

## BYLAW 15-24

### A BYLAW OF THE TOWN OF OKOTOKS IN THE PROVINCE OF ALBERTA REGARDING PROVISION OF A WATER UTILITY IN AND FOR THE TOWN OF OKOTOKS

**WHEREAS** under the provisions of the *Municipal Government Act (MGA)*, RSA 2000 c. M-26 and amendments thereto, Council may pass a Bylaw for the purpose of provision and regulation of a water utility within the Town of Okotoks;

**NOW THEREFORE** the Council of the Town enacts as follows:

#### 1. SHORT TITLE AND PURPOSE

- 1.1 This Bylaw may be known as "The Water Bylaw".
- 1.2 The purposes of this Bylaw are to:
  - 1.2.1 to protect the water supply in the Town;
  - 1.2.2 to protect the water system from damage, unauthorized use, or illegal operation;
  - 1.2.3 to protect the public;
  - 1.2.4 to manage the supply of water within the Town;
  - 1.2.5 to provide a system of fees, rates, and other charges for the provision of water and other water related services; and
  - 1.2.6 to provide a system of authorizations for those making use of the water system.

#### 2. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

- 2.1 **billing period** means a period of any two months as determined by the CAO;
- 2.2 **bulk water** means water that is provided to a customer through part of the water system but not through a service connection;
- 2.3 **Chief Administrative Officer (CAO)** means the person appointed to the position of chief administrative officer for the Town of Okotoks within the meaning of the *MGA* and the Town of Okotoks' CAO Bylaw or their delegate;

- 2.4 **Council** means the Mayor and Councillors of the Town of Okotoks duly elected pursuant to the provisions of the *Local Authorities Election Act*, as amended, or any legislation in replacement or substitution thereof;
- 2.5 **cross connection** means an actual or potential connection between the water system and any other water system or source of pollution or contamination, whether temporary or permanent;
- 2.6 **cross connection control device** means a device to protect the water system from the reverse flow of water from the customer's plumbing system;
- 2.7 **cross connection control device (testable)** means a testable cross connection device of one of the following types or such other type as may be approved by the CAO from time to time:
- 2.7.1 double check valve type assemblies (DCVA); or
  - 2.7.2 reduced pressure principle type assemblies (RP); or
  - 2.7.3 pressure vacuum breaker assemblies (PVB/SRPVB);
- 2.8 **customer** means a person who receives water or water related services from the Town;
- 2.9 **Fees, Rates, and Charges Bylaw** means the Town of Okotoks' Bylaw which establishes the fees, rates, and charges for services provided by the Municipality;
- 2.10 **General Design and Construction Specifications** means the General Design and Construction Specifications adopted by the Town from time to time to establish standards for construction within its boundaries;
- 2.11 **Indoor Water Conservation Features** means water efficient and low flow plumbing, fixtures and appliances and designs as identified in Schedule "A" of this Bylaw;
- 2.12 **Manual Water Meter Reading Program** means a program by which the water meter for a premises is physically read instead of being read through the use of a remote reading device (MXU);
- 2.13 **master control valve** means the water valve within a premises which, when closed, does not allow the flow of water from the water system;

- 2.14 **outdoor water use** means the use of water outside of a building for the purpose of:
- 2.14.1 watering gardens, trees, shrubs, lawns;
  - 2.14.2 applying pesticides or fertilizer in a manner that requires water;
  - 2.14.3 filling of any outdoor pools, hot tubs or similar uses;
  - 2.14.4 washing of vehicles, sidewalks, driveways or garage floors;
  - 2.14.5 filling of any fountains, ponds, or other decorative features;
  - 2.14.6 washing of exterior windows, siding or stucco on buildings;
  - 2.14.7 conducting any other outdoor water activity similar in nature to the foregoing; or
  - 2.14.8 any other outdoor watering purposes;
- 2.15 **Peace Officer** means:
- 2.15.1 a member of the Royal Canadian Mounted Police;
  - 2.15.2 a Community Peace Officer as appointed by the Solicitor General of Alberta; or
  - 2.15.3 a Bylaw Officer appointed by the Town to enforce bylaws of the Town;
- 2.16 **premises** means any parcel of land, building or part of a building supplied with water by the Town;
- 2.17 **premises-isolating device** means a cross connection control device installed on a service connection (private);
- 2.18 **Provincial Offences Procedures Act** means the *Provincial Offences Procedures Act*, RSA 2000 c P-34 and any regulations thereunder, as amended or replaced from time to time;
- 2.19 **remote reading device (MXU)** means a device which transmits measurement information from the water meter with which it is associated;
- 2.20 **service connection** means the part of the water system which runs from the water main to a building or other place on a premises for the purpose of providing water utility service to the premises and includes the service connection (private), the service connection (Town), and any other components of the water system which meet the definition of a service connection as defined in the *MGA*;

- 2.21 **service connection (private)** means the portion of a service connection located above, on or underneath a premises, bounded by the property line or boundary of an easement or right of way granted to the Town;
- 2.22 **service connection (Town)** means the portion of a service connection which runs from the water main to the boundary of the road or easement in which the water main is located;
- 2.23 **Town** means the corporation of the Town of Okotoks;
- 2.24 **utility bill** means a customer's billing statement for Town utilities;
- 2.25 **violation tag** means a notice or tag in a form as approved by the CAO, issued in respect of an offence allowing a voluntary payment option of a specified penalty established under this Bylaw;
- 2.26 **violation ticket** means a ticket issued pursuant to Part II of the *Provincial Offences Procedures Act*;
- 2.27 **water main** means the Town's water pipe in a public roadway, utility right of way or easement granted to the Town, which forms part of the water system and which provides water to premises through service connections;
- 2.28 **water meter** means a device approved by the CAO which is designed to measure the quantity of water provided to a premises through a service connection, and which includes any remote reading device (MXU) associated with such device;
- 2.29 **Water Meter Portal** means a software service provided to allow customers access to their water consumption data and receive notifications with respect to their usage;
- 2.30 **water related services** means any service provided in relation to the provision of water;
- 2.31 **Water Conservation Measures** means the water conservation measures set forth in Schedule "B" to this Bylaw;

- 2.32 **water service charge** means the charge on a customer's utility bill relating to their water consumption over a billing period and it includes a base rate and consumptive rates;
- 2.33 **water shortage event** means a period when there are limitations on the water supply or the water system or other conditions requiring reduced use of the Town's water supply;
- 2.34 **water service valve** means a water valve on the service connection (Town) which can turn on or off the water supplied to a customer's premises; and
- 2.35 **water system** means the entire infrastructure owned by the Town for the purpose of the collection, production, treatment, storage, supply, and distribution of water, or any part of any such works.

