



## Bylaw #2022-09 “Water, Wastewater, Solid Waste Bylaw”

BEING A BYLAW OF THE TOWN OF THORSBY IN THE PROVINCE OF ALBERTA, THAT REGULATES THE USE OF WATERWORKS, WASTEWATER AND PLUMBING; AND TO ESTABLISH RATES FOR WATER, WASTEWATER, AND SOLID WASTE REMOVAL SERVICES IN THE TOWN OF THORSBY; AND TO SET FORTH THE TERMS AND CONDITIONS FOR THE COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTE SERVICES THROUGHOUT THE MUNICIPALITY.

- WHEREAS:** Under the authority and subject to the provisions of the Municipal Government Act, 2000, Chapter M-26.1, Revised Statutes of Alberta, as amended (hereinafter the "MGA");
- AND WHEREAS:** All water works, wastewater lines, storm sewers, drains and garbage disposal works belonging to the Town now laid down or future public works constructed or built shall be under the direct control and management of the Chief Administrative Officer or their designate, subject to the authority of the Town Council.
- NOW THEREFORE:** The Council of the Town of Thorsby, duly assembled, hereby enacts as follows:

### PART I: TITLE AND PURPOSE

This bylaw shall be known as the "Water, Wastewater, Solid Waste Bylaw".

### PART II: DEFINITIONS

In this bylaw, unless the context otherwise requires:

- a) **“Department”** shall mean the department or departments authorized to have control of water works, wastewater, and garbage.
- b) **“Consumer”** shall mean the owner of lands and premises therein or on to which any water or wastewater service pipes are installed to service any land or premises therein or on; and to which solid waste removal services are provided.
- c) **“Person”** shall mean every person, firm, corporation, or owner.
- d) **“Manager”** shall mean the person with authority to supervise and have charge of the water and wastewater department subject to the powers delegated to him by the Chief Administrative Officer.
- e) **“Meter”** shall mean a mechanical and/or electrical device used to measure the amount of water consumed in either imperial or metric measurement.
- f) **“Street Mains”** shall mean the portion of the water and/or wastewater system laid down in Town land or Crown land for the purpose of serving more than one person.
- g) **“Wastewater Services”** shall mean the line from the collecting street mains to the property line of the land or building being serviced.

### PART III: WATER WORKS

#### 1) TAPPING WATERWORKS:

- a) No person without having first obtained a permit to do so and submitting payment for said permit in accordance with Schedule ‘C’ of this bylaw, shall make connection or communication whatsoever with any of the public pipes or mains. The applicants for said permit shall be totally liable for any damages caused while making such connections and shall also provide adequate safety provisions during said construction.
- b) No permit shall be issued to any person except a licensed plumber or authorized employee of the Town.
- c) All water service pipe laid in private property between the property line and the water meter shall be of the same material as the service pipe in the street between the water main and the property line, or a material approved by the Town. No connection may be made to the water service pipe between the property line and the meter.
- d) The owner of any premises connected to a water main by a water service line shall be required to keep the said water line in operational conditions at all times, from the CC valve to the house.



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### 2) METERS:

- a) Every meter installed on any service by the Town shall remain the property of the Town and is installed on the understanding that all owners shall give every facility for the introduction, placing inspection and reading of such meter; and shall protect it from interference or injury by frost. Any person permitting any meter to be damaged by frost shall be liable for all costs incurred in the repair or replacement of said meter. Minimum repair costs shall be at the rate set out in Schedule ‘A’ of this Bylaw.
- b) All water users that are metered by the Town’s water distribution system shall pay to the Town a water meter caution fee in accordance with Schedule ‘A’ of this Bylaw. Such fees shall be paid to the Town at the time of making application for a water service but in all cases, prior to the water being turned on.
- c) All new or replacement meters installed to designated manufactured homes shall be sighted inside the designated manufactured home where possible.
- d) All residential, commercial, industrial, and institutional buildings shall provide on the outside of the building, or other convenient location between 1.5 meters and 2.0 meters above grade, a remote reading device supplied and approved by the Town and for that purpose the consumer shall make provision for the installation of electrical wire in accordance with the appropriate regulations from the place of the water meter to the place of the remote reading device.
- e) The Town may install a meter on any service whether the consumer is to be supplied with water under the meter rates or not; and to refuse to supply or continue to supply water to the premises whatsoever, unless the persons or person requiring the water shall sign an agreement to take, use, and pay for water according to the rates provided for the purpose and in accordance with Schedule ‘A’ of this bylaw together with any service charges that may be required.
- f) All meters shall be read, and a water bill rendered every month in accordance with Schedule ‘A’ of this bylaw
  - i. Where a reading cannot be obtained during regular reading schedules, the department may arrange a special reading by appointment at a cost to the consumer as set out in Schedule ‘A’ of this bylaw. Should the department be unable to make appropriate arrangements for water readings, estimated consumption will be used for billing purposes.
  - ii. If any meter has failed to register accurately since the last reading, water rates for the said period shall be adjusted and charged on the basis of the average charge for water supplied to the said premises during the preceding two meter reading periods.
  - iii. If a meter has failed to read accurately for the consumer, and there is no previous record of water usage, that water rate for the period in question shall be charged at the minimum applicable rate in accordance with Schedule ‘A’ of this bylaw. The meter will then be removed and given a test.
- g) Should any person claim that a meter is not working properly and is over-reading, said person shall deposit with the Town the sum as set out in Schedule ‘A’ of this bylaw. The meter will then be removed and given a test.
  - i. Should the meter be found to over-read by more than 3% the said person shall be refunded the deposit.
  - ii. Any meter which meets the requirements previously stated shall be considered adequate and said person shall forfeit the said deposit to the Town to cover the removal and testing of the water meter.
  - iii. All convenience during business hours shall be afforded the said person to witness meter tests.
  - iv. Should the meter be found to over-read more than 3%, the rate charge for the preceding two meter reading periods will be adjusted by the percentage the meter was found to be in error, providing, however, that no rate shall be reduced below minimum rate charged pursuant to Schedule ‘A’ of this bylaw.



