

By-Law #1529

Whereas, pursuant to the authority of the Municipal Government Act RSA, Chapter M26.1 and amendments thereto, the Council of the Town of Cardston, enacts the following By-Law hereinafter referred to as the "Utility By-Law".

A By-Law in the Town of Cardston in the Province of Alberta respecting utilities, including water treatment and distribution, wastewater collection and treatment systems and storm sewer collection and electrical distribution

1. Definitions

- a) Application – means the application made by the consumer to the Town for provision of water, sanitary sewer, storm sewer and electrical service
- b) Backflow – means a situation that may occur within the sanitary or storm sewer collection system where there occurs a reversal in the normal direction of flow
- c) Backflow Prevention Device – means a mechanical device specifically designed, constructed and approved for the control and prevention of backflow
- d) Biochemical Oxygen Demand (BOD) - means a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by process bacteria.
- e) Chemical Oxygen Demand (C.O.D.) - means a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant.
- f) Cross Connection - means an existing connection or a potential connection between any part of the potable water system and any other environment containing any substances other than potable water which, under any circumstances, allow such substances to enter the potable water system. Other substances may be gases, liquids, or solids such as chemicals, waste products, steam, water from other sources (potable or non-potable), or any matter which may change the colour or add odour to the potable water.
- g) Combined Service – means a potable water service connection which supplies water for the domestic, commercial, institutional, or industrial use of a consumer and also for a fire protection service in the same premises
- h) Consumer – means that person utilizing the water, sewer or electrical service whether it is an Owner or Tenant.
- i) Cost – means the actual cost of the installation, including man power, material and equipment costs IE: full cost recovery
- j) Council – means the Municipal Council of the Town of Cardston
- k) Curb stop - (See Water Service Valve)
- l) Enforcement Officer – means a Special Constable or By-Law Officer of the Town of Cardston or any person designated by Council
- m) Electrical Service – means the electric line connecting the line side of a consumer's meter base to the Town's electrical system.
- n) Fee – means the application fee of money required to be paid under and by virtue of this By-Law by the consumer before the Town supplies water, sewer or electrical services to the consumer, which money is retained by the Town

- o) Grab Sample - means a sample collected over a short period of time by taking and combining one or more samples of wastewater flow.
- p) Household water use – water consumption only for the purpose of sustaining life, no excess or unnecessary water consumption.
- q) Inspector – those persons, either staff or appointed, assigned to inspect Town utilities
- r) Industrial Building - means any building that processes or manufactures goods and products.
- s) Industrial Wastewater - means wastewater from industrial processes.
- t) Large Lot – a large lot is defined as a parcel of one (1) or more acres that may be in a less developed area of Town where complete services of all three of water, sanitary sewer, and storm sewer are not available when development occurs; unless the area has been subdivided with the intent of development, then the regular frontage rates will apply.
- u) Meters – means meter and all other equipment and instruments supplied and used by the Town or authorized by the Town to be used, to calculate the amount of water and electricity consumed on the premises at which said meters are situated.
- v) Multi Family Dwelling – means a single building comprised of three or more dwelling units separated one from another by party walls.
- w) Municipal Administrator – means the person appointed to the position and title of the Chief Administrative Officer by the Council of the Town, hereinafter referred to as the Administrator
- x) Non-Potable Water/Raw Water – means untreated water that is not suitable for human consumption
- y) Oil & Grease - means an organic substance recoverable by procedures set forth in “Standard Methods” and includes but is not limited to hydrocarbons, esters, fats, oils, waxes and high molecular carboxylic acids.
- z) pH - means the measure of the intensity of the acid or alkaline conditions of a solution determined by the hydrogen ion activity of the solution in accordance with procedures set forth in “Standard Methods”. pH less than 7 is acid, pH above 7 is alkaline.
- aa) Phosphorus (Total) - includes all orthophosphates and condensed phosphates, dissolved and particulate, organic, and inorganic expressed as “P” in milligrams per liter (mg/l).
- bb) Potable Water – means water that has been treated to National and Provincial standards and that is suitable for human consumption
- cc) Public Works – means that department of the Town of Cardston charged with the responsibility of constructing, operating and maintaining the water, storm, sanitary sewer and electrical systems
- dd) Raw Water Supply Lines – means the system of pipes, valves, fittings, valve chambers and appurtenances which supply raw untreated water to the water reservoirs and Water Treatment Plant
- ee) Sanitary Sewer – means a sewer, which carries wastewater and to which storm surface and groundwaters are not intentionally admitted.