### **3. CONTINUATION OF WATER SYSTEM**

- 3.1 The Town shall continue, so long as there is sufficient capacity and sufficient supply of water available to the Town, to supply water to any premises within the Town that are adjacent to any roadway, utility right of way, or easement containing a water main;
- 3.1.1 where a service connection currently exists to that premises; or
- 3.1.2 where a request has been made and approved by the CAO to establish a service connection for that premises;
- in accordance with the terms and conditions as set out in this Bylaw.

### **4. RESPONSIBILITIES OF TOWN**

- 4.1 Where a service connection is continued or initiated pursuant to this Bylaw, the Town shall supply water to the premises, subject to the terms and conditions contained in this Bylaw.

### **5. ALTERNATE WATER SUPPLY**

- 5.1 No person other than the Town may supply water to any property or parcel of land within the Town that is adjacent to any roadway, utility right of way, or easement containing a water main without the prior authorization of the CAO. If the CAO grants such authorization:
- 5.1.1 the CAO may impose such terms and conditions as the CAO deems necessary or desirable including but not limited to limiting the

- period of time for which such alternate supply of water may be supplied; and
- 5.1.2 the owner of the premises and the person who has been given permission to provide an alternate source of water shall ensure that the alternate source is not connected either directly or indirectly to the water system and that no cross connection occurs between the alternate source of water supply and the water system.
- 5.2 Notwithstanding the Clause 5.1, the CAO's authorization is not required for a person collecting rainwater and utilizing the collected water for the limited purposes of outdoor water use on the property at which it was collected provided that the rainwater collection system is not connected directly or indirectly to the water system and that no cross connection occurs between the rainwater collection system and the water system.

## **6. REQUIREMENTS FOR SERVICE CONNECTIONS**

- 6.1 The owner of a premises shall, at their own expense, construct, maintain, and repair the service connection (private) for that premises, including:
- 6.1.1 ensuring that it complies with all applicable provisions of this Bylaw;
  - 6.1.2 ensuring that it complies with the *Safety Codes Act*;
  - 6.1.3 if the service connection (private) includes a pressure reducing valve, ensuring that valve complies with the *Safety Codes Act*;
  - 6.1.4 ensuring that any permits, inspections or approvals required pursuant to the *Safety Codes Act*, any applicable bylaw or any other applicable legislation are conducted or obtained prior to connection to the water system and as otherwise required prior to such connection;
  - 6.1.5 ensuring that it and all plumbing to which it is connected is in good condition, maintained in a state of good repair, free of leakage or other water loss and protected from damage including but not limited to damage caused by freezing, heat, and physical damage; and
  - 6.1.6 ensuring that it does not interfere with the operation of the water system.
- 6.2 A customer applying for connection to the water system shall, if their application is approved, pay the installation fee established by the Fees, Rates, and Charges Bylaw.

- 6.3 All service connections shall have a master control valve immediately inside the outer wall of the building being serviced and on the inlet side of the water meter to enable a customer to shut off the supply of water. The master control valve shall be maintained in good mechanical condition by the customer and easily accessible at all time to ensure that it is operable in case of emergency.
- 6.4 Each premises shall be serviced by a maximum of one service connection of a size sufficient in the opinion of the CAO to deliver an adequate supply of water. If the CAO approves an application for a larger service connection or to relocate a service connection, the customer shall pay for all costs of relocating the service connection (Town) prior to the Town commencing any work.

## **7. REQUIREMENT FOR INDOOR WATER CONSERVATION FEATURES**

- 7.1 Every person responsible for the construction of:
- 7.1.1 new residential construction, regardless of the number of dwelling units contained in a structure;
  - 7.1.2 new industrial, commercial and institutional construction; and
  - 7.1.3 any renovation project regarding a residential, industrial, commercial or institutional structure that requires a plumbing permit;
- must ensure that all plumbing fixtures and appliances installed in that construction or renovation use the fixtures and meet the requirements of the indoor water conservation features set forth in Schedule "A" of this Bylaw unless otherwise approved in writing by the CAO.

## **8. APPLICATIONS**

- 8.1 The CAO may establish a system or systems for applications for new service connections, the provision of water services, and any other administrative matters pursuant to this Bylaw.
- 8.2 In making an application pursuant to this Bylaw, no person shall give false information.

## **9. LIABILITY FOR LOSS OR DAMAGES**

- 9.1 The Town shall not be liable for damages or losses suffered by any person arising directly or indirectly from the operation or non-operation of the water system unless such damages or loss are caused by the intentional misconduct or negligence of the Town or a person for whom the Town is responsible at law.

## **10. RATES AND FEES**

- 10.1 Customers shall pay the applicable amounts for water and water related services set forth in this Bylaw or the Fees, Rates, and Charges Bylaw including:
- 10.1.1 water service charges;
  - 10.1.2 late payment penalties and collection fees;
  - 10.1.3 water meter supply, installation, repair and inspection;
  - 10.1.4 water related services fees;
  - 10.1.5 physical water meter reading charges;
  - 10.1.6 construction water fees; and
  - 10.1.7 bulk water fees.
- 10.2 No reduction or postponement will be made to a customer's utility bill for any interruption or delay in the supply of water or water related services by the Town.
- 10.3 No reduction will be made to a customer's utility bill for any leakage, water loss or misuse of water supplied to the customer's premises.

