.
- 5.8** Shut Off Valves
All buildings constructed after January 1, 2003, which are connected to a water service shall have installed a water shut off valve placed on the inlet side of 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 water shut off valve shall be maintained in good mechanical condition by the owner and easily accessible at all times to ensure that it is operable in case of emergency.
- 5.9** Location of Shut Off Valves and Water Meter
The water shut off valves and meter shall be located immediately inside the premises where the water service enters the building.
- 5.10** Supply, Ownership and Installation of Water Meters and Remote Read-outs
- a) Each building and individual dwelling unit shall have a separate water meter installed.
 - b) All water meters shall be supplied, maintained, repaired, tested and replaced by the Village. The Village may at any time authorize an individual, firm or corporation to install, maintain, repair and replace water meters.
 - c) All water meters supplied by the Village shall at all times be the property of the Village.
 - d) The standard water meter size supplied for each building or dwelling shall be 5/8 inch. The owner of the property shall pay the additional cost for supplying larger meters or other special type meters. Notwithstanding the payment of such additional costs, the water meter shall remain the property of the Village.
 - e) The owner is responsible for installing the water meter and all costs incurred.
- 5.11** Unobstructed Access to Meter & Remote Readout
The owner of the property shall ensure that the Village has clear unobstructed access to the water meter and, if applicable, remote readout.



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5.12 Access to Premises

Employees of the Village and other designated contractors or persons shall have clear and unobstructed access at all reasonable hours of the day after having given reasonable notice, or in the case of special circumstances, without notice by written authority of the Administrator, to all parts of every building or other premises in which water is delivered and consumed for the purpose of conducting water use surveys, sampling, leakage, flow and pressure tests, reading water meters, remote readouts, or inspecting, repairing, replacing and removing water meters, remote readouts, and related equipment upon any water service connection.

5.13 Protection and Maintenance of Meters and Service Pipes

The owner of a property is responsible for the safe-keeping 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 affect the operation or reading of the water meter and shall pay the cost of repairing or replacing any water meter facilities supplied by the Village that may be damaged from the foregoing cause or any other causes within the owner's control.

5.14 Meter Readings

- a) The owner of each building or residence that is equipped with a water meter shall be responsible to read the water meter once a month and submit this reading to the Village office.
- b) In the event that the owner does not submit a meter reading, due to the inaccessibility of the water meter, or for any other reason, the Village shall estimate and establish the consumption charges based on the average consumption of the previous 3 billing periods. Payment of an estimated amount shall not excuse the consumer from liability for payment of a greater amount which may be owing after a meter is read.
- c) If a meter reading is not submitted for 6 consecutive billing periods, then the Village shall authorize an employee or other designated person to enter the building to retrieve and record the said water meter reading. The owner of the property will be required to pay a fee as per Schedule A to this bylaw.
- d) If the Village is unable to access a meter for reading, due to location or lack of cooperation from the owner, then the Village may order the property owner to have a remote readout device installed and connected to the water meter. In the event the property owner fails or refuses to comply with any such order the Village may shut off the water service to the property after having given the owner and occupants twenty-four (24) hours notice. All costs incurred will be the responsibility of the owner.



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5.15 Cost Recovery

The Village 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 water rates.

5.16 Installation of Water Meters

- a) The water meter(s) shall be installed on the water service(s) within a building as soon as it is possible to do so without freezing the water meter.
- b) The owner of a property shall make provisions for the installation of water meters in a horizontal position, and shall furnish all meters located within the owners 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 owner wishes to have installed other metering, piping, or valving arrangements, the owner shall apply to the Village, in writing, for approval prior to installation. Any such installation shall be at the owner's sole responsibility and expense. Approval by the Village shall not be an acceptance of responsibility. The Village may in it's sole judgement, require the owner to indemnify the Village prior to installation of other metering, piping, or valve arrangements.
- d) If the owner of a property does not make the installation in the manner approved by the Village, the Village shall have the right to refuse to supply water to the premises.

5.17 Relocation of Water Meter Piping

No person shall relocate, alter, or change any existing water meter piping without the written approval of the Village. The owner or his authorized agent may submit plans and specifications for any proposed relocation of water meter piping and, if approved by the Village, the owner shall pay the entire cost, including any costs incurred by the Village, in making such relocation, alteration or change.

