

**TOWN OF TOFIELD  
BYLAW NUMBER 1268**

**BEING A BY-LAW OF THE TOWN OF TOFIELD, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING AND CONTROLLING THE USE OF WATER, SEWER, PLUMBING AND SOLID WASTE COLLECTION**

**WHEREAS**, pursuant to the *Municipal Government Act*, R.S.A. 2000 c. M-26 as amended thereto, it is deemed expedient for the Town of Tofield to establish a by-law to regulate and control the use of water, sewer, plumbing and garbage within the corporate limits of the Town of Tofield.

**NOW THEREFORE**, the Municipal Council of the Town of Tofield, in the Province of Alberta, duly assembled **ENACTS** as follows:

**1. SHORT TITLE**

1.1 This Bylaw may be cited as the "Utility Services Bylaw"

**2. DEFINITIONS**

In this bylaw the following words or terms have the meaning as set out in this Bylaw, as amended from time to time.

- 2.1 "Acceptable Solid Waste" shall mean, mixed household and commercial solid waste (including trash, refuse and garbage) that has the characteristics of non-hazardous solid waste normally produced by residences, stores, other commercial premises, schools and offices, provided that under no circumstances shall Acceptable Solid Waste material include waste which is:
- 2.11 liquid, radioactive, reactive, ignitable, corrosive, pathological, acidic, or otherwise defined as hazardous by federal, provincial or local municipal laws, regulating or order; or
- 2.12 waste material which requires special handling.
- 2.2 "Account" shall mean an agreement between the Owner and the Town for the supply of any or all of water, sewer, solid waste collection.
- 2.3 "Bylaw Enforcement Officer" shall mean either a member of the RCMP or a person appointed by the Municipality pursuant to the provisions of the *Municipal Government Act*, RSA 2000 c. M-26.
- 2.4 "C.A.O." shall mean the Chief Administrative Officer of the Municipality and whatever subsequent title may be conferred on that officer by Council or statute, or their designate.
- 2.5 "Commercial Premises" shall mean, without restricting the generality of the common definition of the words, any and all building, structures or premises used primarily for a commercial or non-residential purpose within the corporate limits of the Town of Tofield, including, but not limited to hospitals, warehouses, stores, shops, cafes, restaurants, wholesale and retail business outlets, office buildings, hotels, motels, schools, churches, lodges, clubs, garages, gas stations and industrial and manufacturing establishments.



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- 2.6 "Commercial Waste Bins" shall mean, a four (4) cubic yard waste receptacle or container capable of holding Acceptable Solid Waste, and placed and located by Beaver Municipal Solutions, at the locations agreed upon between the Town of Tofield and Beaver Municipal Solutions.
- 2.7 "Consumer" shall mean a Person who has entered into a contract with the Town for the provision of Water, Sewer and/or Garbage Service for a Commercial Premise or is the Owner of any Property connected to or provided with the Services.
- 2.8 "Council" shall mean the Municipal Council of the Municipality.
- 2.9 "Garbage" shall mean waste or debris from domestic, commercial or industrial activities, including but not limited to broken household dishes and utensil, empty tins, boxes, cartons, bottles and containers, discarded paper and fabric.
- 2.10 "Litter Waste" shall mean waste usually carried by a person or in a person's clothing, such as candy wrappers, drink containers and tissue.
- 2.11 "Lot" shall mean a parcel or part of a parcel described on the certificate of title.
- 2.12 "*Municipal Government Act*" shall mean the *Municipal Government Act*, R.S.A. 2000, c.M-26, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.13 "Municipality" shall mean the Town of Tofield.
- 2.14 "Owner" shall mean:
- 2.14.1 any Person registered as the Owner of the Property under the *Land Titles Act*;
- 2.14.2 any Person who is recorded as the Owner of the Property on the Assessment Roll of the Town;
- 2.14.3 any Person who has become the beneficial Owner of the Property, including by entering into a Purchase and Sale Agreement, whether they have purchased or otherwise acquired directly from the Owner or from another purchaser, and who has not yet become the registered Owner thereof;
- 2.14.4 any Person holding himself out as the Person exercising the power or authority of ownership or, who for the time being exercises the powers and authority of ownership over the Property; or
- 2.14.5 any Person in control of Property under construction.
- 2.15 "Person" shall mean a corporation, partnership or individual, and the heirs, executors, administrators or other legal representative of an individual.
- 2.16 "Premises" shall mean land and buildings on the land.
- 2.17 "Property" shall mean land, buildings, excavations, stockpiles, structures and appurtenances, or any personal property located thereupon, located within the Town.



