



BY-LAW NO. 804/06

A BY-LAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO AMEND WATERWORKS BYLAW 776/05

WHEREAS the Municipal Government Act, Revised Statues of Alberta 2000 and amendments thereto, authorizes the municipality to regulate the distribution and use of water;

AND WHEREAS Town of Rimby Bylaw 776/05 regulates water distribution and use;

AND WHEREAS the Council of the Town of Rimby desires to amend Bylaw 776/05:

NOW THEREFORE the Council of the Town of Rimby, duly assembled, hereby enacts as follows:

THAT Bylaw 776/05 be amended by changing the following section to read:

2.05 All properties within the municipality of Rimby, serviced by municipal water, are required to have a water meter. All persons shall give every facility for the introduction, placing, inspection and reading of water meters and shall protect it from interference or injury by frost or otherwise, and shall be liable for any damage which may occur to said meter.

THAT this By-Law shall take effect upon the final passage thereof.

READ a First Time in Council this 12th day of December, 2006.

READ a Second Time in Council this 12th day of December, 2006.

UNANIMOUSLY AGREED to Present Bylaw 804/06 for Third & Final Reading

READ Third Time and Finally Passes this 12th day of December, 2006.


Mayor


Chief Administrative Officer



BY-LAW NO. 776/05

A BY-LAW OF THE TOWN OF RIMBEY, IN THE PROVINCE OF ALBERTA, TO REGULATE THE USE OF WATERWORKS IN THE TOWN OF RIMBEY.

WHEREAS

Under the authority of the Municipal Government Act, Revised Statutes of Alberta 2000 and amendments thereto, the Council of the Town of Rimbey, duly assembled, enacts as follows:

This By-Law shall be known as the "Waterworks By-Law".

Use and Control: The use and control of all public waterworks, water treatment systems connected therewith, shall be in accordance with this By-Law.

Area of Responsibility: All waterworks belonging to the Town now laid down, constructed or built, or hereinafter laid down, constructed or built shall be under the direct control of the Town.

1.0

Definitions:

- 1.01 "Authorized Person" shall mean any person employed by the Town.
- 1.02 "Consumer" shall be understood and construed as to include the owner or occupier of lands and premises therein or on, to which any water service pipes are installed to service any land or premises therein or on.
- 1.03 "Department" shall mean the department of the Town authorized by Council to have control of waterworks.
- 1.04 "Meter" shall mean a mechanical and/or electronic device used to measure the amount of water used in either imperial or metric measurement.
- 1.05 "Person" shall mean a firm, corporation, owner, occupier, lessee or tenant.
- 1.06 "Street Mains" shall mean that portion of the Town's water system laid down in Town owned land for the purpose of servicing more than one person.
- 1.07 "Water Service Line" shall mean the water line from the distributing street mains to the property line of the land or buildings being serviced.

2.0

Waterworks:

- 2.01 Tapping of water street mains – no person, without first having obtained consent from the Town to do so, shall make connection with any of the public water lines or mains. The applicant for said permit shall be totally liable for any damage caused while making such connections, and shall also provide adequate safety provisions during said construction.
- 2.02 No Municipal authorization will be issued pursuant to sub-section 2.01, except to licensed plumbers or authorized employees of the Town.
- 2.03 All water service lines, laid in private property, between the property line and the meter, shall be C.S.A. approved material of equal quality to the service lines in the street between the water main and the property line.
 - a) The minimum size of water service lines shall be 20 mm.
 - b) No person shall be permitted to backfill any service until such service has been inspected and approved by an authorized Town employee.
- 2.04 No connection may be made to the water service line between the property line and the meter.
- 2.05 Where meters are installed for the measuring of water, all persons shall give every facility for the introduction, placing, inspection and reading of water meters and shall protect it from interference or injury by frost or otherwise, and shall be liable for any damage which may occur to said meter.
- 2.06 No person shall interfere with, cut or remove the seal on a meter.
- 2.07 No person shall disconnect a meter or do anything which will bypass, or prevent, or impede, the flow of water through the meter, or which may affect the proper operation of the water meter.
- 2.08 Ownership of all water meters shall be vested in the Town of Rimbey.