5.18 Multiple Meters

In a multi-unit building having a single water service connection, each unit shall be individually metered and all water meters shall be installed as close as possible to the place where the water service connection enters the building.

5.19 Building Alterations and Relocations

If the Village is dissatisfied with the location of any water meter due to alterations to a building, the Village may require that the water meter be relocated to a more

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suitable or convenient location near the point of entry of the water service connection. All costs associated with relocating the water meter, including any Village costs shall be paid for by the owner of the property.

5.20 Notification of Malfunction

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

5.21 Removed or Stolen Meter

If a water meter or remote readout is removed or stolen, the owner of the premises shall pay the cost of replacing any such measuring device, including installation. If the property owner fails or refuses to pay the cost of replacing any such measuring device the village shall have the right to refuse to supply water to the premises.

5.22 Temporary and Seasonal Water Service Connections

Unless otherwise approved by the Village, all water supplied through temporary and seasonal water service connections shall be metered. In addition to the charge for the water supplied to the premises the owner of a property shall pay the cost of installing and removing the meter in the spring and fall, and for the installation and each removal of the water meter for any other purpose as described elsewhere in the Bylaw.

5.23 Accuracy of Meters

- a) If any water meter has, in the opinion of the Village, 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 average consumption of the previous 6 months; or
 - iii) A minimum consumption of 10 cubic meters.

- 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 Village 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 the Village as per Schedule "A" which is attached to and forms part of this Bylaw

 - 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.

5.24 Maintenance and Testing

Water meters may be removed by the Village for maintenance and testing on a



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periodic basis. The Village may test a water meter on site, or remove and test the meter at an alternate location.

5.25 Turning on Water - New Services

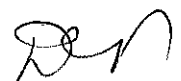
Water will be turned on to a premise only after the Owner has concluded the work to the satisfaction of the Village and the entire structure is inspected and approved by the Safety Codes Officer. The Village will not turn on the water supply to any new building or new plumbing system until a Provincial Plumbing Permit is presented to the Village for that building.

5.26 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 wished to discontinue the use of the water supply, must give notice in writing to the Village requesting that the Village shut off the water supply.
- b) If notice pursuant to subsection (a) is not given, the owner will be liable for the accruing rates, and for all damages suffered or sustained by the Village caused by failure to give notice.
- c) Notwithstanding subsection (a) or (b) above, the fact that a premises or land is vacant is not reason for non-payment of specified rates.
- d) Where any owner, occupant, or consumer discontinues the use of the water supplied by the Village, or the Village refuses to continue to supply water, the Village 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 Village and are located in or upon such premises.
- e) When a building that is connected to the Village 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, all costs associated with the disconnection of the service shall be paid by the owner of the land on which the building is situated including any disconnection fees as defined in Schedule 'A' which is attached to and forming part of this bylaw. The owner is required to pay the fees in full, in advance, before disconnection of services can take place.

5.27 Right of Shut Off

In the event of an emergency, or in the case of making repairs or in construction of new work or in connecting or repairing service pipes or for any other reason that, in the opinion of the Village, it may be expedient to do so, the Village shall have the right to shut off the water from any consumer without notice and keep it off as long as may be necessary.



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5.28 Non Delivery of Water

The Village or its employees shall not be liable for any damages which may result to any person or premises from shutting off the water main or service, or from failure of the water supply, for any purpose or cause whatsoever, even where no notice is given. In the event of such a situation, no deduction shall be made from the water billing.

5.29 Ownership and Use of Village Fire Hydrants

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

5.30 Relocation of Hydrants from Village-owned Property

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

5.31 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.
- b) Subject to the provisions of the Alberta Fire Code, no person shall do anything to obstruct access to a fire hydrant or to interfere with the operation of the fire hydrant.

5.32 Fire Hydrants - Other Uses

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

5.33 Fire Damage and Loss

The Village 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.