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- 2.18 "Property Line" shall mean the line marking the boundary of a Lot.
- 2.19 "*Provincial Offences Procedure Act*" shall mean the *Provincial Offences Procedure Act*, R.S.A 2000, c. P-34, as amended or repealed and replaced from time to time, and any regulation thereunder.
- 2.20 "Rates" shall mean the tariff of charges for supply of water, sewer, and solid waste services.
- 2.21 "Recyclable Waste" shall mean, waste to which anything can be done, that results in providing a use for a thing that would otherwise be disposed of, or dealt with, as Acceptable Solid Waste, which includes collecting, transporting, handling storing, sorting, separating and processing the thing, but does not include the application of Recyclable Waste to land or the use of a, thermal destruction process.
- 2.22 "Recycling Collection Bins" shall mean, waste bins specifically designed for, and identified as, waste bins into which only Recyclable Waste should be deposited and placed and located by Beaver Municipal Solutions in the Municipality.
- 2.23 "Residential Premises" shall mean, without restricting the generality of the common definition of the words, any and all buildings, structures or premises used primarily as a residence, dwelling or habitat within the corporate limits of the Municipality, including but not limited to, houses, mobile homes, duplexes and other multi family dwellings.
- 2.24 "Residential Roll Out Bin" shall mean, an individual waste receptacle or container capable of holding Acceptable Solid Waste and provided to Residential Premise by Beaver Municipal Solutions.
- 2.25 "Residential Waste Bin" shall mean, a waste receptacle or container capable of holding Acceptable Solid Waste and placed and located by the Beaver Municipal Solutions.
- 2.26 "*Safety Codes Act*" shall mean the *Safety Codes Act*. R.S.A 2000, c. S-1, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.27 "Service Connection" shall mean the part of the system or works of a Utility that runs from the Water or Sewer Main of the Utility to a building or other place on a parcel of land for the purpose of providing Water or Sewer Service to the parcel and includes parts or works such as the pipes, wires, couplings, meters and other apparatus.
- 2.28 "Sewer System" shall mean the Sewer System owned and operated by the Town and all accessories and appurtenances thereto.
- 2.29 "Town" shall mean the Town of Tofield.
- 2.30 "Toxic and Hazardous Materials" shall mean any Waste that may present a hazard to Persons, flora, fauna, or public lands, including wastes of pathological, explosive, highly flammable, radioactive or toxic nature.



- 2.31 "Utility" shall mean the system or works of a public utility operated by or on behalf of the Town.
- 2.32 "Violation Tag" shall mean a tag or similar document issued by the Town pursuant to the *Municipal Government Act*.
- 2.33 "Violation Ticket" shall mean a ticket issued pursuant to Part 2 of the *Provincial Offences Procedure Act*.
- 2.34 "Waste" shall mean both acceptable solid waste and prohibited waste.
- 2.35 "Water System" shall mean the water system owned and operated by the Municipality.
- 2.36 Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice versa.
- 2.37 Words importing the singular shall include the plural or vice versa whenever the context so requires.

**3. USE AND CONTROL OF WATERWORKS, SEWERS & SEWAGE DISPOSAL WORKS**

- 3.1 All waterworks, sanitary sewer, storm sewers, drains, and sewage disposal works, belonging to the Municipality now laid down, constructed or built, or hereafter laid down, constructed or built, shall be under the direct control of the Municipality.

**4. COSTS OF WATER AND SEWER SYSTEMS**

- 4.1 All cost of new, replaced or additional sewer and water services from the mains to the individual consumer's property line shall be borne by the registered owner of the lot.

**5. COLLECTION OF GARBAGE**

- 5.1 Beaver Municipal Solutions, through agreement with the Town, shall provide a solid waste collection and disposal service as well as an opportunity to recycle certain materials.

**SECTION A – WATERWORKS**

**6. ADMINISTRATION – CONTROL**

- 6.1 Bylaw Enforcement Officers may inspect the premises of any consumer to investigate any contravention of this bylaw and to lay any charges or issue such summons or tickets as may be necessary for the carrying out of the provisions of this bylaw.
- 6.2 Upon providing reasonable notice, the CAO may discontinue Water Service provided by the Town to any consumer, land, property or premises in the event that the Consumer breaches or infringes this bylaw or any other rule or regulation or amendment thereto made by Town.



**7. EMERGENCY RESTRICTIONS AND PROHIBITIONS**

- 7.1 The CAO or Council may at any time make orders restricting the use of water either by all Consumers or by any particular class of Consumers and either throughout the Town or in any particular areas of the Town. The order may specify that such restricted use of water shall apply during such hours of any day of the week as may be specified in order.
- 7.2 No Person shall use water from the Water System in contravention of the terms of this bylaw, or any order made by the CAO or Council.
- 7.3 The CAO shall take such steps deemed necessary to publicize the terms of an order made pursuant to Section 7.1.

**8. TAPPING WATER MAINS**

- 8.1 Except where authorized by the town, no person shall make any connection or communication whatsoever with any of the water, public pipes, service connections or mains located in the public thoroughfares of the Town.
- 8.2 All water service pipes laid in private Property between the Property Line and the water meter, shall be potable water certified. No connection may be made to the water service pipe between the Property Line and the meter.

**9. APPLICATION FOR A WATER SERVICE CONNECTION**

- 9.1 Any Person who requires Water Service shall make an application to the Town on such form as utilized by the Town from time to time and shall pay to the Town the application fee pursuant to Schedule "A".
- 9.2 Upon the acceptance of the application, an Account shall be set up in the name of the Owner of the Property or the Owner's authorized agent.
- 9.3 Upon the acceptance of the application, an Account may be set up in the name of Consumer, provided the service is to a Commercial Premise.
- 9.4 A Lot shall be considered serviced once a connection has been made from the Water System to the Property Line. A Service is considered live when connected to the Premises. Any further installations requested or necessitated by the demolition, excavation, renovations or other works shall be paid for in their entirety by the Owner.
- 9.5 No Person shall connect, cause to be connected, or allow to remain connected to the Water System any piping, fixture, fitting, container or appliance, in a manner which, under any circumstance, may allow water, waste water or any other liquid, chemical or substance to enter the Water System.