## **11. BILLING AND COLLECTION OF FEES**

- 11.1 The CAO may establish a system for the billing and collecting of all amounts payable pursuant to this Bylaw.
- 11.2 Customers shall pay all amounts payable pursuant to this Bylaw on the date specified in their utility bill or other invoice issued pursuant to this Bylaw.
- 11.3 If errors are identified in utility bills or water meter readings which occurred at no fault of the customer and which are not a result of any breach of this Bylaw:
- 11.3.1 which resulted in the customer being under billed, the Town shall not retroactively bill the customer; or
  - 11.3.2 which resulted in the customer being overbilled, the Town will reimburse the overbilled amount retroactively for up to two (2) years from the date of notice of the error being given in writing by the Town to the customer or by the customer to the Town.
- No interest shall be payable in respect of such under billed or overbilled amounts by the Town.
- 11.4 Non-receipt of a utility bill will not exempt the customer from payment of such utility bill when due.



## **12. PROVISION OF WATER TO OCCUPANTS OF PREMISES**

- 12.1. The Town will only provide water or water related services to a premises if the customer in respect of that premises is the owner of the premises.
- 12.2. Notwithstanding Clause 12.1, with the prior written approval of the CAO, the Town may provide water or water related services to a premises if the customer in respect of that premises is the occupant of the premises. The CAO may impose any conditions the CAO considers necessary or desirable in granting such approval.

## **13. BULK WATER SALES**

- 13.1. Any bulk water sales shall be at the discretion of the CAO.
- 13.2. The rates for any bulk water sales shall be in accordance with the Fees, Rates, and Charges Bylaw.

## **14. INSTALLATION AND OPERATION OF WATER METERS**

- 14.1. No premises shall access water from the water system except through a service connection affixed with a water meter that meets the requirements of this Bylaw.
- 14.2. All water meters shall be supplied, installed, maintained, repaired, tested, and replaced by the Town unless otherwise approved in writing by the CAO. The CAO may from time to time or at any time authorize a contractor or other person to perform such work on behalf of the Town.
- 14.3. The customer in respect of a premises shall provide a suitable site for a water meter inside the building to be serviced near the point of entry of the water service connection, in accordance with the Town's General Design and Construction Specifications. If a water meter cannot be installed in a building, the customer shall provide and maintain in good condition a structure to house the water meter on the premises at the customer's expense and in accordance with the Town's General Design and Construction Specifications.
- 14.4. All water meters supplied by the Town shall at all times be the property of the Town. Payment of an installation fee or other fee does not constitute a sale.

- 14.5. The customer shall pay the cost of supplying, installing, maintaining, repairing, testing, and replacing the water meter in respect of their premises as per the Fees, Rates, and Charges Bylaw.
- 14.6. If a premises requires a fire service type water meter, a water meter without a remote reading device (MXU), or other special type of water meter, such approval is subject to the approval of the CAO and the customer shall pay the additional costs for supplying and installing such water meters. Notwithstanding the payment of such additional costs, the water meter shall remain the property of the Town.
- 14.7. Notwithstanding Clause 14.1:
- 14.7.1. the CAO may permit one or more service connections or classes of service connections used for private fire protection to not have a water meter affixed to them provided that in the event of a fire, the CAO shall estimate the amount of water used and where the estimate is in excess of 30 cubic meters, the CAO may require the customer to pay for the water at the rate for bulk in accordance with the Fees, Rates, and Charges Bylaw; and
- 14.7.2. the CAO may permit a service connection to be used temporarily without a water meter, in which event the CAO shall estimate water consumption for the purposes of billing.
- 14.8. Any submeters, piping, or valves installed by a customer to measure or control the distribution of water within a premises:
- 14.8.1. Shall comply with this Bylaw;
- 14.8.2. Shall be installed on the downstream side of the water meter supplied and installed by the Town; and
- 14.8.3. In the case of submeters, submeter measurements shall not be definitive and the Town shall invoice and the customer shall pay for water based on the water meter installed by the Town.
- 14.9. If requested by a customer, the CAO may agree to supply and install two or more water meters for a single service connection, in which event all water meters shall be installed adjacent to each other as close as possible to the place where the service connection enters the building on the premises.

- 14.10. Any bypass valves on water meter installations must be approved and sealed by the CAO and no one shall open or operate such valves except for emergency use or maintenance as approved by the CAO.

## **15. PROTECTION OF WATER METERS**

- 15.1. The customer in respect of a premises shall ensure that the water meter associated with that premises is:
- 15.1.1. protected from damage including but not limited to damage caused by freezing, heat, and physical damage; and
  - 15.1.2. accessible to the Town where it can be installed, maintained, repaired, tested, replaced, and read.
- 15.2. No person shall damage, remove, alter, relocate, or tamper with a water meter except with the prior written authorization of the CAO.
- 15.3. A customer shall notify the Town immediately whenever a water meter or remote readout is not operating or if any part of it becomes damaged or broken.
- 15.4. If a water meter is damaged or removed, including by theft, the customer shall pay the cost of replacing the water meter including installation. If not paid, the cost may be collected in the same manner as unpaid water rates under this Bylaw.

## **16. RELOCATION OF METERS AND/OR SERVICE CONNECTIONS**

- 16.1. If the CAO is dissatisfied with the location of any water meter due to alterations to a building, the CAO may require the customer to relocate the water meter to a more suitable location. All costs associated with relocating the water meter, including Town costs, shall be paid for by the customer.

## **17. METER READING**

- 17.1. Each water meter shall be read at such times or intervals as the CAO may designate.
- 17.2. If any water meter has, in the opinion of the CAO, failed to accurately register the flow of water through the meter since the last reading, or in the event that

the Town is unable to read the water meter for a premises for any reason, the CAO shall estimate and establish the charges based on the greater of:

- 17.2.1. the average water consumption of the premises for the previous three billing periods;
- 17.2.2. the consumption charge for an individual unit without water meter or where a water meter is not registering accurately as set out in the Fees, Rates and Charges Bylaw; or
- 17.2.3. the average water consumption for other premises similar to the premises, and

payment of an estimated amount shall not excuse the customer from liability for payment of a greater amount which may be owing after a meter is read.