- ff) Sanitary Sewer Main – means the system of pipes and manholes used to collect sanitary sewer within the Town
- gg) Sanitary Sewer Service – means the sewer line connecting a consumer’s premises to the Town sanitary sewer main
- hh) Storm Sewer Main – means the system of pipes and manholes used to collect stormwater within the Town
- ii) Storm Sewer Service – means the storm sewer line connecting a consumer’s premises to the Town storm sewer main
- jj) Storm water – natural water collected from a foundation weeping tile system, roof and other surface drainage collection systems
- kk) Town – means the Municipal Corporation of the Town of Cardston
- ll) True Colour Units - means the measure of the colour of the water from which turbidity has been removed.
- mm) Utility - means all utilities including water, sewer, storm sewer and Electrical provided by the Town.
- nn) Wastewater/sewage – means any liquid waste from a fixture
- oo) Wastewater Collection System – means both the Sanitary Sewer Main and Storm Sewer Main systems.
- pp) Water Main – means the system of pipes, valves, fittings, valve chambers and appurtenances, including the water service valve, which supply and distribute potable water within the Town
- qq) Water Service – means the water line connecting a consumer’s premises to the Town’s water service valve
- rr) Water Service Valve – means the valve on the Town owned portion of the water service connection installed for the purpose of enabling the Town to turn on or off the water supply to a consumer’s premises. Also known as a “Curb stop”
- ss) Water System or Water Utility - means the system of raw water pipelines, water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, backflow prevention devices and all other equipment and machinery of whatever kind owned by the Town and which is required to supply and distribute potable or non-potable water to all consumers and which is deemed to be a Public Utility within the meaning of the Municipal Government Act.

2. Administrative Procedure and Rules

- a) The water, sewer and electrical utility of the Town of Cardston comprising all mains, lift stations, service pipes, fire hydrants, valves, meters, service treatment plants and appurtenances, together with the sale of water and electricity, shall be under the management and control of the Municipal Administrator, hereinafter called the Administrator
- b) Any person who requires any utility services shall apply to the Town or its agent and pay the applicable costs as set forth in the Utility Rate Schedule, as attached to and forming part of this bylaw.
- c) Upon making application, providing all information required by the Town, and paying all fees required, there shall thereupon be a binding agreement between

the consumer and the Town, for the utility service applied for, and the provisions of the application and this By-Law, shall constitute the terms and conditions of such agreement.

- d) No provision, agreement, term, condition, or representation not contained in an application for utility service or in the By-Law shall form any part of the contract between the Town and a consumer for utility service.
- e) The Administrator has the authority to shut off water or electricity to any consumer or consumers, for any reason, which in the opinion of the Administrator necessitates such shutting off.
- f) The Town does not guarantee the pressure, nor the continuous supply of water and the Town reserves the right at any and all times, without notice, to change the operating water pressure and to shut off water, and neither the Town, its officers, employees or agents, shall be liable for the change in water pressure, nor for the shutting off of water, nor by reason of the water containing sediments, deposits, or other foreign matter.
- g) The Town does not guarantee a continuous supply of electricity or is it responsible for the quality of electricity as the Town does not generate the electricity.
- h) Consumers relying upon a continuous and uninterrupted supply or pressure of water, or quality, shall provide facilities to ensure the supply.
- i) The Town may, as a condition to the supply of water and electricity, inspect the premises of a consumer who applies to the Town for said supply, in order to determine if it is advisable to supply water or electricity to the said consumer.
- j) The Town may, upon notice, inspect the premises of the consumer in order to do any tests on water, sewer or storm sewer piping or fixtures belonging to said consumer, so as to determine compliance with this By-Law, and in the event that such consumer fails or refuses to give such permission, the supply of water to that consumer may be shut off.
- k) The Town may, upon notice, inspect the premises of the consumer so as to determine compliance with proper electrical codes and practices, and in the event that such consumer fails or refuses to give such permission, the electrical service to that consumer may be shut off.
- l) The Town is the owner of the water, sewer and electrical service connections within any street, lane, and easement or Town property. No person(s) shall make connections to any of the service lines or water and sewer mains or electrical system without first having obtained written permission to do so from the Town.
- m) The Town may, at such times and for such length of time as deemed necessary, regulate, restrict or prohibit water use.
 - a. In exercising this authority, the Town shall provide notice giving reasonable detail in any manner that the Town deems expedient.
 - b. The notice may regulate, restrict or prohibit, as the Town considers appropriate.
 - c. Any consumer not abiding by a restriction, regulation or prohibition may be subject to the penalty section of this By-Law.
 - d. Water Restrictions will be defined as follows:

1. Level 1 – Regulated water use – outside watering allowed on a rotational basis – odd and even numbered days, etc.
2. Level 2 – Restricted - no outside water use of any kind (lawns, gardens etc.)
3. Level 3 – Prohibited - Household Water Use only – meaning no water use except for the purpose of sustaining life.