**10. METERS**

- 10.1 Where meters are installed for the measuring of the volume of water, all Owners, tenants, or occupiers shall give every facility for the introduction, placing, inspection, and reading of such meter, and remote reading device and shall protect it from interference or injury by frost or otherwise, and shall be liable for any damage which may occur to the meter as a result of the negligence of the Owner, tenant or occupier.
- 10.1 All water connections shall be metered. Owners requiring a Meter to service new construction shall pay a non-refundable Meter Fee pursuant to Schedule "A" at the time of the issuance of the Development Permit.
- 10.2 The Water Service pipe from the water main to the Property Line must meet Town Engineering Standards or other material approved by the Town Public Works Foreman and be connected by fittings and materials approved by the Town Public Works Foreman, and such Water Service pipe shall be laid at least 2.6 meters below the surface of the grounds at all points between Property line and the water main, unless otherwise approved in writing by the Town Public Works Foreman.
- 10.3 There shall be placed on each Water Service pipe, a Service valve at or near the Property Line, within the Town right-of-way or utility easement, for the purpose of turning the water supply on or off. Over the Service valve there shall be placed a metallic valve box of design approved by the Town.
- 10.4 If the Town Public Works Foreman becomes aware of any use or flow of water that is not measured by a water meter of a design and capacity approved by the Town Public Works Foreman, The Town Public Works Foreman may take all necessary steps to stop that use or flow of water until:
- 10.4.1 An application for water supply has been made by the Owner in accordance with this bylaw; and
- 10.4.2 The water meter has been installed pursuant to this bylaw.
- 10.5 An inside main shut-off valve shall be located immediately inside all buildings.
- 10.6 No Person shall in any way utilize or interfere with a Service valve. Whenever water supply has been turned off at a Service valve, no Person shall turn it on again unless authorized to do so by the Town Public Works Foreman.
- 10.7 No Person shall use any boosting device on any Water Service unless the use of the boosting device has been approved by the Town Public Works Foreman and the device is located on the downstream side of a water meter or inside main shut-off valve.
- 10.8 No person shall install branch supply lines, outlets or fixtures on the upstream side of a water meter or on an inside main shut-off valve, except as authorized by the Town Public Works Foreman.

**11. METER INSTALLATION & RESPONSIBILITY FOR METERS**

- 11.1 The Owner of every building shall make provision of a location acceptable to the Town together with all required plumbing for the installation of a water meter.
- 11.2 Water meters shall be located at the point at which a Water Service pipe enters a building unless the Town Public Works Foreman directs, in writing, that another location be used.
- 11.3 Any metered Water Service in use before or after the enactment of this bylaw shall remain a metered Water Service.
- 11.4 If buildings or premises require two or more meters, the owner shall be billed separately for water used through each meter.
- 11.5 The Owner of a building shall, at his own expense, ensure that the Town has access to all related piping from the time the water meter is installed.
- 11.6 Should a meter or remote reading device, while on the Property of the Owner, be damaged or destroyed, the cost of repairing or replacing the meter shall be paid by the Owner. All meters, regardless of size, shall be sealed by the Town.
- 11.7 The Town shall not be responsible for any damage to buildings or property occasioned by or in the course of the installation, maintenance, repair or disconnection of any water meter provided that such damage has not been directly caused by the negligence of the Town or its employees.
- 11.8 Except where otherwise provided in this bylaw, no Person shall do or allow to be done any act or thing that results in a use or flow of water from the town's Water System that is not measured by a water meter of a design and capacity approved by the Town Public Works Foreman.

**12. RELOCATING METERS**

- 12.1 If the Town Public Works Foreman is dissatisfied with the location of any water meter due to alterations to the building, the Town may cause the meter to be moved to a different location. Any expense in relocating the water meter shall be borne by the Owner.

**13. TAMPERING WITH METERS**

- 13.1 No Person shall tamper in any way with a meter or remote-reading device.



**14. TESTING OF METERS**

14.1 Upon request by an Owner, a meter shall be removed and tested. If, on testing, it is found that the water meter registers within three (3%) percent of the water passing through the same, the meter shall be deemed to be measuring correctly. If, however, the meter is found to register a greater or lesser amount than the said three (3%) percent, the Town Public Works Foreman shall notify the CAO to add or deduct from the volume as registered by the said meter, such amount so that the Account balance will properly represent the water delivered through the said meter for a period not exceeding six (6) months. When an Owner requests a meter test and such meter is found to be within three (3%) percent accurate, that Owner shall be billed for the volume as registered by the said meter and be subject to the cost of testing the meter. The meter need not be tested again during the next 12-month period. As a regular maintenance Service, meters shall be removed and tested within the Town without charge as deemed appropriate by the Town Public Works Foreman.

**15. DETERMINING CONSUMPTION WHEN METER INOPERATIVE**

15.1 When meters have failed to register, the following methods shall be used for determining consumption:

15.1.1 If, in the sole opinion of the Town Public Works Foreman, the same or similar conditions prevail, consumption shall be estimated on the basis of the consumption during the same month in the preceding year; or

15.1.2 If, in the sole opinion of the Town Public Works Foreman, the same or similar conditions do not prevail or no records exist for the preceding year, a fair estimate, in the sole discretion of the Town Public Works Foreman, shall be set by the Town Public Works Foreman.

The Rates applied shall be those in effect for that type of Service during the months in question in accordance with Schedule "A" of this bylaw.

**16. REMOVING METERS AND TOWN EQUIPMENT**

16.1 When any Owner wishes to discontinue the use of Water Services furnished by the Town or the Town, in accordance with this bylaw, wishes to discontinue providing Water Service to an Owner, the CAO or any Person authorized by the CAO may, at all reasonable times, enter the Premises in or upon which such Owner was supplied with Water Service and may remove meters, pipes or other thing that are the property of the Town.