17.3. A customer may apply by written notice to the CAO to have their water consumption measured and billed under the Manual Water Meter Reading Program. If the application is approved, the following provisions will apply:

- 17.3.1. the customer must pay the fees set out in the Fees, Rates, and Charges Bylaw including any fees or charges for participation in the Manual Water Meter Reading Program;
- 17.3.2. the CAO may impose such time limits and other conditions as the CAO considers necessary or desirable; and
- 17.3.3. the Town will read the customer's water meter in accordance with the Manual Water Meter Reading Program until the approval of the application expires or is terminated.

17.4. A customer may request the Town to test a water meter located on the customer's premises. If the water meter is found to be measuring within two (2) percent of accuracy, the customer shall pay the meter testing fee established by the Fees, Rates, and Charges Bylaw, otherwise the Town shall not charge the customer for the meter test.

## **18. DISCONTINUATION OF WATER**

18.1. If a customer wishes to temporarily discontinue water supply to their premises, the following shall apply:

- 18.1.1. the customer must give at least 72 hours notice in writing to the CAO requesting that the Town shut off the water supply;
- 18.1.2. the customer must pay the shutoff fee as set out in the Fees, Rates, and Charges Bylaw;
- 18.1.3. throughout the period during which the water supply is discontinued, the customer shall continue to pay all flat rates and administrative and

- other charges for water and water related services for the premises;  
and
- 18.1.4. if notice pursuant to Clause 18.1.1 is not given, the customer will be liable for any accruing rates and charges until such time as proper written notice is given and will also be liable for any and all damages suffered or sustained by the Town caused by the customer's failure to give notice.

## **19. HYDRANTS**

- 19.1. No person shall operate or interfere with any hydrant or valve connected with the water system except members of the Fire Department engaged in providing fire services or as authorized in writing by the CAO.
- 19.2. Subject to the provisions of the *Alberta Fire Code*, no person shall obstruct access to a fire hydrant or interfere with the operation of a fire hydrant.
- 19.3. No person shall, without the written permission of the CAO, use water from a fire hydrant for a purpose other than emergency fire protection. The CAO may authorize such other use upon such terms and conditions and subject to payment of such fees as determined by the CAO.
- 19.4. Any person who wishes to have a fire hydrant located on Town owned property relocated or raised or lowered in elevation may apply in writing to the CAO. If the CAO agrees to relocate the hydrant, the applicant shall pay the actual costs of the relocation. Upon approval of the application, the applicant shall pay in advance a deposit equal to the estimated cost as calculated by the CAO, and the applicant shall:
- 19.4.1. in the event the actual costs are greater than the estimated cost, pay to the Town the difference; or
- 19.4.2. in the event the actual costs are less than the estimated cost, receive a refund of the difference from the Town.
- 19.5. The Town may require that a fire hydrant be installed on private property at the expense of the owner of the property. Fire hydrants located on private property

must be approved, installed, used, and maintained in accordance with the *Safety Codes Act* and all Town bylaws.

- 19.6. No owner, customer, or occupant of a parcel or premises on which a private fire hydrant is situated shall paint such hydrant or allow such hydrant to be painted any colour except the colour(s) approved by the CAO as described in the General Design and Construction Specifications.
- 19.7. The CAO may authorize the use of fire hydrants and the use of water from fire hydrants on a temporary basis where no other supply of water can be conveniently permitted.
- 19.8. The CAO may, as a condition for the use of fire hydrants and the use of water from fire hydrants, require that the water pass through a hydrant gate valve, a water meter, and a cross connection control device prior to use.

## **20. CROSS CONNECTIONS**

- 20.1. No person shall connect, cause to be connected, or permit to remain connected to the water system a cross connection that has not been approved by the CAO.
- 20.2. All irrigation systems, including residential irrigation systems, shall be installed with a cross connection control device which meets the requirements of the *Safety Codes Act*.

## **21. PREMISES ISOLATING DEVICES**

- 21.1. Every person responsible for the construction of:
  - 21.1.1. new residential construction, regardless of the number of dwelling units contained in a structure, with the exception of dwelling units which are separately serviced;
  - 21.1.2. new industrial, commercial, and institutional construction; and
  - 21.1.3. any renovation project regarding a residential, industrial, commercial, or institutional structure that requires a plumbing permit;must ensure that a premises-isolating device is installed on the plumbing system where the service enters the building, or in a location approved in writing by the CAO, prior to the connection of any branch lines which distribute the water to more than one water line within the premises and any plumbing fixture.

- 21.2. No person shall use water from the water system via a temporary water connection for constructing, altering, or repairing a building except with the approval of the CAO. If approved, the temporary water connection shall have a premises-isolating device or a cross connection control device installed in a location approved by the CAO.
- 21.3. In addition to Clause 21.1, the CAO may require the installation of a premises-isolating device on any existing customer's plumbing system from time to time as a condition of continuing to supply water to the premises, at a location approved by the CAO.

## **22. MAINTENANCE AND TESTING OF CROSS CONNECTION CONTROL DEVICES**

- 22.1. Customers shall ensure that any testing of any cross connection control devices (testable) associated with their premises is performed by persons holding a current certification from an association as approved by the CAO from time to time.
- 22.2. Every customer shall, at their own expense, have any cross connection control device (testable) associated with their premises tested:
  - 22.2.1. at the time of installation of the device;
  - 22.2.2. annually or as required by the CAO;
  - 22.2.3. at any time if directed to do so by the CAO;
  - 22.2.4. in accordance with the manufacturer's recommendations;
  - 22.2.5. whenever the device is relocated;
  - 22.2.6. whenever the device is cleaned, repaired, or overhauled; and
  - 22.2.7. in the case of a device installed on an irrigation system, at the time the system is turned on at the beginning of each irrigation season.
- 22.3. Every customer with a cross connection control device (testable) associated with their premises shall retain test report records on site and shall provide such records to the CAO upon request.
- 22.4. Every customer with a cross connection control device (testable) associated with their premises shall submit a test report to the CAO in a form approved by the CAO within 30 days of each test of the cross connection control device (testable) where the tester:
  - 22.4.1. discovers that the cross connection control device (testable) is in good working order; or