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- h) Any person interfering with the seals or tampering with any meter shall be liable to penalties as set out in Schedule ‘A’ of this bylaw.
- i) Ownership of all water meters shall be vested in the Town of Thorsby, notwithstanding any deposit of water meter caution fee paid.
- j) The consumer shall be responsible for damage to the remote reading device which may result from other than normal wear and tear.

### **PART IV: WATER USAGE**

- 1) No person shall waste any water supplied by the department in any way whether by improper service pipes, fixtures, taps, or by permitting water to run to prevent taps or pipes from freezing or otherwise, or by improper excess use of water.
- 2) When conditions have the potential to limit Town water supply, the Town may implement an outdoor watering conservation requirement as outlined:
  - a) From ***May to September each year***, it is mandatory for all persons to practice water conservation for outdoor watering, whereby properties with a municipal address ending in an odd number may water on odd numbered days only, and properties with a municipal address ending in an even number may water on even numbered days only.

### **PART V: TURNING ON WATER**

- 1) After any construction, reconstruction, alteration, change, or the completion of any work requiring a permit, 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) Where water is turned off or on for the purpose of construction, alteration, or change, such work shall only be done upon application to the Town, and the prepayment of the fee in Schedule ‘A’ of this bylaw.
- 3) When construction water is required for any building under construction, the Town shall be notified 24 hours prior to the turning on of water.

### **PART VI: DISPOSAL OF WATER**

- 1) No person being an owner, occupier, tenant, or inmate of any house, building, or other premises, shall increase the supply of water beyond the fixed rating of the premises, or wrongfully or negligently waste any water.

### **PART VII: RIGHT TO DISCONNECT WATER SUPPLY**

- 1) The Town may shut off the water supply 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 bylaw or Board of Health regulations and may refuse to turn on the water until satisfied and assured that the consumer intends to comply with this bylaw or health regulation.
- 2) Any persons about to vacate any premises that are being supplied with water and who are desirous of discontinuing the use of, must give notice in writing to the Town of shut off of water at the said premises; otherwise, they will be held liable for the accruing rates therefore and all damages suffered or sustained by the Town caused by failure to give such notice.





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- 3) The Town hereby reserves the right to shut off the water without notice to the consumer for any purpose that, in the opinion of the Town, it may be emergent to do so.
- 4) It is hereby declared that no person shall have any claims or compensation or damages as the result of the Town shutting off the water without notice or from the failure of the water supply from any cause whatsoever.
- 5) Any rates, costs, or charges in arrears for water service supplied by the Town to any land or premises may be added to the taxes assessed against the property to which the water or other services have been supplied and may be collected in any of the ways provided for the collection of taxes, including the sale of the property.
- 6) In addition to the methods outlined in the above for recovery of outstanding rates or charges, the Town reserves the right to discontinue services to any property for charges for services or work remaining outstanding for a period of more than forty-five (45) days.
- 7) No person shall interfere with, damage, or make inaccessible any curb stop due to the construction of walks, driveways, etc. Any person found doing so will be subject to the costs and fines as set out in Schedule ‘A’ of this Bylaw.
- 8) If it is required to make repairs or construction due to inaccessibility, or damage to curb stops, the owner of the property serviced by said curb stops shall, in addition to the penalties of this bylaw, be required to assume all costs involved.
- 9) To maintain an adequate supply of water and adequate water pressure within the Town of Thorsby, the Town Council, or the Chief Administrative Officer, as the case may be, may impose restrictions on the use of water.
- 10) All contracts formed by the filing of an application for water and the acceptance thereof by the said department on behalf of the Town, are hereby declared to be subject to all the terms and conditions of this bylaw which shall be understood and construed by the said department as forming part of all contracts for the supply and distribution of the water by the said department on behalf of the Town.
- 11) In all cases where boilers are supplied with water, the Town shall educate on backflow protection and 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 and no deduction from water bills 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 (12) hour supply for each steam or hot water boiler.
- 12) No services will be disconnected without a minimum of 48 hours notice. Request from the property owner (except in emergency flooding situations) for disconnection shall also require a door hanger to be placed on the property advising of the request of disconnection.