**17. TURNING ON WATER**

17.1 After any construction, reconstruction, alteration or change, or the completion of any work requiring a permit, water shall not be turned on to any Building or Premises until after the meter is installed.





**18. SERVICE FEE FOR WATER SERVICE SHUTOFF**

- 18.1 A Service fee shall be charged to the Owner of the Property to which the Water Service is turned on or off by the Town for non-payment of the rates pursuant to Schedule "A". Upon the request for a change in billing only, a fee shall be applied pursuant to Schedule "A".

**19. PENALTIES**

- 19.1 The rate pursuant to Schedule "A" to this bylaw shall be subject to a penalty determined by Council, per billing period if the applicable rates are not paid within 15 days after the date of rendering of the account.

**20. FROZEN SERVICES**

- 20.1 In the event of frozen Water Service line, the Owner shall be responsible for all costs associated with thawing out the Service Line from the premises to the Property Line.
- 20.2 The Owner, at their expense, may install a freeze protection device. Such device will require the approval of the Town Public Works Foreman. The Owner will be responsible and shall be liable for any damage which may result from the improper or negligent operation and maintenance of the freeze protection device.

**21. MAINTENANCE OF SERVICE PIPING**

- 21.1 All consumers shall keep and maintain service piping in proper working conditions and free from leaks and shall keep and maintain a control valve of approved pattern place immediately inside the outer wall of the premises. The Council may disconnect the service of any consumer for failure to comply with the provisions of this bylaw or any regulations hereafter passed by the Council governing the use of the water system or supply of water service.
- 21.2 The size of the Service shall be in accordance with the provisions of the Plumbing and Drainage Regulations of the Department of Labor of the Province of Alberta.
- 21.3 The Service shall be run from the water main to the Property Line in the shortest way possible.



- 21.4 When any Lot can be serviced from the street, avenue or lane, the Town Public Works Foreman may decide whether the Lot will be serviced with water from the street, avenue or lane.
- 21.5 Any extra expense incurred by the installation of any additional or larger Service other than the standard specified herein shall be borne by the Owners.
- 21.6 The Town Public Works Foreman may, at the Owner's request and expense, install the Water Service from the Property Line to a Building or point within the Lot as designated by the Owner.
- 21.7 All Persons doing any work or Service upon a private Service or the plumbing system attached thereto shall comply with the provisions of the *Safety Codes Act*, RSA 2000,c S-1 all regulations passed thereunder, and all applicable bylaws of the Town.

## **22. INTERRUPTIONS OF SERVICE**

The CAO is hereby authorized to:

- 22.1 Order that the water be shut off without notice for such length of time as may be necessary to permit construction or repairs to the Water System.
- 22.2 In cases of fire or conflagration, to shut off the water without notice in any part of the Town as required.
- 22.3 No Owner shall have a claim against the Town for non-supply of water, whether it be caused by water stoppage pursuant to this section or by frozen mains, breakdown of machinery, power interruptions, other mechanical failures or malfunction, or other causes.
- 22.4 In all cases where any pressure vessel or equipment is supplied with water from the Water System, the Town shall not be responsible for damage to such vessel or equipment, Person or Premises when there is failure of the water supply due to any causes whatsoever even where no notice is given. No deduction from water bills shall be made in consequence thereof.
- 22.5 In all cases where boilers are supplied with water from the Water System, the Owner of the boilers must see that safety valve, vacuum valve or other proper device is applied to prevent danger from collapse or explosion when the water is shut off from the street.
- 22.6 The Town shall be responsible for the maintenance of the water mains and all connections from the water main to the Service valve connection.

## **23. METER RATES**

- 23.1 Every person, firm or corporation, being the owner of the property which is served directly or indirectly by a water connection to the system of the Town shall pay monthly to the Town within 15 days after date of billing of the account a water charged based on the monthly rates pursuant to the attached Schedule "A" to this bylaw.

**24. INTERFERENCE WITH HYDRANTS AND VALVES**

- 24.1 Except as herein provided, no Persons other than authorized employees of the Town shall open or close or operate or interfere with any valve, hydrant or fire plug, or draw water therefrom.
- 24.2 The Chief of the Town Fire Department, his 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 trial of hose pipe, or for the fire protection, but all such uses shall be under the direction and supervision of the said Chief or his duly authorized assistants, and in no event shall any inexperienced or incompetent Person be permitted to manipulate or control in any way any hydrant or plug.
- 24.3 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 a hydrant than the Property Line of the Street in which the hydrant is located, nor within six (6) meters of the hydrant in a direction parallel with the said Property Line.

**25. WELLS AND OTHER SOURCES OF SUPPLY OF WATER**

- 25.1 No well or other source of supply of water, except the Town water mains, shall be used in the Town without a permit obtained from the Council for that purpose.
- 25.2 All persons, having charge of or being owners of the Premises containing a well or other source of supply of water other than the water mains of the Town, may apply to the Council for a permit to use the water in such well or other source of supply of water other than the water mains of the Town, and such application shall be accompanied with a fee pursuant to Schedule "A" attached to this bylaw and must be approved by the Medical Officer of Health and the Plumbing Inspector. The applicant must also arrange that an analysis of the water in well or other source of supply of water will be made to the satisfaction of the Medical Officer of Health and that before a permit is granted. The Medical Officer of Health shall certify that such analysis has shown the said water to be suitable for domestic consumption. The report of the Provincial Analyst shall be accepted as to the analysis of any water. Upon complying with the provisions of this bylaw, the applicant may be granted a permit to use the water in the said well or other source of supply of water.
- 25.3 No such permit shall be granted in connection with any premises abutting on a street, avenue, lane or road upon which there is a Town water main unless the supply obtainable from such water main is inadequate.
- 25.4 If the use of any such well or other source of supply of water is continued, contrary to the provisions of this bylaw forty-eight (48) hours after notice to discontinue the use of same has been given by the CAO to the Owner of the Premises upon or in which it is situated, such well or other source of supply of water may be declared to be a nuisance and dangerous to the public health or safety and shall be removed, filled up or otherwise abated.