- 22.4.2. discovers that the cross connection control device (testable) is not in good working order but repairs or replaces and re-tests the cross connection control device (testable) immediately and upon re-testing finds that the cross connection control device (testable) is in good working order.
- 22.5. Every customer with a cross connection control device (testable) associated with their premises shall submit a report in writing to the CAO in a form approved by the CAO within two (2) business days of a test of a cross connection control device (testable) where the tester discovers that the cross connection control device (testable) is not in good working order unless the tester repairs or replaces and re-tests that cross connection control device (testable) immediately and upon re-testing finds that the cross connection control device (testable) is in good working order.
- 22.6. Where a cross connection control device (testable) fails a test, the customer shall have the cross connection control device (testable) repaired or replaced and re-tested within five (5) business days.

### **23. WATER CONSERVATION MEASURES**

- 23.1. Stage 1 of the Water Conservation Measures shall apply at all times by default. From time to time if the CAO believes there is a water shortage event, the CAO may declare that stages 2, 3, 4 or 5 apply instead of stage 1. If the CAO makes such a declaration, it may apply to:
  - 23.1.1. the entire Town;
  - 23.1.2. specific zone(s) or geographic area(s) of the Town; or
  - 23.1.3. other specific locations as defined by the CAO.
- 23.2. In addition to or in lieu of declaring that a different stage of the Water Conservation Measures shall apply, if the CAO believes there is a water shortage event and additional or different conservation measures are appropriate, the CAO may declare such measures as they determine are necessary or desirable.
- 23.3. If the CAO declares a change in the stage of the Water Conservation Measures, imposes additional measures to conserve water, or both, the CAO shall issue public notice in any one or more of the following manners:
  - 23.3.1. circulation of a Town press release;
  - 23.3.2. circulation of flyers;



- 23.3.3. notice published at least once in any weekly or daily newspaper circulated within the Town;
  - 23.3.4. notice on the Town website
  - 23.3.5. notice on the Town social media accounts
  - 23.3.6. notice provided through the customer's water account;
  - 23.3.7. notice provided through the customers Water Meter Portal; or
  - 23.3.8. signage.
- 23.4. Changes in Water Conservation Measures and additional measures to conserve water declared by the CAO shall become effective immediately upon notice by the CAO in accordance with Clause 23.3 unless such notice specifies a different date and time for such measures to take effect.
- 23.5. All persons in the Town shall comply with the stage of Water Conservation Measures established by the CAO from time to time in accordance with Clause 23.1.
- 23.6. All persons in the Town shall comply with the additional measures for water conservation established by the CAO from time to time in accordance with Clause 23.2.
- 23.7. Notwithstanding Clauses 23.5 and 23.6:
- 23.7.1. Customers with multi-family, commercial, institutional, and industrial premises may apply for an exemption to the Water Use Schedule; and
  - 23.7.2. Customers may apply for an exemption to the Water Use Schedule when installing new sod or seed or other landscaping that requires additional watering.
  - 23.7.3. The CAO, at their discretion, may grant an exemption to the Water Conservation Measures or any other measures to conserve water imposed by the CAO.
- 23.8. If the CAO grants an exemption to the Water Conservation Measures or any other measures imposed by the CAO to conserve water, such exemption is at the discretion of the CAO, may be cancelled or suspended upon notice to the customer and shall be subject to any conditions or terms the CAO considers necessary or desirable.
- 23.9. The Water Conservation Measures and additional measures to conserve water do not apply to use of water received from authorized alternate water sources or

rainwater collected pursuant to Clauses 5.1 and 5.2 or other non-potable water sources authorized by the CAO unless expressly directed by the CAO.

## **24. ACCESS AND INSPECTIONS**

- 24.1. As a condition of providing a water service and as operational needs dictate, the CAO shall have free access to all parts of a premises in which water is delivered through a service connection, at reasonable hours of the day and upon reasonable notice, for the purpose of:
- 24.1.1. installation, maintenance, repair, and removal of the water system and service connections;
  - 24.1.2. installation, testing, repair, and removal of water meters or other parts of the water system including water service valves;
  - 24.1.3. inspection of cross connection control devices or other equipment and works associated with the water system and the customer plumbing system;
  - 24.1.4. reading of water meters;
  - 24.1.5. inspections for compliance with this Bylaw; and
  - 24.1.6. all other activities authorized pursuant to this Bylaw.

## **25. GENERAL PROHIBITIONS**

- 25.1. No person shall enter any fenced area, building, or infrastructure which forms part of the water system without the permission of the CAO.
- 25.2. No person shall climb upon any structure which forms part of the water system.
- 25.3. No person shall:
- 25.3.1. damage, destroy, remove, or interfere in any way with any part of a service connection or any other pipe, pipe connection, valve, or other appurtenance forming part of the water system;
  - 25.3.2. interfere in any way with or cause any interference with the use of the water system by another customer, and without limiting the generality of the foregoing, shall not attach any device to any water pipe which may create noise, a pressure surge, a cross connection, backflow of water, or contamination of the water system;
  - 25.3.3. use any boosting device on any service connection, on the upstream side of a water meter or master control valve for the purpose of increasing water pressure;

- 25.3.4. use any boosting device on any service connection without the use of an approved cross connection control device located upstream of the boosting device;
  - 25.3.5. install branch supply lines, outlets, or fixtures on the upstream side of a water meter or master control valve, except for fire protection purposes as approved by the CAO;
  - 25.3.6. install branch supply lines, outlets, or fixtures on the upstream side of a premises-isolating device;
  - 25.3.7. tamper with, break, or remove any seal, lock-out device, or lock-out tag installed by the Town on any valves or flanged outlets on water service connections or water meters except in an emergency;
  - 25.3.8. attach or connect any pipe to any pipe or main of the water system or in any other way obtain or use any water thereof without the written consent of the CAO;
  - 25.3.9. hinder, interrupt, or cause to be hindered any employee of the Town or its contractors, servants, agents, or workers in the exercise of any of the powers or duties relating to the water system as authorized or required in this Bylaw;
  - 25.3.10. operate a water service valve or any other valve or valves in the water system intended to be operated by the Town without the authorization of the CAO;
  - 25.3.11. contaminate the water in the water system or do any act which causes or results in or may cause or result in the contamination of the water in the water system; or
  - 25.3.12. resell water from the water system without the written consent of the CAO, excepting the sale of water by the glass by restaurants for on-site consumption.
- 25.4. In the event a person breaks a seal, lock-out device, or lock-out tag pursuant to Clause 25.3.7 in order to obtain a supply of water for emergency purposes that person shall notify the CAO within 24 hours.