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5.34 Willful Act Prohibitions

No person or persons shall:

- a) willfully or maliciously hinder or interrupt or cause or procure to be hindered or interrupted the Village or its contractors, servants, agents, or workmen in the exercise of any of the powers and duties related to water utility system and authorized by, or contained in this Bylaw;
- b) 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;
- c) 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;
- d) 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 Town;
- e) willfully and without authority hinder, disrupt or cut off the supply of water to any consumer or user of the water system.

5.35 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 incurred by the Village to restore normal water service to its customers.

SECTION VI SEWAGE SYSTEM

6.1 Prohibitions

- a) No person shall discharge or permit to be discharged into any sanitary sewer, any liquid, liquids, grease, or chemical which would prejudicially affect the sewers.
- b) No person shall discharge or permit to be discharged into any sanitary sewer, trade waste, or any waste steam, condensing water, heated water or other liquids of a higher temperature than seventy-seven degrees (77) Celsius (one hundred and seventy degrees (170) Fahrenheit or any chemical or product which would affect treatment of the waste water.
- c) No person shall discharge or permit to be discharged any inflammable or explosive material into any sanitary sewer or sewer service connection.
- d) No person shall discharge the contents of any privy vault, manure pit or cesspool, directly or indirectly into any Village sewer main or sewer service connection.



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- e) No person shall pump, drain, or discharge any surface runoff (except foundation drainage) into sewer manholes, mains or service connections comprising the Village sewer system.
- f) No commercial sewer, drain or septic tank cleaning business shall discharge into the Village's sewer system without the written consent of the Village.
- g) No person shall attach or connect any pipe to any sewer main or service, or in any other way obtain or use the sewer system thereof in a manner contrary to this Bylaw without the written consent of the Village.
- h) No person shall willfully and without authority hinder, disrupt or cut off sewer service to any consumer or user of the sewer system.

6.2 Interference with System

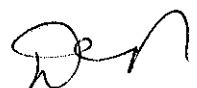
- a) No person except duly authorized employees of the Village, shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any Village sewer.
- b) No unauthorized person shall cut, break, pierce or tap any Village sewer or appurtenance thereof, or introduce any pipe, tube, trough or conduit into any Village sewer
- c) No person shall interfere with the free discharge of any Village sewer, or part thereof or do any act or thing which may impede or obstruct the flow or clog up any Village sewer or appurtenance thereof.
- d) No person shall make, or cause to be made, any connection with any Village sewer main, or sewer service connection, or appurtenance thereof for the purpose of conveying, or which may convey, any inflammable or explosive material into the sanitary sewers.

6.3 Access to Premises

Any authorized Village employee or Safety Codes Officer shall have the right at all reasonable times to enter any property which has been connected with Village sewers in order to ascertain whether or not any improper material or liquid is being discharged into the sewers. The authorized person shall have the power to stop or prevent from discharging into the sewer system any private sewer or drain through which substances are discharged which are liable to injure the sewers or obstruct the flow of sewage.

6.4 Clean-out Required

- a) Every building connected to a sewer service connection shall have a clean-out installed on each sewer service entering the premises for the purpose of accessing the sewer service for maintenance.



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- b) The clean-out shall be located as close as possible to the point where the service enters the premise.
- c) The owner and occupants of a premise shall keep free, clear, unobstructed access to the clean-out at all times.

6.5 Maintenance Responsibility

- a) The owner of any premises connected to a sewer main by a sewer service line, shall be required to keep the said sewer service line in operational condition at all times, and shall be fully responsible for the operation of the said sewer service line.
- b) Should a structural failure or settlement in the Village owned portion of the sewer service be identified during the process of clearing a blockage, then the owner of the property shall provide the Village with a copy of a sewer video inspection and its accompanying log. After inspecting the video, should the Village concur that there is a failure in the Village owned portion of the sewer service, the Village will repair or replace the Village owned portion of the sewer service at no charge to the property owner. The Village will also reimburse the owner for the cost of the sewer video inspection.
- c) In the event that any sewer service is abandoned, the owner, at his expense, shall effectively cap the sewer at a suitable location within his property in order to prevent wastewater and storm water from backing up into the soil and to prevent soil or dirt from being washed into the sewer.