- 25.5 Any such permit as aforesaid may be withdrawn by order of the Council at any time without notice, and no person shall use a well or other source of supply of water after a permit for the use of same has been withdrawn.

## **SECTION B – SEWER**

### **26. AUTHORITY**

- 26.1 The Public Works Foreman, subject to the control of the Council, shall have charge of the sewer system, including all the various Properties and works required for the supply of the Town and its inhabitants with sanitary sewer service, and of the inspection and rating of all Buildings and Premises supplied with sanitary sewer service.

### **27. CONNECTION TO MAINS**

- 27.1 The Owner of any Building situated upon land abutting upon any street or public place wherein there is a sewer main shall install in such building, connections with the main and such apparatus and appliances as may be required to ensure the proper sanitary condition of the Building or Premises.
- 27.2 No earth-pit privy, out-closet, or privy vault shall be erected or used in the Town unless under permit for special occasions or purposes.
- 27.3 No house drain or private sewer shall be connected to a Town sewer until the owner thereof shall have obtained a permit for sewer connection. The application must be filed in the office of the CAO and must be signed by the owner of property to be drained, or their authorized agent. Such application must be accompanied by a plan showing in detail the contemplated connections, the exact location thereof, and specifying fully the character of the work to be done, the sizes of all pipes and the location and kind of all fittings. The application shall be accompanied by a fee pursuant to Schedule "A" attached to this bylaw to cover the cost of examining application and plans, making the connection to the Town sewer, giving levels for the house sewer, and inspecting the work.
- 27.4 It shall be a consideration of the granting of any application for a sewer connection that the Town or any of its employees shall not be liable for any damage of whatsoever nature caused either directly or indirectly by such sewer connection.
- 27.5 The Town may revoke or annul any permit that may have been granted to connect with the Town sewers if it is found that any of the work is not being done in accordance with the provisions of this bylaw, and the Person making such connections or their successors, in interest, shall have no right to demand or claim any damages, in consequence, of such permits being revoked or annulled.



**28. RESPONSIBILITY**

- 28.1 A property shall be considered serviced once one connection has been made to the Sewer System. Any further installations requested or necessitated by demolition, excavation, renovations or other works on the lands shall be paid for in their entirety by the Owner.
- 28.2 All expenses incidental to the tapping of the Town mains and laying the standard sewer service lines from the sewer mains to the Property Line will be borne by the Owner.
- 28.3 Owners are responsible for any cost for any repairs or clearing of blockages from the premise to the sewer main. The town is responsible for any cost for collapsed sewer lines from the property line to main line.
- 28.4 The expenses incidental to the laying, connecting, disconnecting or repairing as herein before provided, of sewers and sewer mains when such work is done by the Town, or the expense of superintending such work when it is done by other Person, is payable to the Town by the Owner on demand and if not paid may be collected forthwith in the same manner as sewer rates.
- 28.5 If any damage is done to any sewers or sewer mains or connections to the interior face of the outer walls of the building supplied or its fittings, either by neglect or otherwise, or if a sanitary sewer becomes obstructed in any way between the inner surface of the wall of the building supplied and the Property Line, the Owner of the lands shall forthwith repair the same to the satisfaction of the Town and in default of so doing, the Town, its officers, agents, or servants may repair the same and charge the same to the Owner and collect the same in the same manner as sewer rates.
- 28.6 All materials utilized by the Owner in the construction, installation, or repair of a Sewer Service connection shall correspond in all particulars with the materials used by the Town and any materials prescribed by the Town.
- 28.7 When the connecting, disconnecting or repairing of the sewer service line from between the Property Line and the Building serviced is done by a Person other than an officer, employee or agent of the Town, that Person shall notify the Town Public Works Foreman who shall cause the same to be inspected, The sewer service line shall be left uncovered until it has been inspected and approved.
- 28.8 In case of any blockage, either wholly or in part, of the sewage system is caused by reason of failure, omission or neglect by the Owner, the said Owner concerned therein shall, in addition to any penalty for infraction the provisions hereof, be liable to the Town for all costs of clearing such blockage and for any other amount for which the Town may be held legally liable because of such blockage.



- 28.9 The Town may, by its officers, employees and agents enter upon any Premises served or to be served with a sewer connection, to inspect the equipment installed thereon and for all purposes of inspection, installation and tests for the purposes of this bylaw.
- 28.10 No Person shall in any way interfere with any stop cock, pipe or other sewer works appliance outside of his own Premises. No Person except a Person authorized by the Town Public Works Foreman, shall tap or make any connections whatsoever with any public pipes or mains, either in the streets, or in the lanes, or on private grounds.
- 28.11 No Person shall place or deposit any injurious, noxious or offensive matter in the vicinity of any intake to the Sewer System.
- 28.12 The Town shall not be or held liable for damages:
- 28.12.1 caused by the breaking of any sewer main or attachment;
  - 28.12.2 caused by the interference with the supply of any sewer service necessary in connection with the repair or proper maintenance of the sewers;
  - 28.12.3 generally for any accident due to the operation of the sewage disposal system of the Town unless such accident is shown to be directly due to the negligence of the Town or its officers, employees or agents.
- 28.13 The Town Public Works Foreman may inspect any property in the Town to ensure compliance with this bylaw.