## **26. PENALTIES AND ENFORCEMENT**

- 26.1. Any person who contravenes any provision of this Bylaw by doing any thing or act which this Bylaw prohibits or failing to do any thing or act which this Bylaw requires, is guilty of an offence.
- 26.2. Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00 and in default of

payment of such fine, to imprisonment for a period not exceeding six (6) months.

- 26.3. If a Peace Officer believes that a person has committed an offence pursuant to this Bylaw, the Peace Officer may commence proceedings by issuing a violation tag or a violation ticket.
- 26.4. If there is a specified penalty listed for an offence in Schedule "C" to this Bylaw, this amount is the minimum specified penalty for the offence. If a person is convicted twice or more of an offence under the same provision of this Bylaw within 6 months, the minimum specified penalty for the second and subsequent offences is as listed in Schedule "C" to this Bylaw for second and subsequent offences.
- 26.5. If an offence is of a continuing or recurring nature, each instance of the offence or each day or part of a day on which the offence occurs constitutes a separate offence.
- 26.6. Nothing in Clause 26.4 shall prevent a Peace Officer from issuing a violation ticket requiring a court appearance of a person the Peace Officer believes may have committed an offence pursuant to this Bylaw or from laying an information in lieu of issuing a violation ticket.
- 26.7. The levying and payment of any fines or penalties or imprisonment for any period shall not relieve a person from the necessity of paying any fees, charges, or other amounts for which that person is liable under the provisions of this Bylaw.
- 26.8. No person shall obstruct, hinder or interfere with a Peace Officer in the enforcement of the provisions of this Bylaw.
- 26.9. If a customer fails to comply with this Bylaw or if a premises is not in compliance with this Bylaw, the CAO may do any of the following:
  - 26.9.1. on reasonable notice to the customer, discontinue providing water and water related services;
  - 26.9.2. on reasonable notice to the owner, remove the service connection (Town);
  - 26.9.3. remedy the defect and bring the premises into compliance with this Bylaw at the customer's expense;
  - 26.9.4. if a customer fails to pay any amount owing pursuant to this Bylaw when due, the CAO may, in addition:

- 26.9.4.1. impose the penalty rates, arrears charges, interest, and other administrative charges set forth in the Fees, Rates, and Charges Bylaw;
  - 26.9.4.2. transfer the unpaid amount to the property tax roll for the premises;
- 26.9.5. If a customer's breach of this Bylaw or a premises being in breach of this Bylaw results in a customer not being billed or being under billed for water, water related services, or both, retroactively bill the customer.
- 26.10. If a customer's breach of this Bylaw or a premises being in breach of this Bylaw results in loss of water, the CAO may estimate the volume of water lost and invoice the customer for such loss and the customer shall pay such amount promptly.
- 26.11. The penalties and remedies for the Town set forth in this Bylaw are in addition to and do not detract from the Town's powers pursuant to the *MGA*.
- 26.12. All amounts payable pursuant to this Bylaw are amounts owing to the municipality for municipal utility services.

## **27. GENERAL PROVISIONS**

- 27.1. It is the intention of Council that each provision of this Bylaw should be considered as being separate and severable from all other provisions. Should any clause or provision of this Bylaw be found to have been improperly enacted, then such clause or provision shall be regarded as being severable from the rest of this Bylaw and that the Bylaw remaining after such severance shall remain effective and enforceable.
- 27.2. Nothing in this Bylaw relieves a person from complying with any federal or provincial law or regulation, any other bylaw, or any requirement of any lawful permit, order, or licence.
- 27.3. Headings in this Bylaw are for ease of reference only and do not form part of this Bylaw.
- 27.4. Where this Bylaw uses the singular form of a word it includes the plural and vice versa when the context so requires.

27.5. The Schedules referenced in this Bylaw form part of this Bylaw.

This Bylaw shall come into full force and effect upon third and final reading and Bylaw 23-21 and any amendments thereto is hereby repealed.

READ A FIRST TIME this      day of      2024.

READ A SECOND TIME this      day of      2024.

READ A THIRD TIME AND PASSED this      day of      2024.

\_\_\_\_\_  
Mayor

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

## Schedule "A" - Indoor Water Conservation Features

<b>Residential Plumbing Fixtures</b>	
Residential Toilets	WaterSense labeled single or dual-flush toilets that meet the most current EPA approved <i>WaterSense Specification for Tank-Type Toilets</i> criteria.
Residential Showerheads	WaterSense labeled fixed and hand-held showerheads that meet the most current EPA approved <i>WaterSense Specification for Showerheads</i> criteria. If the showerhead has more than one mode, all modes must meet the maximum flow rate of 7.6 Litres (2.0 US gallons) per minute.
Residential Lavatory Faucets	WaterSense labeled residential lavatory faucets that meet the most current EPA approved <i>High-Efficiency Lavatory Faucet Specification</i> .
Residential Kitchen Faucets	A kitchen faucet with a flow capacity/maximum flow rate of not more than 5.7 Litres (1.5 US gallons) per minute.
<b>Residential Water Conserving Appliances</b>	
Residential Dishwasher	ENERGY STAR certified residential dishwashers.
Residential Clothes Washer	ENERGY STAR certified front and top-load clothes washers.
<b>Residential Plumbing Installation Requirements</b>	
Hot Water Pipe Runs	All hot water pipe runs shall be fully insulated.
	All hot water pipe runs shall be limited to 11.0m (36') or less from hot water heater to any bathroom for all single-detached or semi detached homes; for runs longer than 11.0m (36') a recirculation system is mandatory.
<b>Commercial, Industrial and Institutional Plumbing Fixtures</b>	
Commercial or flushometer-valve toilets	WaterSense labeled single or dual-flush flushometer-valve toilets that meet the most current EPA approved <i>WaterSense Specification for Flushometer-Valve Water Closets</i> criteria.
Commercial Urinals	WaterSense labeled urinals that meet the most current EPA approved <i>WaterSense Specification for Flushing Urinals</i> criteria.
Public Lavatory Faucets	A public lavatory faucet that meets Canadian Standards Association (CSA) B125.1 Plumbing Supply Fittings requirement of a maximum flow rate of 1.8 Litres (0.5 US gallons) per minute
Commercial Showerheads	A WaterSense certified showerhead or a showerhead with a flow capacity/maximum flow rate of not more than 7.6 Litres (2.0 US gallons) per minute. If the showerhead has more than one mode,