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- 2.09 Turning on water – after any construction, reconstruction, alteration or change, or the completion of any work requiring Municipal authorization, water shall not be turned on to any building or premises until after the whole of the work has been done to the satisfaction of the Water Department. Water shall be turned on or off only by an authorized employee of the Town.
- 2.10 To maintain an adequate supply of water and adequate water pressure within the Town of Rimby, the Council may impose restrictions on the use of water.
- 2.11 In the case of a water shortage caused by weather conditions, mechanical reasons, or otherwise, the Town Manager has the authority to set limitations on rationing of water. If, in the opinion of the Town Manager and/or Town Foreman, during such water shortages, any user is abusing his water privileges, the Town Manager may authorize services to said premises to be temporarily suspended. The period of suspension shall be determined by the Town Manager, or in the absence of the Town Manager, the Town Foreman.
- 2.12 Except as hereinafter provided, no persons other than authorized employees of the Town shall open or close or operate or interfere with any valve, hydrant or fire plug, or draw water therefrom.
- 2.13 The Chief of the Town Fire Department, his assistants and officers, and members of that Department, are authorized to use the hydrants or fire plugs for the purpose of extinguishing fires, or fire practices, or for making trial testing of hose pipe, or for fire protection, but all such cases shall be under the direction and supervision of the said Chief or his duly authorized assistants, and in no event shall any inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant or plug.
- 2.14 No person shall in any manner obstruct the free access to any hydrant or valve or stop cock. No vehicle, building, rubbish, or any other matter which would cause such obstruction shall be placed nearer to a hydrant than the property line of the street in which the hydrant is located, nor within five (5) meters of the hydrant in a direction parallel with the said property line.
- 2.15 The Town shall assume the full responsibility and costs for any water service line, which may hereinafter be frozen between the property line and the street main. Any water service line frozen between the property line and the meter shall be the responsibility of the person owning the said property. Any costs incurred by the Town, in thawing frozen lines on behalf of a person, shall be recoverable as and subject to penalties, as taxes.
- 2.16 The Department, may shut off the water supplied to the land or premises of any consumer who may be guilty of a breach of or non-compliance with any of the provisions of this By-Law or Board of Health regulation, and may refuse to turn on the water until satisfied and assured that the consumer intends to comply with this By-Law or Health Regulations.
- 2.17 The Town hereby reserves the right to turn off water service without notice to any or all consumers for any purpose that, in the opinion of the Town, may be expedient to do so. It is hereby declared that no person shall have any claim for compensation or damages as a result of the Town turning off the water service without notice or from the failure of the water supply system from any cause whatsoever.
- 2.18 No person shall interfere with, damage or make inaccessible any curb stop due to the construction of sidewalks, pathways, driveways, etc. If it is required to make any repairs or changes due to inaccessibility to or damage to curb stops, the owners of the property being serviced by said curb stop shall, in addition to the penalties by the By-Law, be required to assume all costs involved in said repair.

3.0

Wells and Other Sources of Water Supply:

- 3.01 No well or other source of water except the Town water mains shall be used in the Town of Rimby without a permit being obtained from the Town.



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- 3.02 No permit issued under this section shall give or be construed to give the holder of said permit the right to sell or distribute water within the Town of Rimby.
- 3.03 No permit shall be issued under this section for locations where the applicant has reasonable access to municipal water mains.
- 3.04 A separate testing permit shall be obtained from the Municipality prior to any drilling, excavation, or other activities being carried out. An exploration permit must also be obtained from Alberta Environment prior to any drilling.
- 3.05 All applicants are responsible for obtaining the necessary approvals from Alberta Environment and any other provincial or federal regulatory agencies as may be applicable. They must also present written proof of these approvals to the municipality when requested.