3. General

- a) Supply of Service – The Town, having constructed, operated and maintained water, sanitary sewer, storm sewer and electrical systems as a public utility, shall continue insofar as there is sufficient capacity available in the systems and upon such terms as Council considers advisable, to supply water, electricity and collect wastewater/sewage and storm water from any consumer within the municipality situated along any water, sanitary or storm sewer main or municipal right of way, upon being so requested in writing by the owner. The Town undertakes to supply water, sanitary, storm water and electricity services to the respective main adjacent to private property.
- b) Sole Source of Service - No person shall use a source of potable water supply, sanitary sewage disposal, storm water disposal or electrical supply other than the Town system without written consent from the Town, or as provided for elsewhere in this By-Law.
 - 1) Further to section b, if the Town’s consent is given, the Town may specify terms and conditions it deems necessary including periods of time for use of an alternate supply, or collection system.
 - 2) No person authorized to use an alternate supply shall allow that supply to be interconnected to the Town systems, without proper isolation devices.
- c) Alteration to water, sanitary, storm sewer or electrical systems (hereinafter referred to the “Town’s systems”)
 - 1) No person(s) may maintain, repair, replace or upgrade the Town’s systems without prior authorization from the Town.
 - 2) No person(s) may connect to or extend the Town’s systems without first obtaining approval from the Town.
 - 3) All persons engaged in maintaining, repairing, replacing, upgrading, or extending the Town’s systems must be Town employees, under contract with the Town or have written permission from the Town.
- d) Number of Services - Each single family residence, duplex and townhouse unit shall be serviced with individual water, sewer, storm sewer and electrical services serving no more than one residential unit. Those residences prior to this bylaw will not need to comply with this clause unless major renovations make it feasible to do so.
- e) Owner’s Responsibility to Obtain Utility Service
 - 1) The owner of a property shall be responsible for making application to the appropriate authority for utility service as soon as a building on the owner’s property is occupied or otherwise in use. In case of development under construction, application must be made as in the foregoing and the Town is responsible to turn the systems on.

- 2) In the case of rental or revenue properties, the owner of the property, not any tenant, shall be responsible for making application for utility service as soon as a building on the owner's property is occupied or otherwise in use.
 - 3) If a tenant fails to pay the fees for water and sewer services, the landlord shall be responsible for said fees, and the fees owing shall be applied to the tax roll and collected as taxes.
- f) Water Service Valves – No person shall interfere with, damage, or make inaccessible any water service valve or its casing due to the construction of walks, driveways, landscaping, or in any other way.
- 1) If the water service valve has been damaged, the Town shall charge the cost of repair or replacement to the property owner.
 - 2) (i) No person, except those authorized by the Town, shall turn on or off a water service valve or any other main valve or valves in the water system.
 - (ii) In case of an emergency, water service valves may be shut off without permission from the town, but the Town must be notified of this action.
 - 3) All buildings constructed shall have water shut off valves placed on the inlet side of the water meter to permit the meter to be isolated for safe removal and to enable a consumer to shut off the supply of water in case of any emergency, when making repairs, or to prevent flooding of the premises or in the event the premises are permanently or temporarily vacated. The owner shall maintain the water shut off valves in good mechanical condition and easily accessible at all times to ensure that it is operable in case of emergency, or in case the water service valve is faulty.
 - 4) For new development, water service valves and the electrical service will only be activated after the resident owner has registered water or electrical service with the billing agent and the water and/or electrical meter has been duly installed.
- g) Supply & Ownership of Meters & Remote Read-Outs – All water and electrical meters and remote read outs shall be supplied, maintained, tested and replaced by the Town. The Town may, from time to time or at any time, authorize an individual, firm or corporation to install, maintain, repair and replace water or electrical meters. If a water or electrical meter or remote readout is removed, broken or stolen, the owner of the premises shall pay the cost of replacing any such measuring device, including installation. Any such cost may be collected in the same manner as utility rates.
- 1) The Town will supply water meters up to ¾", with the remote readout. All water meter sizes above ¾" are to be paid for by the owner. Water meters will be sized based on the water service connection/pipe size, water meters are to be one size smaller than the water service connection (Example – ¾" water service connection will have a 5/8" water meter). All water meters and remote readouts supplied by the Town shall at all times be the property of the Town.
 - 2) a) The owner of a property shall pay the additional cost for supplying and installing water meters, where installation approved by the Town, requires a fire service type water meter or other special type of water meter. Notwithstanding the payment of such additional costs, the water meter shall remain the property of the Town.

- b) Any fire suppression type of service may not require a meter provided that all other non-emergency water use is metered.
- 3) All water & electrical meters and remote readouts for residential establishments must be placed in a location that is easy to access for reading and maintenance. These meters and read outs are to be placed not more than five (5) feet from the front of the residence, outside of the fenced area of the yard, or along the side of the house on the street side of a fence, unless the Town gives written permission to do otherwise.
- 4) All Commercial users shall pay the cost of water meters and remote readouts. All commercial water meter remote readouts should be installed on the front of the business or adjacent to the Electrical meter for easy meter readying.
- 5) The owner shall make provision and install the water meters in accordance with Town specifications. If an inspection indicates the installation has not been carried out as indicated, the owner shall correct or modify the installation at their expense in order to comply. If the owner does not make the installation in the manner approved by the Town, the Town shall have the right to refuse to supply water to the premises. Correction or modification of the installation shall be at the owner's sole responsibility and expense.
- 6) If the Town is dissatisfied with the location of any water meter or remote readout due to alterations to a building, the Town may require that the water meter or remote readout be relocated to a more suitable or convenient location. All costs associated with relocating the water meter or remote readout, shall be the responsibility of the owner, including Town costs.
- 7) On all new construction, the building contractor shall be responsible for installing the wire and interconnecting the meter and remote readout to water meters.
- 8) Water meters shall be placed in all establishments requiring municipal water, unless there are extenuating circumstances hindering installation. The extenuating circumstance shall be at the Town's discretion.
- 9) A consumer shall notify the Town immediately whenever a water meter or remote readout device is not operating or if any part of it becomes damaged or broken.
- 10) Multi-unit buildings shall install one (1) water meter per dwelling. In cases where, due to earlier construction, it is not feasible to install one (1) water meter per dwelling, a single meter may be allowed and the charges respecting said meter shall be as per the formula in the Utility Rate Schedule.
- 11) Multi-unit buildings shall install one (1) electrical meter per dwelling unit. In cases where, due to earlier construction, it is not feasible to install one (1) electrical meter per dwelling unit, a commercial meter may be required.
- h) Access to Premises for water and electrical – For the purpose of conducting surveys, sampling, leakage flows, pressure tests, reading, installing, inspecting, repairing, replacing or removing water meters, backflow prevention devices and related equipment upon any water service connection, and for electrical disconnects, notices, meter retests or repairs, tree trimming around lines and for meter readings within or without any house or building as may be required by employees of the Town, Safety Codes Officer and other designated contractors.