#### **PART VIII: WELLS AND OTHER SOURCES OF WATER SUPPLY**

- 1) Where Town water services are not able to be supplied or are not available, the person requesting service may connect the building to a well or other source of water supply, subject to compliance with the provisions of this bylaw, all Provincial Regulations, and regulations of the Local Health Authority.
- 2) Any premises on a street, avenue, lane, or road upon which there is no Town water main may make an application to the Town to utilize a well or other source of water supply if the supply is not obtainable from the Town water main. Such application shall be accompanied by a fee as set out in Schedule ‘A’ of this Bylaw.
- 3) Any such permit as aforesaid may be withdrawn by order of the Town at any time without notice and no person shall use a well or other source of water supply after a permit for use of same has been withdrawn.
- 4) No permit issued under this section shall give or be construed to give the holder of the said permit the right to sell or distribute water within the Town of Thorsby.
- 5) Any person who makes application to be serviced by the water distribution system, and such application is approved, shall not revert to any other supply source at a later date, but shall remain connected to the Town water supply system.



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### **PART IX: INTERFERENCE WITH HYDRANTS AND VALVES**

- 1) No person other than authorized employees of the Town shall open or close, operate, obstruct, or interfere with any valve, hydrant or fire plug or draw water therefrom. Any unauthorized person or persons found obstructing, opening, or closing of hydrants and valves shall be fined as set out in Schedule ‘A’ of this Bylaw.
- 2) The Chief of the Town Fire Department, their assistants and officers, and members of that department are authorized to use the hydrants or plugs for the purpose of extinguishing fires or for making trail of hose, pipe or for fire protection; that all such users shall be under the direction and supervision of the said Chief or their duly authorized assistants; and in no event shall an inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant or plug.
- 3) No person shall in any manner obstruct the free access to any hydrant or valve or curb stop. No vehicle, building, rubbish or any other matter which would cause such obstruction shall be placed nearer to the hydrant than the property line of the street in which the hydrant is located; nor within fifteen (15) feet of the hydrant in a direction parallel with the said property line.
- 4) The Town shall assume the full responsibility and costs for any water service line which may hereinafter be frozen or broken between the property line and the street main. Any water service line frozen or broken between the property line and the meter shall be the responsibility of the person owning the property.
- 5) Each service pipe must be provided with a stop and waste tap of a pattern approved by the Town placed inside the outer wall of the premises in case of leaky fixtures or when the premises is vacated; and such stop and waste taps shall be clear of all obstruction so that ready access may be had to same to shut off water when occasion arises.

### **PART X: WASTEWATER LINES AND STORM SEWERS**

- 1) CONNECTION TO TOWN SERVICES:
  - a) No drain or private sewer shall be connected to the Town wastewater system until the owner thereof shall have obtained a permit for such a connection and submitted payment for said permit in accordance with Schedule “A”: of this Bylaw. The application for permit must be filed in the Town Office and must be signed by the owner of the property to be drained, or his authorized agent. Such applications must be accompanied by a plan showing in detail the contemplated connection, the exact location and elevation thereof, and specify fully the character of the work to be done, the sizes of all pipes and the location and type of all fittings.
  - b) It shall be the consideration of the granting of any application for a private drain or sewer connection to the Town’s wastewater system, that the Town or any of its employees shall not be liable for any damage whatsoever in nature caused either directly or indirectly by such connection and the applicant shall be responsible for backfill, surface replacement, safety, etc.
  - c) The Town may revoke or annul any permit that may have been granted to connect to the Towns services if it shall find that any of the work is not being done in accordance with the provisions of this bylaw, and the persons making such connections or their successors in interest shall have no right to consequence of such permits being revoked or annulled
  - d) All wastewater lines laid in private property between the property line and the premises being serviced shall conform to the Town of Thorsby’s adopted minimum Design Standards
  - e) The connection of a wastewater service line shall commence at the street main, working therefrom towards the building thereby ensuring proper grade level. The owner shall be responsible for all costs in this regard.
  - f) No person shall cut, break, pierce or tap any Town wastewater line or system thereof, or intrude any pipe, tube, trough, or conduit into any Town wastewater line, except a duly authorized employee of the Town.
  - g) No person shall interfere with the free discharge of any Town wastewater line or part thereof or do any act or thing which may impede or obstruct the flow or clog up any Town wastewater line within the system.



- f) The Public Works Manager or his appointee shall have the right at all reasonable times to enter houses or other places which have been connected to Town wastewater lines, to ascertain whether or not any improper liquid or material is being discharged into the wastewater lines, and he shall have the power to stop or prevent from discharging into the wastewater system any private sewer or drain through which substances are discharged which are liable to damage or injure the wastewater systems or obstruct the flow of sewage
- g) Where a public wastewater line or combined sewer is not available, the person requesting service, shall connect the building to a private sewage disposal system, which shall comply with the provisions of this bylaw, all Provincial Plumbing Regulations, and regulations of the Local Health Authority.
- h) Grease traps of sufficient size and approved design shall be placed on the waste pipes from all hotels, restaurants, laundries, and such other places as the Town, under advisement, may direct. Maintenance logs must be maintained and available for inspection.
- i) All fees and costs for sanitary sewer bills rendered every month are subject to the fees as per Schedule “A”.