	all modes must meet the maximum flow rate of 7.6 Litres (2.0 US gallons) per minute.
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## Schedule "B" - Water Conservation Measures

Outdoor Watering and New Vegetation Installation Response Measures*									
	Water Use Element	Manual Outdoor Watering (Grass, Trees, Shrubs etc.)	OR	Automated Outdoor Watering (Grass, Trees, Shrubs etc.)	New Installation of Seed and/or Sod	Vegetable Gardens, Community Gardens and Flower Beds	New planting of Trees and Shrubs (less than 3 years)	Watering Athletic and Playing Fields	Non - Potable Watering (rain barrels, storm water use, etc.)
Conservation Stage Declared	Stage 1 Normal Operations	<b>ODD Numbered Addresses:</b> Monday and Thursday 6:00 - 8:00 AM <b>OR</b> 8:00 - 10:00 PM	OR	<b>ODD Numbered Addresses:</b> Monday and Thursday 2:00 - 4:00 AM	May be watered outside scheduled time with water exemption permit	May be watered outside of outdoor watering schedule using a watering container, low volume non-spray irrigation or a hose with a spring loaded	Water efficiently with no water waste while utilizing non-potable water where possible	Optimize usage to maintain turf health and playable standard of sports fields	Permitted  Permitted installations map available on website
	Stage 2 Increased community outreach	<b>EVEN Numbered Addresses:</b> Tuesday and Friday 6:00 - 8:00 AM <b>OR</b> 8:00 - 10:00 PM  Timing exemptions by permit for large ICI / MF		<b>EVEN Numbered Addresses:</b> Tuesday and Friday 2:00 - 4:00 AM  Timing exemptions by permit for large ICI / MF					

<b>Stage 3</b> Limit outdoor watering to 1 day per week	<b>ODD Numbered Addresses:</b> Monday 6:00 - 8:00 AM <b>OR</b> 8:00 - 10:00 PM  <b>EVEN Numbered Addresses:</b> Friday 6:00 - 8:00 AM <b>OR</b> 8:00 - 10:00 PM  Timing exemptions by permit for large ICI / MF	OR	<b>ODD Numbered Addresses:</b> Monday 2:00 - 4:00 AM  <b>EVEN Numbered Addresses:</b> Friday 2:00 - 4:00 AM  Timing exemptions by permit for large ICI / MF	trigger spray nozzle		
	Watering prohibited			No new exemption permits issued	Same restrictions as above watering only from 8:00 pm - 8:00 am	Reduce total sports field watering by 50%
	Watering prohibited			Watering prohibited		

\*Non-Potable Usage Exempt

\*Exemptions may be requested pursuant to section 23.2 of Water Bylaw, no new exemptions will be granted at stages 4 or 5

		Washing Events Response Measures				
	Water Use Element	Vehicle Washing at Home	Commercial Car Washes	Fleet Vehicle Washing	Street Cleaning	Driveway and Sidewalk Washing
Conservation Stage Declared	<b>Stage 1</b> Normal Operations	Washing permitted using a bucket or hose with a spring loaded trigger spray nozzle*	Permitted			Use dry clean-up methods prior to washing
	<b>Stage 2</b> Increased community outreach					Use dry clean-up methods prior to washing. High efficiency equipment required
	<b>Stage 3</b> Limit outdoor watering to 1 day per week	Washing prohibited. Must use commercial car wash	Increased conservation messaging encouraged	Prohibited unless for public health, environmental or safety reasons	Prohibited unless for public health, environmental, or safety reasons. No restrictions for non-potable use	Washing and spraying on impervious surfaces (driveways and sidewalks) is prohibited
	<b>Stage 4</b> Full outdoor water ban					
	<b>Stage 5</b> Essential Use Only	Not permitted	Washing prohibited. All commercial carwashes are to cease car washing activities until further notice			

\* Prohibitions on releasing soaps/detergents into stormwater system still apply

		Water Feature Response Measures			
	Water Use Element	Private Swimming Pools and Hot Tubs	Public Swimming Pools Public Splash Parks and Public Hot Tubs	Ornamental Water Features (Fountains)	Arenas
Conservation Stage Declared	Stage 1 Normal Operations	Permitted	Permitted - Splash Parks with full recirculation systems have no restrictions	Permitted	Permitted
	Stage 2 Community Outreach	Permitted but water use conservation measures recommended		Permitted but water use conservation measures recommended	Permitted but water use conservation measures recommended
	Stage 3 Limit outdoor watering to 1 day per week				
	Stage 4 Full outdoor water ban	Filling or re-filling prohibited	Permitted, CAO may impose water use conservation measures	Operation prohibited, must be turned off	Ice repair and resurfacing reduction of service level (dry scrape only)
	Stage 5 Essential Use Only		As per the direction of the CAO		As per the direction of the CAO