or persons, shall have free access at reasonable hours of the day and upon reasonable notice given and request made, or in case of written authority of the Administrator, given in respect of a special case, without notice, to all parts of every building or other premises in which water and electricity is delivered and consumed.

i) Discontinuance of Water or Electricity services

- 1) Any owner and/or consumer about to vacate a property or premises that has been supplied with water or electricity, or who wishes to discontinue the use of the said services, must give notice in writing to the Town, or its agent, requesting that the Town shut off the said services.
- 2) If notice pursuant to Subsection (1) is not given, the owner will be liable for the accruing rates, and for all damages suffered or sustained to the Town caused by failure to give notice.
- 3) Notwithstanding Subsection (1) or (2) above, the fact that a premises or land is vacant is not reason for non-payment of specified rates.
- 4) Where any owner, occupant, or consumer discontinues the use of the water or electricity supplied by the Town, or the Town refuses to continue to supply the same, the Town may at all reasonable times, enter the subject premises that was supplied with water or electricity for the purpose of removing any fittings, machines, apparatus, meters, pipes, remote readouts or other things that are the property of the Town and are located in or upon such premises.
- 5) When a building that is connected to the Town water or electrical system is to be moved from its existing location or when the water or electrical service lines are to be permanently disconnected from any building for any cause, the owner of the land on which the building is situated shall make application to the Town or the Town's agent and shall pay to the Town a disconnect fee as defined in the Utility Rate Schedule.
- 6) The owner of the land, from which a building connected to the Town water or electrical system, is to be removed, shall make application to the Town, or its agent, for disconnection from the Town systems and pay all fees associated with the disconnection.

j) Selling and Supply of Water

- 1) No person, unless authorized by the Town shall:
 - a) Sell, lend or give away water obtained from the water utility unless authorized by the Town. Any such authorization shall be subject to charges as set out in the Utility Rate Schedule.
 - b) Supply water by a pipe or a hose from the water system, or any other source, to any other premises, which could be supplied with water through its own water service connection.
- 2) Contractors may use water from the water service(s) to a building for construction purposes provided the Contractor has entered into a utility contract with the Town, or its agent, and the water meter(s) have been installed.
- 3) Responsibility For Contamination & Pollution - Any person who contaminates or pollutes the water system by any means will bear the

full cost of any and all damages and/or repairs and maintenance required for the Town to restore normal water service to its customers.

k) Ownership and Use Of Town Fire Hydrants

- 1) All fire hydrants, except fire hydrants situated on private property and the property of the Town.
- 2) No person or persons, except Town employees or Fire fighters or persons authorized by the Town shall open, close or interfere with a fire hydrant, hydrant gate or hydrant valve connected to the water system.
- 3) Any person who wishes to have a fire hydrant relocated that is situated on property owned by the Town may request in writing to the Town that the hydrant be relocated. If the Town considers it feasible to relocate the hydrant, the person making the request shall pay the full cost to relocate the hydrant.
- 4) No person shall, without the written permission of the Town, authorize the use of water from a fire hydrant for a purpose other than emergency fire protection. The Town may authorize such other use upon such terms and conditions and subject to payment of such rates as the Town determines.

- l) Unimproved Properties – abutting onto roads or services in the Town of Cardston, which have not contributed to the cost of providing said services by way of local improvement cost, or by way of special local benefit costs, shall, when a request for subdivision of unimproved properties is made or a development permit is requested or any other like use that will require the use of Town services to the properties; that the applicant or owner shall enter into a contract with the Town to accept, at the then current rates, the costs of services that are already in place.

m) Wastewater Collection System:

- 1) Except as otherwise provided in this Bylaw, no person shall discharge into any water course any wastewater or waste, excluding storm water (Illegal Dumping)
- 2) The provisions of this Bylaw shall apply to all persons using the Town's wastewater collection system both in and outside the Town, and regardless of whether any person using this system has a contract for service with the Town.
- 3) Any owner or occupier of property connected or required to be connected to the wastewater collection system shall, upon request of the Administrator, provide such information as the type quantity and chemical composition of pollutants which are or may be handled, stored or used on that property, or discharged into the wastewater collection system.
- 4) The Inspector shall be permitted reasonable access upon all property in the Town for the purpose of inspection, measurement, sampling and testing in accordance with this Bylaw. If such inspection discloses an act or omission contrary to the provisions of this Bylaw or the inspection discloses any defect or insufficiency in the location, construction, design or maintenance of any equipment in connection with the wastewater discharge, the Inspector may direct the owner or occupier of the premises to correct the act or omission or any defect or insufficiency. No person shall obstruct or interfere with the Inspector in the discharge of his duties under this Bylaw.