**29. USE AND PROTECTION OF SEWER SYSTEM**

- 29.1 No person shall throw, deposit or leave in or upon any Town sewer, or any trap, basin, grating, manhole or other appurtenance of any Town sewer, any butcher's offal, garbage, litter, manure, rubbish sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, rags, cinders, ashes or refuse matter of any kind except feces, urine, the necessary closet paper, waste water, and slops properly discharged through a house sewer into a Town sewer.
- 29.2 No person shall permit to be discharged into any sewer, any liquid or liquids which would prejudicially affect the sewers, or disposal of the sewage, or any matter or substance by which the free flow of the sewage may be interfered with, or any chemical refuse, or other trade waste, or any waste steam, condensing water, heated water, or other liquids of a higher temperature than seventy seven degrees Celsius.
- 29.3 No person shall make or cause to be made any connection with any Town sewer, or house drain, or appurtenance thereof for the purpose of conveying, or which may or does convey into the same, any inflammable or explosive material, storm water, roof drainage, cistern or tank overflow, condensing or cooling water.
- 29.4 No person shall discharge the contents of any privy vault, manure pit or cesspool, directly or indirectly, into any Town sewer or house drain connected therewith, excluding sewage from a certified recreational vehicle approved dumping station.



- 29.5 No person shall turn, lift, remove, raise or tamper with the cover of any manhole, ventilator or other appurtenance of any Town sewer, except duly authorized employees of the Town.
- 29.6 No person shall cut, break, pierce, or tap any Town sewer or appurtenance thereof, or introduce any pipe, tube, trough or conduit into any Town sewer, except duly authorized employees of the Town.
- 29.7 No person shall interfere with the free discharge of any Town sewer, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any Town sewer or appurtenance thereof.
- 29.8 The Town Public Works Foreman shall have the right at all reasonable times to enter houses or other places which have been connected with the sewer system, and facilities must be given to him to ascertain whether or not any improper material or liquid is being discharged into the sewers, and he shall have power to stop or prevent from discharging into the sewer system any private sewer or drain through which substances are discharged which are liable to injure the sewers or obstruct the flow of sewage.

**30. INDUSTRIAL OR TRADE WASTES**

- 30.1 No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged to any Town sewer system without previous treatment as prescribed by the Town.
- 30.2 The necessary treatment works so prescribed shall be completely installed by the applicant, at his expense, prior to the construction of the sewer connection, and thereafter shall be continuously maintained and operated by the applicant.

**31. GREASE TRAPS**

- 31.1 Where appropriate and applicable in the opinion of the Town Public Works Foreman, grease, oil and sand interceptors shall be provided on Commercial Premises for all restaurants, hotels, motels, garages, gasoline service stations and vehicle and equipment washing establishment; interceptors will be required for other types of businesses where in the opinion of the Town Public Works Foreman they are necessary for the proper handling of liquid waste containing grease in excessive amount, or any flammable wastes, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarter of dwelling units. All interceptors shall be of type and capacity approved by the Town Public Works Foreman and shall be so located on commercial private properties as to be readily and easily accessible for cleaning and inspection. Where installed, a grease, oil and sand interceptors shall be maintained by the Owner or occupant at its expense in continuously efficient operation at all times.

**32. SEWER CONNECTIONS**

- 32.1 No person other than duly authorized employees of the Town, acting under the direction of the Town Public Works Foreman, shall make any connection to, or shall cut or otherwise tamper in any way with a public or Town sewer.



**33. SEWER RATES**

- 33.1 Every person, firm or corporation, being the Owner or occupant of the property, or consumer of a commercial property which is served directly or indirectly by a sewer connection to the system of the Town shall pay monthly to the Town within 15 days after date of billing of the account a sewer charge based on the monthly rates pursuant to the attached Schedule "A" to this bylaw.

**SECTION C – PLUMBING**

**34. PLUMBING**

- 34.1 All plumbing and sewer work within the Town shall be done in strict accordance with the regulations under the *Public Health Act* of the Province of Alberta, and amendments, thereof, which regulations shall be considered as forming part of this bylaw as if incorporated herein.

**35. PLUMBING PERMIT**

- 35.1 All applications for plumbing permits must be made to a certified plumbing inspector.

**SECTION D – SOLID WASTE COLLECTION**

**36. RESIDENTIAL DISPOSAL**

- 36.1 Except as otherwise provided in Subsection 38.2, 38.3, 38.4 and 38.5, the Owner or occupant of the Residential Premises shall transport all Acceptable Solid Waste to and deposit same in a Residential Waste Bin. If such Residential Waste Bin is full, the Owner or occupant shall use an alternate Residential Waste Bin.
- 36.2 If Beaver Municipal Solutions deems a Residential Premise as not having access to a Residential Waste Bin, Beaver Municipal Solutions shall provide the Residential Premises with a Residential Roll-Out Bin, except as otherwise provided in Subsection 38.2, 38.3, 38.4 and 38.5. The Owner or occupant of Residential Premises shall transfer, on the specified garbage collection day, the Residential Roll-Out Bin to the curb side, on the front street. The Residential Roll-Out Bin shall be placed at the curb side in such a manner to allow the easy collection of Acceptable Solid Waste.