2) PLUGGED SEWER CONNECTIONS:

- a) Should the Town be required to clear any plugged sewer service line, the person making such request shall be liable to all costs incurred by the Town in clearing the plugged sewer on the owner’s property. The rates charged by the Town shall be as set out in Schedule ‘A’ of this Bylaw.
- b) Should any person claim that any sewer service line between the street main and the property line is plugging because it is not laid according to good practice, the said person shall deposit with the Town the sum of two hundred (\$200.00) dollars. The Public Works Manager or his appointee shall then be authorized to open the said sewer service line by any method he considers necessary.
- c) Should the said sewer service line between the street main and the property line be found to be properly laid according to good work practice, the two hundred (\$200.00) dollar deposit shall be used to defray the costs incurred by the Town in opening the sewer line; plus the said person shall be liable to pay all costs incurred by the Town in opening the sewer line, over the two hundred (\$200.00) dollar deposit, upon receipt of an itemized account statement from the Town.

3) GENERAL PROVISIONS:

- a) The owner of any premises connected to a street 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) Where it is deemed expedient to prevent or reduce the flooding of basements or cellars connected to the municipal sewage system, the Town may require the owner to install and operate a suitable backwater valve or other mechanical device for the purpose of cutting off or controlling the connection between the sewage system and the cellar or basement where the installation of the said valve is required at the time of connection to the Town wastewater system, the cost of installation shall be the responsibility of the owner or applicant.

**PART XI: PLUMBING**

- 1) All plumbing works within the Town shall be done in strict accordance with the regulations under the Public Health Act of the Province of Alberta, and amendments thereto, and all other regulations of the Province of Alberta pertaining to plumbing, and amendments thereto, which regulations shall be considered as forming part of this bylaw as if incorporated herein.



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### PART XII: WASTE COLLECTION, REMOVAL, AND DISPOSAL

- 1) The Town of Thorsby shall provide waste disposal services to persons owning residential land on the following conditions:
  - a) All residential properties will be provided with a rolling waste cart, to be placed in a designated spot for collection as instructed by the waste management company.
  - b) All persons shall be provided with one collection per week.
  - c) All persons shall pay the Town the waste disposal charges as set out in Schedule 'A' of this bylaw.
  - d) 'A' of this bylaw.
  - e) All persons shall be billed in accordance with Section XIV of this bylaw.
  - f) Rolling waste carts must be removed from the street or back lane within 24 hours of waste collection.
- 2) Only existing Commercial businesses utilizing residential garbage pick-up in the Town of Thorsby shall be subject to the following terms for residential waste disposal services.
  - a) All existing businesses utilizing residential garbage pick-up will be provided a rolling waste cart to be placed in a designated spot for collection as instructed by the waste management company.
  - b) All existing commercial businesses shall be provided with one (1) collection per week.
  - c) The commercial businesses currently receiving residential garbage pick-up shall pay the Town the waste disposal charges set out in Schedule “A” of this bylaw.
  - d) All persons shall be billed in accordance with Section XIV of this bylaw.
  - e) Rolling waste carts must be removed from the street or back lane within 24 hours of waste pick-up.
  - f) Commercial businesses utilizing private service will be responsible to provide a bin and deal directly with the Contractor and pay the additional service and landfill costs. Administration will only discontinue charging for garbage collection if the business provides proof of a private garbage contract. There will be no retroactive reimbursement for past collection charges.
  - g) Plastic garbage bags may also be used for refuse, other rubbish, and household garbage. **BUT MUST BE PLACED INSIDE THE ROLLING WASTE CART PROVIDED.**
  - h) All wet garbage or refuse shall be thoroughly drained and wrapped or packaged so as not to stick or freeze to the inside of the container.
  - i) No person shall dispose of any litter on public or private property, unless he disposes of it in a container placed for the purpose of collecting it.

### PART XIII: UTILITY BILLING

- 1) All billings shall be for a one month period, with the first period in each billing year being January. The Utility Bill shall be mailed no later than the 5<sup>th</sup> day of the month immediately following the billing period. Receipt of the Utility Bill is deemed to be the third business day after the mailing date. Payment of the Utility Bill is due, in full, upon receipt.
- 2) No late payment penalty will be assessed on amounts owing until the close of business on the last day of the month immediately following the month in which the bills were sent.
- 3) In the event that the utility bill shall remain unpaid after the date in Paragraph 2 above, a penalty in the amount of ten percent (10%) of the current billing, shall be added to the outstanding balance, and shall become part of the amount which shall be due and payable to that date.
- 4) If the outstanding amount remains unpaid after 15 days of the billing due date a notice of arrears in the form of a letter will be mailed to the property owner.
- 5) If the outstanding amount remains unpaid, after the time has lapsed in Paragraph 4 above, a disconnection notice in the form of a door hanger will be served on the property (where accessible) 45 days from the original billing due date advising disconnection will take place in 5 days if payment is not received in full. The notice shall also advise that if payment is not received by the Town Office by the date and time requested, the water service shall be disconnected without any further notice to the user. No disconnections shall take place on Fridays but will be deferred to Monday.