- 5) Where a public sanitary sewer is not available, the owner of the property shall connect the building sewer to a private wastewater disposal system which shall comply with the provisions of this Bylaw, The Safety Codes Act, the Plumbing Code and the regulations of the Provincial Board of Health.
- 6) At such time as a public sanitary sewer becomes available to a property served by a private wastewater disposal system, (as in 5 above). The owner shall then make arrangements to connect to the public sewer and any septic tanks, cesspools or similar private wastewater disposal facilities shall be abandoned and filled with suitable material, and the owner shall pay the prescribed rates as set out in the Utility Rate Schedule to connect to the said systems.
- 7) Grease
 - a) The owner for all garages, gasoline service stations and vehicle and equipment washing establishments shall provide oil and sand interceptors on private property. In case of existing conditions, prior to the passing of this bylaw, those in non-compliance may remain unless another regulation requires compliance or renovations to the facility are intended.
 - b) The owners of all commercial (Institutions/Restaurants/Schools) food establishments may be required to install grease trap systems to lessen the problems associated with grease in the treatment of wastewater.
 - c) Interceptors will be required for other types of business if the Administrator or designate determines they are necessary for the proper handling of liquid waste.

All interceptors shall be:

- i) of a type and capacity approved by the Administrator;
 - ii) located to be readily and easily accessible for cleaning and inspection; and maintained by the owner or occupier at the owner's expense.
- 8) The owner or occupier at his expense shall maintain catch basins on private Property.

n) Wastewater Strength Limits

1) Storm water System

Storm water shall be discharged to the storm water system or to a natural watercourse. Water, including storm water, surface water, clean water waste and sub-surface drainage (except foundation drainage) shall be considered to be unpolluted if:

- i) it does not contain conventional, non-conventional, or priority pollutants in measurable concentrations other than those identified below in less than or equal to the concentrations listed:

Conventional Pollutants

B.O.D. - 20 mg/L
 C.O.D. - 40 mg/L
 Grease and Oils - 5.0 mg/L
 Nitrogen (ammonia plus organic) - 1.0 mg/L

Non-Filterable Residue - 20 mg/L

Total Phosphorus - 0.05 mg/L

Copper - 0.02 mg/L

Fluoride - 1.5 mg/L

Iron - 0.3 mg/L

Manganese - 0.05 mg/L

Sulfide - 0.5 mg/L

Zinc - 0.05 mg/L

Total Coliform density 5,000 per 100 ml in 90% of samples

Faecal Coliform density 1,000 per 100 ml in 90% of samples

Priority Pollutants

Arsenic - 0.1 mg/L

Barium - 1.00 mg/L

Boron - 0.5 mg/L

Cadmium - 0.05 mg/L

Chromium - 0.05 mg/L

Cyanide - 0.01 mg/L

Lead - 0.05 mg/L

Mercury - 0.0001 mg/L

Phenolics - 0.005 mg/L

Selenium - 0.01 mg/L

Silver - 0.05 mg/L

Pesticides (total) - 0.01 mg/L

ii) its pH is greater than 6.5 and less than 9.0;

iii) it has a colour less than 30 true colour units;

iv) its temperature is higher than **65°C**

These lists shall not be limited to the above materials. They include any materials cited in Provincial and Federal Legislation and amendments thereto including priority pollutants listed in the Federal Environmental Contaminant Act.

v) No person shall discharge or cause or permit to be discharged any substance which, in the opinion of the Administrator, is or may become harmful to any recipient water course or storm water system or part thereof, may interfere with the proper operation of the storm water system, may impair or interfere with any treatment process, or may become a hazard to persons, property or animals.

2) Sanitary Sewer

No person shall discharge or cause to be discharged any stormwater, surface water, sub-surface drainage or unpolluted clear water waste to any sanitary sewer. The Administrator may upon application authorize such discharge where exceptional conditions prevent compliance with the foregoing provision.

3) Sanitary Sewer System

a) Except as hereinafter provided, no person shall discharge or cause or permit to be discharged any of the following described water or wastes to any sanitary sewer system:

i) any liquid or vapor having a temperature higher than 65°C;

ii) any gasoline, solvents or similar products;