6.6 Contravention of Bylaw

Should a person owning or occupying a premise fail to comply with Section VI of the Bylaw, then the Village may:

- a) Turn off the water to the premises, or
- b) Disconnect the sewer service, or
- c) Seal the sewer service at the cleanout, or
- d) Any combination of the above.

Any person who contravenes this section of the Bylaw will bear the full cost of any and all damages and repairs and maintenance required for the Village to restore normal sewer service to its customers.

SECTION VII LIABILITY FOR DAMAGES INCURRED

Except as provided for in the Municipal Government Act, R.S.A. 2000 Chapter M-26 and amendments thereto, or other relevant legislation, the Village is not liable for damages:



**VILLAGE OF BARNWELL
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- a) caused by the break of any Village water and/or sewer main, water and/or sewer 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 water and sewer utilities or,
- b) caused by the disruption of any supply of water from the water utility when such disruption is necessary in connection with the repairs or proper maintenance of the water and sewer system.
- c) caused by any plugging or back-up of sewer main or sewer service connection or other sewer pipe.

SECTION VIII NOTICE

In any case where the Administrator or Village are required to notify a consumer or owner pursuant to this Bylaw, the Administrator or his designate shall effect such service either:

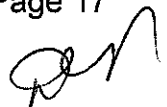
- a) by causing a copy of the notice to be delivered to and left in a conspicuous place at or about the premises within which the utility was being consumed by the owner or the consumer affected by such notice:
or
- b) by causing a copy of the notice to be mailed or delivered to the last known address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

SECTION IX PENALTIES

Any person who contravenes any provision of the Bylaw is guilty of an offense and liable upon summary conviction to a fine of not less than five hundred dollars (\$500.00) or to imprisonment for not more than six (6) months for any one offence together with the costs of prosecution.

SECTION X SEVERANCE, ENFORCEMENT

- 10.1** If any term, clause or condition of the Bylaw or application thereof, to any thing or circumstance shall to any extent be invalid or unenforceable, the remainder of this Bylaw or application of such term, clause or condition be any thing or circumstance, other than those which it is held as invalid or unenforceable, shall



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not be affected thereof and each other term, clause or condition of this Bylaw shall be enforced to the fullest extent permitted.

- 10.2** Any failure or decision by the Village not to enforce a provision of this Bylaw shall not stop or prevent the Village from the enforcement of same upon a further or continuing breach of this Bylaw.

SECTION XI EFFECTIVE DATE

This Bylaw shall come into full force and effect upon third and final reading.

READ A FIRST TIME THIS 15TH DAY OF MAY, 2003

READ A SECOND TIME THIS 15TH DAY OF MAY, 2003

BY UNANIMOUS CONSENT, READ A THIRD TIME AND FINALLY PASSED
THIS 15TH DAY OF MAY, 2003


MAYOR


ADMINISTRATOR

**VILLAGE OF BARNWELL
BYLAW NO. 1-03**

SCHEDULE "A"

WATER

Basic Charges	
<i>Applies to all Consumers within Village Corporate Limits</i>	
Single Family Residential	\$ 25.00
Multi Family Dwellings	\$ 25.00 per unit
Commercial	\$ 25.00
School	\$ 125.00
Church	\$ 50.00

Basic Charges	
<i>Applies to all Consumers outside Village Corporate Limits</i>	
Single Family Residential	\$ 35.00
Multi Family Dwellings	\$ 35.00 per unit
Commercial	\$ 35.00

Consumption Charges	
<i>Applies to all Consumers</i>	
Imperial Meters	\$ 2.00 per thousand gallons
Metric Meters	\$ 0.44 per cubic meter

Farm Service Bulk Water Sales	
Coin Operated Meter	\$ 1.00 per 145 gallons

SEWER

Basic Charges	
<i>Applies to all Users</i>	
Single Family Residential	\$ 14.00
Multi Family Dwellings	\$ 14.00 per unit
Commercial	\$ 14.00
School	\$ 70.00
Church	\$ 28.00

OTHER FEES

Meter Reading	\$ 20.00 per occurrence
<i>(as per Section 5.14)</i>	
Disconnect/Reconnect Fee	\$ 50.00 per occurrence