		Residential (in-home) and Commercial-Institutional Processes Response Measures					
	Water Use Element	Residential (in-home use)	Restaurants	Lodging	Construction Water	Laundromats & Dry Cleaners	Hydrants
Water Conservation Stage	Stage 1 Normal Operations	Permitted					
	Stage 2 Increased community outreach	Permitted - be water wise. Increased community outreach re: water conservation.	Permitted - be water wise. Increased community outreach re: water conservation.	Permitted - be water wise. Increased community outreach re: water conservation.	Conserve and prevent wasting of construction water.	Permitted.	Reduce hydrant flushing to key locations unless necessary for public safety reasons.
	Stage 3 Limit outdoor watering to 1 day per week			Laundry Restrictions. Must provide guests with the option to forgo having towels and linens laundered daily.	Only non-potable water is to be used for dust control.  Pressure testing and flushing allowed.		Fire training exercises to be rescheduled where possible.  Hydrant flushing is prohibited unless necessary for public safety reasons.  Reference

	<b>Stage 4</b> Full outdoor water ban		Recommended Water served only on request.		Non-potable water is to be used for dust control.  Pressure testing allowed; increased coordination with water services will be required.  Flushing is only permitted at the discretion of the CAO.  Other uses prohibited unless required for public health or safety reasons.	Increased conservation messaging encouraged.	construction water column for the pressure testing and flushing of mains.  Use of all water for fire training and use of water from hydrants is not permitted unless necessary for public safety.
	<b>Stage 5</b> Essential Use Only	Recommend all residents use water for essential use only inside their homes.  Water distribution system pressure may be reduced (in consultation with Engineering and Fire Dept.).	Water served on request only. Recommend all restaurants only use water for essential health and safety purposes.  Water distribution system pressure may be reduced (in consultation with Engineering and Fire Dept.)	In addition to Stage 4 Laundry Restrictions. Recommend all Lodging/hotels stop non-essential water use.  Water distribution system pressure may be reduced (in consultation with Engineering and Fire Dept.).	Use of all potable construction water is prohibited.  Potable water usage exceptions only granted if absolutely necessary for public health and safety reasons.	All laundry and dry-cleaning activities that consume water are prohibited  Business usage limited to human health and safety usage only (i.e. human consumption, hand washing and toilets).	

### Schedule "C" - Specified Penalties

Section	Offence	Penalty First Offence	Second and Subsequent Offences within six (6) months
5.1	Unauthorized supply of alternate source of water	\$1500.00	\$3000.00
6.1	Failure to construct, maintain and repair service connection as required	\$1500.00	\$3000.00
6.3	Failure to keep master control valve maintained and accessible	\$500.00	\$1000.00
7.1	Failure to comply with indoor water conservation features requirements	\$500.00	\$1000.00
8.2	Providing false information on an application	\$1000.00	\$2000.00
14.1	Accessing water except through a water meter	\$1500.00	\$3000.00
14.10	Unauthorized operation of bypass valve	\$1500.00	\$3000.00
15.1	Failure to protect water meter	\$1500.00	\$3000.00
15.2	Damaging, removing, altering, relocating or tampering with a water meter	\$1500.00	\$3000.00
15.3	Failure to notify Town of damaged water meter	\$1000.00	\$2000.00
19.1	Unauthorized operation of hydrant	\$1500.00	\$3000.00
19.2	Obstructing access to hydrant	\$1500.00	\$3000.00
19.3	Unauthorized use of water from hydrant	\$1000.00	\$2000.00
19.5	Failure to install required fire hydrant	\$1500.00	\$3000.00
19.6	Unauthorized painting of fire hydrant	\$100.00	\$200.00
19.8	Failure to use required hydrant gate valve etc.	\$1500.00	\$3000.00
20.1	Unauthorized cross connection	\$1500.00	\$3000.00
20.2	Failure to install cross connection control device on irrigation system	\$1500.00	\$3000.00

21.1	Failure to install premises-isolating device	\$1500.00	\$3000.00
21.2	Unauthorized use of water from temporary connection	\$500.00	\$1000.00
21.3	Failure to install premises-isolating device on existing plumbing	\$1500.00	\$3000.00
22.1	Failure to ensure cross connection control device test performed by certified person	\$1500.00	\$3000.00
22.2	Failure to test cross connection control device as required	\$1500.00	\$3000.00
22.3	Failure to produce cross connection control device test records	\$500.00	\$1000.00
22.4	Failure to report passed cross connection control device test	\$500.00	\$1000.00
22.5	Failure to report failed cross connection control device test	\$500.00	\$1000.00
22.6	Failure to replace cross connection control device	\$500.00	\$1000.00
23	Failure to comply with Water Conservation Measures or with additional measures imposed by the CAO while:		
	Stage 1 is in effect	\$400.00	\$800.00
	Stage 2 is in effect	\$400.00	\$800.00
	Stage 3 is in effect	\$600.00	\$1200.00
	Stage 4 is in effect	\$1500.00	\$3000.00
	Stage 5 is in effect	\$3000.00	\$6000.00
25.3.1	Damage, destroy, remove or interfere with appurtenance	\$1500.00	\$3000.00



25.3.2	Interfere with use of water system	\$1500.00	\$3000.00
25.3.3	Use boosting device upstream of water meter	\$1500.00	\$3000.00
25.3.4	Use boosting device without cross connection control device	\$1500.00	\$3000.00
25.3.5	Install branch supply lines etc. upstream of water meter	\$1500.00	\$3000.00
25.3.6	Install branch supply lines etc. upstream of premises-isolating device	\$1500.00	\$3000.00
25.3.7	Tamper with seal etc. outside emergency	\$1500.00	\$3000.00
25.3.8	Attach pipe to water system	\$1500.00	\$3000.00
25.3.9	Interfere with Town employee	\$1500.00	\$3000.00
25.3.10	Operate water service valve without authorization	\$1500.00	\$3000.00
25.3.11	Contaminate water	\$1500.00	\$3000.00
25.3.12	Resell water	\$1500.00	\$3000.00
25.4	Fail to report emergency access to seal	\$500.00	\$1000.00
26.8	Interference with a Peace Officer in enforcement of this Bylaw	\$1500.00	\$3000.00