- iii) any tar or other viscous material of mineral origin;
- iv) any garbage that has not been shredded so as to pass through a 6mm screen;
- v) any ashes, cinders, wood, wood-shavings, sawdust, rags, sand, mud, straw, metal, glass, fiberglass, plastics, eggshells, feathers, and improperly shredded paper or other solids.
- vi) any water or wastes which contain material that will solidify or become viscous at temperatures between 5°C and 80°C;
- vii) animal parts or wastes including; but not limited to:
 - any manure or intestinal contents from horses, cattle, sheep, swine or poultry,
 - hooves or toenails,
 - intestines or stomach casings or animal body parts,
 - bones,
 - bristles and hair,
 - hides or parts thereof,
 - fat or flesh particles larger than will pass through a 6mm screen,
 - fleshing and hair resulting from tanning operations,
- viii) any wastewater having a pH lower than 6.0 or above 10.0;
- ix) wastewater which is in or is capable of being transformed into, two or more separate layers;
- x) wastewater containing substances in concentrations exceeding the following:
 - Antimony - 1.0 mg/L
 - Arsenic - 1.0 mg/L
 - Barium - 3.0 mg/L
 - Boron - 1.0 mg/L
 - Cadmium - 0.05 mg/L
 - Chromium - 1.0 mg/L
 - Chlorinated hydrocarbons - 0.02 mg/L
 - Copper - 0.5 mg/L
 - Cyanide - 1.0 mg/L
 - Lead - 1.0 mg
 - Manganese - 1.0 mg/L
 - Mercury - 0.1 mg/L
 - Nickel - 0.5 mg/L
 - Total Pesticides - 0.1 mg/L
 - Phenolic Compounds - 0.1 mg/L
 - Selenium - 1.0 mg/L
 - Silver - 1.0 mg/L
 - Sulfide - 1.0 mg/L
 - Zinc - 1.0 mg/L
- xi) Pollutants, under Federal or Provincial legislation and amendments thereto, other than those listed in x) are also prohibited from being discharged;
- xii) Any noxious or malodorous gas or substance capable of creating public nuisance including, but not limited to, hydrogen sulphide, mercaptans (thiols), carbon disulphides, other reduced sulphur compounds, amines, and ammonia;

Wastewater containing substances in concentrations exceeding the following:

- 1500 mg/L nonfilterable residue (suspended solids), and/or
- 1500 mg/L B.O.D. and/or
- 2000 mg/L chemical oxygen demand (C.O.D.) and/or
- 500 mg/L grease and oils and/or
- 100 mg/L hydrocarbons of petroleum origin and/or
- 100 mg/L total Kjeldahl nitrogen (TKN) and/or
- 25 mg/L total phosphorus

xiii) lime slurry and residues

xiv) any substance which, in the opinion of the Inspector, is or may become harmful to any recipient water course or sewer system or part thereof, may interfere with the proper operation of the sewer system, may impair or interfere with any treatment process, or may become a hazard to persons, property or animals.

4) If a person discharges, or allows to be discharged, clear water or wastewater to a sewer within or entering the Town exceeding any of the following characteristics and limits:

- B.O.D. - 1000 mg/L
- C.O.D. - 1500 mg/L
- Non-filterable residue - 1000 mg/L
- Grease and oils - 300 mg/L
- Hydrocarbon of petroleum origin - 50 mg/L
- TKN - 80 mg/L
- Total phosphorus - 20 mg/L

then such persons shall pay a surcharge computed as set out in the Utility Rate Schedule and the cost of clean up and damages caused by the discharged substance(s).

o) Sampling and Pretreatment

1) i) where the business, owner or person using the sewerage system must provide pretreatment of wastewater, clear water waste or storm water to bring it within the limits established in this Bylaw, that pretreatment facility shall be provided at the expense of the owner

ii) where pretreatment facilities are required, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

2) All measurements, tests and analyses of the characteristics of industrial waste, wastewater or water to which reference is made in this Bylaw shall be determined in accordance with:

- Standard Methods
- Methods Manual for Chemical Analysis of Water and Wastes Alberta Environment Environmental Protection Services, Pollution Control Division, Pollution Control Laboratory
- Annual book of A.S.T.M. Standards - American Society for Testing and Materials, or
- Other methods consistent with, or promulgated in, the professional literature. The measurements, tests and analyses shall be determined from aliquots of samples collected from the

sampling manhole or other sampling points approved by the Administrator.

- 3) No statement contained in this Bylaw shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby the Town for treatment subject to payment may accept an industrial waste of unusual strength or character therefor by the industrial concern.
- 4) Sampling shall be conducted and the Inspector will make decisions regarding sampling. The procedure for taking individual and composite samples for the purpose of determining surcharges and conducting tests is outlined below. Any costs for sampling and testing are the responsibility of the owner.
 - i) monitoring to determine pollutant concentrations may be performed on one or more grab samples obtained at any time from approved sampling points.
 - ii) monitoring to determine wastewater over strength surcharge assessment shall be performed on daily composite samples obtained from approved sampling points and combined using method identified below. The following is the standard procedure for this sampling:
 - grab samples of approximately equal volumes will be taken at random time intervals during the customer's operating day or over a 24-hour period.
 - The Town's water meter or the industry's effluent flow meter will be read when they are readily accessible and the reading recorded each time a grab sample is collected.
 - Where the meter is not readily accessible, or installed, the sampler may observe the flow in the sewer line being sampled and estimate the rate of flow.
 - The series of grab samples collected will be combined into a composite sample for analysis. The grab samples may be combined in proportion to the volume of water used or discharged during the sampling period, in proportion to the estimated flow, or where neither actual nor the estimated flow is available, the grab samples may be combined on an equal volume basis. Any combination of the above may be used in the appropriate circumstances.

p) Residential Local Improvements

- 1) Frontage costs for properties that have not been assessed for existing improvements shall be assessed at the rates established in the Utility Rate Schedule.
- 2) Corner lots – Local improvements, excepting therefrom utilities, be charged on lots that have not been assessed frontage improvements, at a rate of 50% of the flankage, at the time it is improved, and 50% of frontage at the time that it is improved. When a property has both frontage and flankage, the greatest length shall be considered the flankage and the lesser length the frontage. If a property has two flankages and the combined length is greater than the frontage, the greater distance will be used as the frontage.

q) Off Site Levies for Non Domestic Service to Include Private Developer

- 1) Water service, sanitary sewer service, storm sewer service and electric service will be charged as per the Utility Rate Schedule.