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- 6) Reinstatement of water services will commence only after all outstanding amounts and a re-connection fee as set out in Schedule ‘A’ has been paid.
- 7) The following charges from this bylaw shall appear on each billing: water, wastewater, water infrastructure, wastewater infrastructure, garbage/recycling fee, and late payment penalties.
- 8) All payments shall be made at the Town Office at 4917 Hankin Street, or by mailing to the Town of Thorsby, Box 297, Thorsby, Alberta T0C 2P0. Payments may also be made at any financial institution that accepts the Town’s corporate creditor identification number for processing of bill payment, or via internet or phone banking systems.
- 9) In the event that persons do not comply with the terms and conditions as set out in this bylaw, the utility services to the property concerned may be disconnected.
- 10) The Town shall have the right to implement action for the collection of outstanding accounts including:
  - a) Discontinuing the utility service.
  - b) Initiating legal action for the payment of the outstanding accounts.
  - c) Transferring of outstanding balance to the tax roll where allowed in the Municipal Government Act.
- 11) Utility accounts cannot be registered in any name other than the property owner.

## PART XIV: ENFORCEMENT

### OFFENCE

- 1) A person who contravenes this bylaw is guilty of an offense.

### CONTINUING OFFENSE

- 2) In the case of an offense that is of a continuing nature, a contravention constitutes a separate offense in respect of each day, or part of a day, on which it continues and a person guilty of such an offense is liable to a fine in an amount not less than that established in this bylaw for each such day.

### VICARIOUS LIABILITY

- 3) For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee’s employment with the person, or in the course of the agent exercising the powers of or performing duties on behalf of the person under their agency relationship.

### OWNER LIABLE

- 4) In addition to any other person, the owner of a premises is liable for all offenses committed on that premises.

### FINES AND PENALTIES

- 5) Any person who is guilty of an offence is liable to a fine in an amount not less than that established in this section, and not exceeding \$10,000, and to imprisonment for not more than six months for non-payment of a fine.
- 6) Without restricting the generality of subsection (1), the following fine amounts are established for use on violation tickets if a voluntary payment option is offered:
  - a. \$2,000 for any offence for which a fine is not otherwise established in this section;
  - b. \$500 for any offence under:
    - i. Part III section (2) sub-section (h)
    - ii. Section (6) sub-section (1)
    - iii. Part VII section (7);
      1. section (9) sub-section (1) and (3),
      2. section (10) sub-section (1a), (f), and (g) or;
      3. section (12) sub-section (3f)





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### MUNICIPAL TAG

- 7) If a municipal tag is issued in respect of an offense the municipal tag must specify the fine amount established in this bylaw for the offense.

### PAYMENT IN LIEU OF PROSECUTION

- 8) A person who commits an offence may, if a municipal tag is used in respect of the offense, pay the fine amount established by Schedule A, and if the amount is paid on or before the date specified on the municipal tag, the person will not be prosecuted for the offense.

### VIOLATION TICKET

- 9) If a violation ticket is issued in respect of an offence, the violation ticket may:
- a) specify the fine amount established in section 34 for the offence; or
  - b) require the person charged to appear in court without the alternative of making a voluntary payment.

### ORDER TO COMPLY

- 10) (1) If the Chief Administrative Officer believes, on reasonable grounds, that a person is contravening any provision of this bylaw, the Chief Administrative Officer may, by written order, require any person responsible for the contravention to remedy it.
- (2) The order may:
- a) direct a person to stop doing something or to change the manner in which the person is doing it;
  - b) direct a person to take any actions or measures necessary to remedy the contravention of the bylaw and, if necessary, to prevent a re-occurrence of the contravention;
  - c) state a time within which the person must comply with the directions;
  - d) state that if the person does not comply with the directions within a specified time, the Town will take the action or measure.
- (3) A person named in and served with an order issued pursuant to this section shall comply with any action of measure required to be taken within the time specified.
- (4) An order issued pursuant to this section may be served:
- a) in the case of an individual:
    - i. by serving it personally to the individual;
    - ii. by leaving it for the individual at their apparent place of residence with someone who appears to be 18 years of age; or
    - iii. by mail addressed to the individual at their apparent place of residence or at any address for the individual on the tax roll of the Town or at the Land Titles registry; and
  - b) in the case of a corporation:
    - i. by delivering it personally to any director or officer of the corporation;
    - ii. by delivering it personally to a person apparently in charge of an office of the corporation at an address held out by the corporation to be its address; or
    - iii. by mail addressed to the registered office of the corporation.