**37. COMMERCIAL DISPOSAL**

- 37.1 The Owners and Consumers of Commercial Premises shall deposit all Acceptable Solid Waste in the Commercial Waste Bin designated for the Premise.

**38. GENERAL**

- 38.1 All persons shall dispose of Acceptable Solid Waste by placing it in an appropriate container in good repair, securely tied, to a maximum weight of 23 kg per bundle and a maximum length of 1 meter.
- 38.2 Tree and Shrub clipping shall be compacted, securely tied in bundles, to maximum weight of 23 kg per bundle and a maximum length of 1 meter prior to disposal.





- 38.3 Grass clippings shall be placed in an appropriate container, in good repair, securely tied, to a maximum weight of 23 kg per bundle and a maximum length of 1 meter, prior to disposal.
- 38.4 Ashes shall be quenched and placed in a separate container before placing in a Residential Waste Bin or Residential Roll-Out Bin.
- 38.5 Subject to the other provisions of this Bylaw, dangerous or germ-carrying Waste shall be placed in separate containers before placing in Residential Waste Bin or Residential Roll-Out Bin.
- 38.6 Owners or Occupants may dispose of Recyclable Waste by depositing it in available Recycling Collection Bins.
- 38.7 No Person shall leave a Residential Waste Bin, Residential Roll-Out or Commercial Waste Bin unlatched, so as to leave Garbage accessible to animals.
- 38.8 Except as otherwise specifically provided for in this Bylaw, the collection, removal and disposal of garbage and recyclable waste shall be under the supervision of the Town or its designated agents and no person shall discard or dispose of or deposit garbage or recyclable waste anywhere in Town except in such places and at such times and under such conditions as the CAO may authorize.
- 38.9 The Town shall not be liable in any manner whatsoever for damage, loss or associated costs resulting from or arising from the entry by the Town crews and personnel upon private property for the purpose of garbage collection.

**39. GARBAGE RATES**

- 39.1 Every Person, firm or corporation, being the Owner of the Property, or Consumer of a Commercial Property which is provided solid waste disposal services shall pay monthly to the Town within 15 days after date of billing of the Account a garbage charge based on the monthly rates pursuant to the attached Schedule "A" to this bylaw.

**40. PROHIBITIONS**

- 40.1 No Person shall convey, through any street in the Town, any Waste whatsoever, except in proper receptacles or otherwise in vehicles which are so constructed and arranged as to prevent the contents from falling on the streets and to protect the contents from flies, vermin, rodents, animals and other insects and to control as much as practicable the escape of any offensive odours.
- 40.2 No Person, within the Town, shall burn any Waste, unless he has permission in writing from the CAO to do so.
- 40.3 No person shall dispose of or place for collection in the Residential, Commercial or Recycling Waste Bins, combustible material or Toxic and Hazardous Materials, including household hazardous waste.
- 40.4 No Person shall dispose of blood samples or cultures or other medical waste in the Residential, Commercial or Recycling Waste Bins.
- 40.5 No Person shall deposit any Waste, whatsoever, on any public or private Property in the Town, except as permitted by this Bylaw.

- 40.6 No Person shall interfere with any Residential Waste Bin, Commercial Waste Bin or garbage deposited for collection in such bins, and no person shall remove or interfere with garbage once it is deposited in a Residential Waste Bin or a Commercial Waste Bin.
- 40.7 All Persons shall dispose of Waste and other matter and materials in accordance with all applicable legislation and regulations thereunder.
- 40.8 Obstruction of Public Property:
- 40.8.1 No Person shall sweep, throw, cast, lay or direct or suffer or permit any servant, agent or employee to sweep, throw, cast, or lay or deposit any Garbage, refuse, liquid wastes or fecal matter, lawn raking, grass or rubbish of any kind, including carcasses of birds or animals on any street, alley, lane, roadway, sidewalk or public place in the Town or on any private place, other than his own premises, and then only in the manner prescribed in this Bylaw.
- 40.8.2 No Person shall pick over, interfere with, disturb, remove or scatter any waste, Garbage, ashes or rubbish placed for collection whether deposited in a Residential Waste Bin or a Commercial Waste Bin or not.

#### **SECTION E – GENERAL**

#### **41. FEES**

- 41.1 All fees, rates and charges due in connection with this Bylaw are those outlined in Schedule "A" which forms part of and is attached to this Bylaw.
- 41.2 All rates and charges payable pursuant to or in connection with this bylaw are due and payable upon invoicing.

#### **42. NON PAYMENT OF ACCOUNTS**

- 42.1 Enforcement of payment of outstanding accounts for which payment of the applicable water, sewer, or garbage rates, as set out herein, has not been made by the Owner to the Town for two (2) consecutive billing dates, may be undertaken by the Town by any or all of the following methods:
- 42.1.1 by action in any Court of competent jurisdiction;
- 42.1.2 by shutting off the utility being supplied to the Owner or occupant discontinuing the service thereof until payment is made; or
- 42.1.3 add unpaid charges referred to in Section 42 of the *Municipal Government Act*, R.S.A 2000 for a municipal service provided to the parcel by the Town that are owing by the Owner of the Lot.
- 42.2 Any attempt to collect the outstanding fees by any method set out in Subsection 42.1 herein, does not, in any way, invalidate any lien which the Town is entitled to on the Premises in respect of which indebtedness was incurred. Charges imposed upon a Consumer who is the Owner or purchaser of a Building or Lot being supplied with the service under this bylaw, constitute a preferential lien and charge on the Building or Lot or part of a Lot and on the personal Property of the Owner and may be levied and collected in like manner as municipal rates and taxes are recoverable.