- 2) All private developers are to provide their own water distribution system, storm sewer, sanitary sewer collection systems and other local improvement needs to meet Town and Alberta Environment standards. After one year of operation of the services, the said system shall be turned to the Town, at no cost, and the Town will maintain the services. The property owners shall be responsible for the services from their residence to the main system.
- 3) Any non-domestic development that puts sufficient burden on the Town's distribution and collection systems thus requiring increased sizing, the developer will share a proportionate amount of the cost to improve the system.
- 4) The Town shall enter into a development agreement with the private developer for providing the utility services and local improvements.

r) Liability for Damages Incurred

- 1) Except as provided for in the Municipal Government Act, being Chapter M-26.1, of the Statutes of Alberta, 1994 and amendments thereto, or other relevant legislation, the Town is not liable for damages (including but not limited to electrical hot water tanks):
 - i) caused by the breakdown of any Town electrical lines or transformers, water and/or sewer main, water and/or sewer service connections or other pipe or from the settlement of any excavation or trench made for the installation or repair of any part of the utility or,
 - ii) caused by the disruption of any electrical or water supply from the Town utility whether proper notice is provided or not. In the event of such a situation, no deduction shall be made from the utility billing.
 - iii) caused by emergencies as determined by the Inspector, force majeure, acts of God, strikes and other utility disruptions or outages.

s) General

- 1) Water service repairs from the source in the street to the water service valve will be the Town's responsibility. From the water service valve to the building will be the property owner's responsibility.
- 2) Sewer service blockage and repairs from the source to the Town sewer main will be the property owner's responsibility. Within the Town's sewer collection system will be the Town's responsibility.
- 3) Repairs or upgrades in the streets, boulevards or easements of Town utilities are to be done by the Town or by a contractor approved by the Town.
- 4) All machinery charges and other miscellaneous charges will be according to the rate as established by resolution of council.
- 5) The Town reserves the right to not provide services to areas that request said Services if the cost is prohibitive and only a small number request the Services, unless those requesting the services are willing to pay the entire Costs and then as development proceeds, costs for other connecting to the services shall be reimbursed to the person that paid the upfront costs.

- 6) All charges and rates, when levied, shall become a debt due and chargeable against the properties to which service is rendered, as outlined in Section.42 (1) of the Municipal Government Act, Chapter M-26.1.
 - 7) All new construction must make provision to connect the weeping tile to the storm sewer system, if storm sewer service is available, or, if not available, provide lift pumps to exit the stormwater for surface drainage to the street, such that it does not enter into the sanitary sewer system or does not enter onto private property.
- t) Repairs done for normal deterioration of water and sewer mains:
- 1) On properties where taxes or grants in lieu are paid, the Town shall stand all the costs after making the necessary arrangements with the property owners whose land abuts the repair.
 - 2) On all tax-exempt properties, the property owners shall pay 100% of the costs or as negotiated.
- u) Private Developers
- 1. All utility infrastructure constructed by private developers shall be installed as per specifications provided by the Town of Cardston. After one year of operation, such utilities shall be transferred to the Town, at no cost, for maintenance purposes. The property owners shall be responsible for the services from their residence to the main system.

4. Penalty

Fines for contravention of this By-Law are as follows:

1 st Offence	\$ 250.00
2 nd Offence	\$ 500.00
3 rd & Subsequent Offences	\$1000.00

- Repeated contraventions of this By-Law may result in discontinuation of services provided by the Town.

5. Collection & Costs

All of the charges and rates within this bylaw, when levied, shall become a debt due and chargeable against the properties to which service is rendered, as outlined under Section # 553 of the Municipal Government Act.

On passing of this bylaw, the following bylaws shall be rescinded: Bylaws 1234, 1282, 1369, 1477 with all amendments and 1508,

Received 1st reading this 23 day of October, 2006.

Received 2nd reading this 28 day of November, 2006.

Received 3rd and final reading this 19 day of December, 2006.

Signed by the Mayor and the Chief Administrative Officer this 22 day of January, 2007.


 Deputy Mayor


 Chief Administrative Officer

UTILITY RATE SCHEDULE

WATER RATES

Residential Water Metered (D010)

Demand	\$22.70 per month
Consumption	\$.38/m ³ above 100 m ³

Sierra Landlord Water (D503) Flat charge \$22.39/30 day cycle

Commercial, Industrial & Institutional (D504)

Demand	Flat Fee	\$22.70 per month
Consumption		30-100 m ³ . @ \$.52/m ³ 101-500 m ³ @ \$.47/m ³ . 501-1000 m ³ @ \$.42/m ³ over 1000 m ³ @ \$.32/m ³ .