### OBSTRUCTION

- 11) A person shall not obstruct or hinder any person in the exercise or performance of the person's powers pursuant to this bylaw.



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### **PART XV: GENERAL**

#### **POWERS OF THE CHIEF ADMINISTRATIVE OFFICER**

- 1) Without restricting any other power, duty or function granted by this bylaw the Chief Administrative Officer may:
  - a) carry out any inspections necessary to determine compliance with this bylaw;
  - b) take any steps or carry out any actions necessary to enforce this bylaw;
  - c) take any steps or carry out any actions necessary to remedy a contravention of this bylaw;
  - d) establish areas or instances where activities restricted by this bylaw are permitted;
  - e) take any steps or carry out any actions necessary to enforce standards, codes of practice and additional requirements as adopted by the Town from time to time, based on best management practices pertaining to wastewater management, which standards or codes may include those prescribed by the ACRWC.
  - f) issue permits with such terms and conditions as are deemed appropriate;
  - g) establish the criteria to be met for a permit pursuant to this bylaw; including but not limited to requirements to follow best management practices, codes of practice, and standard methods;
  - h) disconnect any access to the sewerage system if:
    - i. a property appears abandoned,
    - ii. a person fails to comply with this bylaw, or
    - iii. there is a threat to human health or the integrity of the sewerage system;and
  - i) delegate any powers, duties, or functions under this bylaw to an employee of the Town

#### **CERTIFIED COPY OF RECORD**

- 2) A copy of a record of the Town, certified by the Chief Administrative Officer as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

#### **PERMITS**

- 3) (1) A Person shall apply for, obtain, and comply with all permits and authorities required of, and issued by, all applicable permitting authorities, including the Town and the ACRWC, during the sanitary servicing infrastructure construction, connection, and operation phases.  
  
(2) A person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this bylaw.  
  
(3) If any term or condition of a permit issued pursuant to this bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, the Chief Administrative Officer may immediately cancel the permit.  
  
(4) A person shall immediately produce a permit issued pursuant to this bylaw when requested to do so by a peace officer.

#### **PROOF OF PERMIT**

- 4) The onus of proving a permit or approval has been issued in relation to any activity otherwise regulated, restricted, or prohibited by this bylaw is on the person alleging the existence of such a permit on a balance of probabilities.

#### **FEES**

- 5) Fees for use of the sewerage system are as set out in the Fees Bylaw and may be calculated based on the averages of available sampling, or estimates of use, if necessary.





Bylaw #2022-09  
"Water, Wastewater, Solid Waste Bylaw"

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**PART XVI: PREVIOUS BYLAW**

Upon third and final reading of this Bylaw, Bylaw #2012-05 is hereby rescinded.

**PART XVII: EFFECTIVE DATE**

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

READ A FIRST TIME this 27<sup>th</sup> day of September, 2022

READ A SECOND TIME this 25<sup>th</sup> day of October, 2022

READ A THIRD AND FINAL TIME this 25<sup>th</sup> day of October, 2022

Darryl Hostyn, Mayor

Donna Tona, CAO



Bylaw #2022-09

“Water, Wastewater, Solid Waste Bylaw”

SCHEDULE A: SERVICE FEES

**RE-CONNECTION FEE:**

A re-connection fee in the amount of Fifty (\$50.00) dollars shall be levied to persons whose services have been disconnected for non-payment of utility account. The said fee and all outstanding amounts shall be paid prior to service being re-instated by cash or interact (No cheques) **Monday – Friday 8:30 am to 4:30 pm only.**

**METERS:**

- Meter repair shall be billed to the account holder at a minimum of one hundred (\$100.00) dollars and will be billed at the actual cost for anything above one hundred (\$100.00) dollars. If the meter is proven to be within 3% accuracy plus or minus it will be deemed correct. This includes burst plate replacement.
- A one hundred (\$100.00) dollar deposit for testing a meter shall be billed to the account holder, if the meter is faulty the Town shall refund one hundred (\$100.00) dollars.

**WATER**

The following water service charges shall be levied and collected per billing from all persons, businesses, churches, clubs and charitable organizations, government units, etc. connected to the Town of Thorsby water system. In this Schedule, Cubic meters are expressed as: “m<sup>3</sup>”; and gallons are expressed as: “ga”.

**SINGLE FAMILY, DUPLEXES, AND FOURPLEX DWELLING UNITS:**

**RATES:**

- |   |                |
|---|----------------|
| • flat rate for the first 6.0 m <sup>3</sup> consumed | \$ 36.00/month |
| • for additional consumption thereafter               | \$ 6.00 per m3 |

**COMMERCIAL AND INDUSTRIAL UNITS:**

- |   |                |
|---|----------------|
| • flat rate for the first 6.0 m <sup>3</sup> consumed | \$ 36.00/month |
| • for additional consumption thereafter               | \$ 6.00 per m3 |

**MULTI-RESIDENTIAL**

- |                                 |                |
|---------------------------------|----------------|
| • based on consumption of usage | \$ 6.00 per m3 |
|---------------------------------|----------------|

ALL OTHER SERVICES BY AGREEMENT.