## **SECTION – ENFORCEMENT**

42.3 Where charges are imposed upon a Consumer of the Commercial Premise of which the Consumer is not the Owner of the Property but rather occupies the Property connected to the Town's system, charges imposed upon such a Consumer constitute a debt due and may be set off against a deposit held by the Town, pursuant to the attached Schedule "A" to this bylaw.

### **43. OFFENCES**

43.1 Any Person who contravenes any provision of this bylaw is guilty of an offence and is liable, upon summary conviction, to a penalty as set out in Schedule "B" herein.

43.2 Notwithstanding Section 42.1 of this bylaw, any Person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence is liable to the increased penalty as set out in Schedule "B".

43.3 Under no circumstances shall any Person contravening any provision of this bylaw be subject to a penalty of imprisonment.

### **44. VIOLATION TAGS**

44.1 A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Tag to any Person, whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this bylaw.

44.2 A Violation Tag shall be served:

44.2.1 Upon the Person personally, or by leaving it with a Person on the Property who has the appearance of being at least eighteen (18) years of age; or

44.2.2 In the case of a corporation or partnership, by serving the Violation Tag personally upon the Corporate Secretary or other Officer, or Person apparently in charge of a branch office, by mailing a copy to such Person by registered mail.

44.3 A Violation Tag shall be in a form approved by the CAO, and shall state:

44.3.1 the name of the Person to whom the Violation Tag is issued;

44.3.2 a description of the Property upon which the offence has been committed, if applicable;

44.3.3 a description of the offence and the applicable Bylaw section,

44.3.4 the appropriate penalty for the offence as specified in Schedule "A" of the Bylaw;

44.3.5 that the penalty shall be paid within thirty (30) days of the issuance of the Violation Tag in order to avoid prosecution; and

44.3.6 any other information as may be required by the CAO.

- 44.4 Where a Violation Tag has been issued pursuant to Section 44.1, the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town Office, the penalty specified on the Violation Tag.
- 44.5 In the event that a Violation Tag has been issued and penalty specified on the Violation Tag has not been paid within the prescribed time, a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part 2 of the *Provincial Offences Procedures Act* to the Person to whom the Violation Ticket was issued.

#### **45. VIOLATION TICKET**

- 45.1 Notwithstanding Section 44.5, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person to whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this bylaw.
- 45.2 A Violation Ticket issued with respect to a violation of the bylaw may be served upon the responsible Person for the contravention in accordance with the *Provincial Offences Procedures Act*.
- 45.3 The Person to whom the Violation Ticket has been issued may plead guilty by making voluntary payment in respect of the summons by delivering to the Provincial Court, on or before the initial appearance date, the Violation Ticket together with any amount equal to the specified penalty for the offence as provided by this bylaw.
- 45.4 Where a Clerk of the Court records in the court records the receipt of a voluntary payment pursuant to this Bylaw and the *Provincial Offences Procedure Act*, the act of recording constitutes acceptance of the guilty plea and also constitutes a conviction and imposition of a fine in the amount of specified penalty.

#### **46. SEVERABILITY**

- 46.1 Should any provision of the bylaw be invalid, then the invalid provision shall be severed and the remainder of the bylaw shall be maintained.

The Attached Schedule "A" and Schedule "B" shall form part of this Bylaw.

Bylaw Number 985 and 1069, and all amendments thereto shall be and is hereby repealed as of the final passing of this bylaw.

This Bylaw shall come into force and effect on as of the final passing of this bylaw.

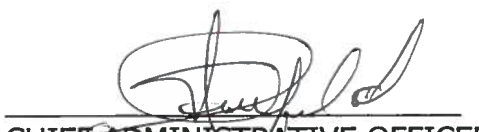
Town of Tofield  
Bylaw 1268

**READ** a first time this 13<sup>th</sup> day of October, 2015

**READ** a second time this 9<sup>th</sup> day of November, 2015

**READ** a third time this 9<sup>th</sup> day of November, 2015, and finally passed

  
MAYOR

  
CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE "A"**

1. Application Fee	Section 9.1	\$25.00
2. Non-Refundable Meter Fee	Section 10.1	Cost plus 10%
3. Meter Testing	Section 14.1	As per Town of Tofield Labour & Equipment Rates
4. Water Service Shut Off	Section 18.1	\$100.00
5. Penalties	Section 19.1	1.7%
6. Water Rates	Section 24.1	Rate Established by Highway 14 Water Services Commission

Plus the following distribution Rates:

\$27.00 for the first 20 cubic meters consumed  
 \$0.20/cubic meter for the next 480 cubic meters consumed  
 \$0.15/cubic meter over 500 cubic meters consumed

7. Bulk Station Rates		\$4.43/cubic meter
8. Well or Other Source of Supply	Section 26.2	\$100.00
9. Sewer Connection	Section 28.3	\$100.00
10. Sewer Rates	Section 34.1	
Detached Dwelling		\$13.00
Commercial, Institutional, Multi Family		\$13.00 plus \$0.50/cubic meter of water consumption
11. Garbage Rates	Section 40.1	
Residential	\$10.00/premise	
Commercial	\$15.00/premise	
Restaurants, Grocery Stores	\$20.00/premise	
12. Deposit Consumer Commercial Premise	Section 43.3	\$500.00



**BYLAW 1268**

**SCHEDULE "B"**

Breach of any provisions of this bylaw is subject to the specified penalty of \$500.00