4.0

General Provision – Water Service:

- 4.01 All persons desiring to be supplied with water by the Town shall request hook-up by the Town and sign the application form provided by the Town, and such application shall be accepted only when signed by the owner(s).
- 4.02 Any person who requires water for construction or other similar purposes shall request water service from the Town and sign the application form provided by the Town. Water consumed during the said construction will be billed out at the current rate, commencing on the date the water service was connected.
- 4.03 Any person or persons about to vacate any premises that have been supplied with water or who are desirous of discontinuing the use thereof must give notice in writing to the Town to shut off the water at the said premises, otherwise they will be held liable for the accruing rates therefore and for all damages suffered or sustained by the Town and caused by failure to give such notice.
- 4.04 In all cases where boilers are supplied with water, the Town 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 water supply, for any purpose or cause whatsoever, even where no notice is given, and no deduction from water bills shall be made in consequence thereof. All users of steam or hot water boilers must protect themselves by installing a storage tank sufficient to provide at least a twelve-hour supply for each steam or hot water boiler.
- 4.05 All contracts formed by the request and signature for water and the acceptance thereof by said department, on behalf of the Town, are hereby declared to be subject to all the terms and conditions of this By-Law which shall be understood and construed by the said departments as forming part of all contracts for the supply and distribution of the water by the said departments on behalf of the Town.
- 4.06 It is hereby further declared that all such contracts for the sale and distribution of water by the Town, whether signed by the owner of the land and premises to which water is supplied or ready to be supplied or by the consumer of the water where the owner is not the actual consumer thereof, an absence of notice in writing from either the owner or the consumer to the department to discontinue any service, the department may continue to supply water to the lands or premises served therewith; notwithstanding that water rates in respect thereof may be in arrears, and all arrears of water rates may be collected against the said lands and premises in the manner hereinbefore provided for the collection of water rates in arrears.

5.0

Water Rates

- 5.01 The water service rates shall be levied and collected monthly from all persons connected to the Town's water supply system.
- 5.02 The water service rates shall be set by separate By-Law.

6.0

Service Charges, Connection / Disconnection Fees, Payments and Penalties

- 6.01 Service Charges, fees and penalties shall be charged, to help defray costs involved with certain activities.



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6.02 Service charges, connection / disconnection fees, payments and penalties shall be set by resolution of Council and will be incorporated into the Town of Rimby 'Policy Manual'.

7.0

Enforcement

7.01 In addition to methods outlined below for the recovery of outstanding rates or charges, the Town reserves the right to discontinue service to any property where any charges for service or work remain outstanding for a period of more than forty-five (45) days.

7.02 Whereas authority is granted by Section 553 of the Municipal Government Act, being Chapter M-26 Statutes of Alberta 2000, for the Municipal Council to add amounts owing for utility arrears to the tax roll of a parcel of land.

7.03 In the event that a utility account is in arrears, the charges levied, penalties and fees may be transferred to the tax roll of the property and be collectable by the same procedures as taxes levied by the Town of Rimby.

7.04 In the case of default of payment of water charged, the Town of Rimby may enforce payment by action in a court of competent jurisdiction, or alternatively by distress upon seizure of goods and chattels of the consumer, or lien upon the properties being served by these utilities. In the event the charge or lien is made, shall be subject to the same penalties and be collectable by the same procedures as taxes levied by the Town of Rimby.

ANY person who violates a provision of this By-Law is guilty of an offence and liable upon summary conviction to a fine as provided for in the Town of Rimby general penalty By-Law.

THAT By-Laws 512/86, 563/90, 574/91, 619/94 and 734/02 are hereby repealed.

THAT this By-Law shall take effect upon the final passage thereof.

READ a First Time in Council this 24th day of March 2005.



Mayor



Chief Administrative Officer

READ a Second Time in Council this 14th day of April 2005.

READ Third Time and Finally Passes this 14th day of April, 2005.



Mayor



Chief Administrative Officer