**WASTEWATER**

The following sewer service charges shall be levied and connected per billing from all persons, businesses, churches, clubs, charitable organizations, government units etc. connected to the Town of Thorsby wastewater system.

The billing charge shall be as follows:

**RESIDENTIAL\*:**

**RATE:**  
\$16.45/month

**COMMERCIAL & INDUSTRIAL\*\*:**

or 15.00% of the water charges, whichever is greater.  
(up to a maximum of \$200.00)

**RATE:**  
\$16.85/month

**MULTI-RESIDENTIAL\*:**

or one-half of the water charges, whichever is greater.

**RATE:**  
\$16.85/month





Bylaw #2022-09  
“Water, Wastewater, Solid Waste Bylaw”

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**GARBAGE DISPOSAL:**

1) a) All Residential/Commercial service is collected once per week.

All Residential Premises	-	\$16.75/month
All Commercial Premises	-	\$16.75/month
Multi-Residential	-	\$88.85/month
Seniors Complexes	-	\$59.25/month
Multi-Commercial	-	\$59.25/month

Rate for pick-up and landfill charges is per month, billed directly by the village to the user.

2) a) Recycle collection of all residential services bi-weekly  
\$3.75 per unit per month

b) Recycle collection for commercial service is an option that each business may elect to participate in, at the rate of \$38.00 per month for collection of 2 to 3 cubic yards of recycling. For additional collection amounts over 3 cubic yards the business will be required to arrange private collection with a service provider.

**INFRASTRUCTURE FEES:**

The following Water Infrastructure and Sewer Infrastructure replacement charges shall be levied and collected per billing from all Residential and Non-residential services within the Town of Thorsby.

\$15.00 /month Water Infrastructure  
\$ 10.00 /month Sewer Infrastructure

All other services by agreement.



## Bylaw #2022-09 “Water, Wastewater, Solid Waste Bylaw”

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### **SCHEDULE B: SPECIFIED PENALTY OPTION**

#### **OTHER FEES/CHARGES/PENALTIES:**

A minimum of five-hundred (\$500.00) dollars, plus all costs and/or damages, shall be charged for each incident, for the following:

- Interference with and/or damage to any fire hydrant;
- Interference with and/or damage to any curb stop valve;
- Unauthorized connection to any public water/sewer supply;
- Interference with and/or damage to any water meter;
- Interference with and/or damage to any water main valve.

All requests for service must fill out the appropriate request form and pay appropriate fee's prior to any work commencing.





## Bylaw #2022-09 “Water, Wastewater, Solid Waste Bylaw”

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### **SCHEDULE C: PERMIT FEES**

Connect to sewer system (unless otherwise provided for in an as per service request form agreement with the property owner):

Connection to public sewer (Public Works must be notified prior to backfill for inspection)	FEE: \$100.00
---	---------------

Connection to Curb Stop (Public Works must be notified prior to backfill for inspection)	FEE: \$100.00
--	---------------

Test/Turn On Completed and Construction Water	FEE: \$100.00
--	---------------

Water Meter and remote read out	FEE: \$20.00
---------------------------------	--------------

- 1) 5/8" Meter or Metric Equivalent \$280.50 or current replacement cost-whichever is the greater
- 2) 3/4" Meter or Metric Equivalent \$357.50 or current replacement cost-whichever is the greater
- 3) 1 ½" Meter or Metric Equivalent \$385.00 or current replacement cost-whichever is the greater
- 4) 2 ½" Meter or Metric Equivalent \$440.00 or current replacement cost-whichever is the greater
- 5) All other water meter caution fee deposits shall be established by agreement of Council
- 6) All applicants must pay a water meter caution fee deposit as outlined in #1-5 above prior to the issuance of a meter and the commencement of water service.

ALL OTHER SERVICES BY AGREEMENT.

## SCHEDULE D: PROHIBITED WASTE

The following matter is prohibited from the sewage system or any watercourse:

1. Any matter at a concentration that may cause a hazard to human health.
2. Any matter that may become a hazard to persons, property, animals, or the environment.
3. Any matter that may interfere with the proper operation of the sewerage system.
4. Wastewater containing two or more separate layers.
5. Wastewater having a:
  - a. temperature greater than 60 degrees Celsius; or
  - b. a pH less than 6.0 or greater than 11.5.
6. Any matter capable of creating air pollution.
7. Effluent from an industrial garbage grinder.
8. A hazardous substance, as set out in the Waste Control Regulation, Alta Reg 192/1996.
9. Any substance or mixture of substances, other than a pesticide, that exhibits characteristics of flammability, corrosivity, reactivity or toxicity.
10. Any liquid with a flash point less than 60.5 degrees Celsius.
11. Biomedical waste as defined in the Waste Control Regulation, Alta Reg 192/1996, including but not limited to:
  - a. human anatomical waste
  - b. animal waste
  - c. untreated microbiological waste
  - d. waste sharps
  - e. untreated human blood or other bodily fluid known to contain any human pathogen in Risk Group 4, as defined in the *Human Pathogens and Toxins Act*, SC 2009, c. 24
12. Specified risk material, as defined in the Fertilizers Regulations, CRC, c. 666.
13. Dyes or other colouring materials that are unlikely to be removed by the sewerage system.
14. Any ignitable substance intended for use as fuel, including but not limited to:
  - a. alcohol;
  - b. gasoline;
  - c. naphtha;
  - d. diesel fuel; and
  - e. (e) fuel oil.
15. Ignitable waste.
16. Human pathogens or toxins, as those terms are defined in the Human Pathogens and Toxins Act, SC 2009, c. 24. 17
17. Monochlorinated biphenyl, polychlorinated biphenyl, or any mixture containing either of those substances.
18. A pest control product, as defined in the Pest Control Products Act, SC 2002, c. 28.
19. Any matter that is normally unstable and readily undergoes violent changes without detonating.
20. Any matter that reacts violently with water, including but not limited to:
  - a. matter that is potentially explosive when heated under confinement or subjected to a strong initiating force;
  - b. matter that is potentially explosive at standard temperature or pressure;
  - c. matter that potentially generates toxic gases, vapours, or fumes in a quantity sufficient to present danger to human health or the environment;
  - d. cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment; and
  - e. an explosive, as defined in the Explosives Act, RSC 1985, c. E-17.
21. Substances determined to be toxic pursuant to the Canadian Environmental Protection Act, 1999, SC 1999.
22. Radioactive substances that would be prohibited from release pursuant to the Nuclear Safety and Control Act, SC 1997, c. 9.



## Bylaw #2022-09 “Water, Wastewater, Solid Waste Bylaw”

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23. Solid or viscous substances capable of obstructing the flow of material through the sewerage system, including but not limited to:
- a. agricultural waste;
  - b. animals’ parts or tissues;
  - c. ashes;
  - d. asphalt;
  - e. bones;
  - f. cement based products;
  - g. cinders;
  - h. feathers;
  - i. garbage;
  - j. gardening wastes;
  - k. glass;
  - l. metal;
  - m. mud;
  - n. paper and paper based products;
  - o. paunch manure;
  - p. plastics;
  - q. rags or cloth;
  - r. rock;
  - s. sand;
  - t. sharps;
  - u. soil;
  - v. straw;
  - w. shavings;
  - x. tar;
  - y. wash water from equipment used in the preparation of cement; and
  - z. wood and sawdust or wood shavings.
24. Water from a swimming pool having a volume of 100 cubic meters or more.





TOWN OF THORSBY – SCHEDULE E  
REQUEST FOR WATER/SEWER SERVICES  
BYLAW NUMBER #2022-09

Date of Request: \_\_\_\_\_ Applicant: \_\_\_\_\_

Legal Description of Property:

Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_ Civic Address \_\_\_\_\_

Fee: \_\_\_\_\_ Receipt #: \_\_\_\_\_

NOTE THE VILLAGE OF THORSBY WILL ENDEAVOR TO COMPLETE TESTING WITHIN A 24 HOUR PERIOD OF THE DATE OF REQUEST. **(WEEKENDS AND HOLIDAYS EXCEPTED).**

**FOR OFFICE USE ONLY**

1. Connection to public sewer FEE: \$100.00 Date: \_\_\_\_\_  
(Public Works must be notified prior to backfill for inspection) By: \_\_\_\_\_

1. Connection to Curb Stop FEE: \$100.00 Date: \_\_\_\_\_  
(Public Works must be notified prior to backfill for inspection) By: \_\_\_\_\_

2. Test/Turn On Completed FEE: \$100.00 Date: \_\_\_\_\_  
and Construction Water By: \_\_\_\_\_

3. Water Meter and remote read out FEE: \$20.00 Date: \_\_\_\_\_  
By: \_\_\_\_\_

4. **REPLACEMENT & NEW WATER METER FEE:**

The following water meter caution fee deposit or deposits shall be made for the use of a water meter at each service and or for replacement of damaged or frozen meter.

**OWNER OF PROPERTY**

- |   |   |
|---|---|
| 1) 5/8" Meter or Metric Equivalent  | \$280.50 or current replacement cost-whichever is the greater |
| 2) 3/4" Meter or Metric Equivalent  | \$357.50 or current replacement cost-whichever is the greater |
| 3) 1 ½" Meter or Metric Equivalent  | \$385.00 or current replacement cost-whichever is the greater |
| 4) 2 ½" Meter or Metric Equivalent  | \$440.00 or current replacement cost-whichever is the greater |
| 5) All other water meter caution fee deposits shall be established by agreement of Council  |   |
| 6) All applicants must pay a water meter caution fee deposit as outlined in # 1-5 above prior to the issuance of a meter and the commencement of water service. |   |

COMMENTS:

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Filed in Utility Account # \_\_\_\_\_

Authorized By: \_\_\_\_\_