Blood Reserve (D506) Flat fee \$65.96/30 day cycle

Out of Town Commercial:

(Metered)

Demand	Flat Fee	\$45.40 per month
Consumption		30-100 m ³ . @ \$1.00/m ³ 101-500 m ³ @ \$.90/m ³ . 501-1000 m ³ @ \$.80/m ³ over 1000 m ³ @ \$.60/m ³ .

(No meter)(D506) Flat fee \$65.96/30 day cycle

Moses Lake PW (D505) Flat water \$312.19/30 day cycle
(Filling Station)

Water Filling Stations Metered rate \$2.15/m³ – currently \$2.00

Multi Unit Structure (D020) Flat fee \$16.79/month/unit
Over 100 m³ \$0.38/m³

Multi unit residential ()

Demand		
	2-4 Units	number of units x \$22.70 x 75%
	5-8 Units	number of units x \$22.70 x 66%
	9 + units	number of units x \$22.70 x 50%
Consumption		number of units x 40 m ³ .

Rural Residential (D508) (no meter) \$34.72 per month

Rural Residential (D011) (metered)

Demand	\$45.40 per month
Consumption	\$.38/m ³ above 100 m ³

Residential No Meter Flat fee \$100.00/month
(Water users refusing to allow water meter installation)

Blood Band Water (D501) (Flat) \$22.70/month

Raw Water Rate (Rural Raw Water Lines)		
Demand		\$22.70 per month
Consumption		\$.19/m ³ above 100 m ³ – half of potable rate

Community Irrigation Line \$15.00/acre/year on lots over 5 acres.

Stock Water (D502)	Flat Fee \$13.02	\$15.00/month/40 m ³
	Meter Rate	\$.38/m ³

Raw Water Rider \$11.61/month

SEWER RATES

Residential (D600) Flat fee \$22.90/ month

Sierra Landlord (D601) Flat fee \$11.45/month

Rural (D602) Flat fee \$31.07/month

Commercial

Small Commercial (D603) Flat fee \$22.90/month
Up to 100 m³ consumption

Large Commercial () Flat fee \$22.90/month
Based on water consumption over 100m³ \$0.20/m³

Blood Reserve (D604) Flat fee \$68.71/month

Multi Unit Structure Flat fee \$15.00/month for first unit.
Flat fee \$7.50/month/additional units.
Metered Rate \$0.20/m³ based on water use.

OFF SITE COSTS & CONNECTION FEES

1 Residential Off Site – The amounts listed below unless other rates approved by bylaw..

a) Off Site Cost per Front Foot

Land cost (include GST)	\$46.01
Water Mains	\$44.00
Sanitary Sewer Mains	\$42.00
Storm Sewer	
Direct connection	\$42.00
Non-direct connection	\$20.00
Sidewalk	
Four foot sidewalk	\$31.00
Four foot Monolithic	\$47.50
Curb & Gutter (at development)	\$23.00
Curb & Gutter (after development)	\$31.00
Roadbed	\$18.00
Paving (38 feet surface)	\$20.00

Street Lighting	\$10.00
Survey Costs	\$21.00
Utility/Engineering	\$17.00

b) Corner lots – Local Improvements, excepting there from utilities, be charged on lots that have not been assessed frontage improvements, at a rate of 50% of the flanking, at the time they are improved, and 50% of frontage at the time that it is approved.

2. Non- Domestic or Commercial Offsite Costs

a) Offsite costs for commercial property will be assessed at the same cost per foot residential property for the services that are in place and/or that are required at the time of development, on a maximum frontage of 100 feet. (land excluded)

3. Water & Wastewater Connection Fees:

a) **Residential Connection fees (in Town)**

¾" or 1" Water service, includes 5/8" or ¾" meter)	\$3,200.00 of which
4" Sewer service)	\$1,000 for connection and
4" Storm Sewer service when available)	\$2,200 for installation
	(if installation allowed to be done privately only the connection fee will be charged)

Pavement and sidewalk repairs are in addition to the above fees.

Properties where servicing has been paid previously (e.g. where an existing home has been removed) and the property owner requires or requests upgrading (new water & sewer services), this upgrading shall be provided at flat fee of \$5200.00 including GST.

If only sewer or water is requested the fee may be adjusted based on less materials required for the installation.

All services are defined as the area from the main services to the property line.

b) **In Town or Rural Acreage's (lots 1 acre or larger)**

Water connections, (raw or treated) 1" Service	\$5,000.00 plus meter vault (if required)
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Larger than 1 inch water connections will be assessed at the time of the request and will include the 1" service connection fee as well as addition charges based on higher material and installation costs.

Sanitary Sewer connections for 4" service	\$3,200.00
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All services are defined as the area from the main services to the property line.

c) **Non Domestic Connection Fees (Commercial)**

a. Within Town corporate limits:

- Water service at cost (full cost recovery)
- Sanitary Sewer Service at cost (full cost recovery)
- Storm Sewer Service (with connection) at cost (full cost recovery)
- Estimates will be provided.

b. Outside of Town Corporate Limits

- Services may be provided but will be accessed on an individual basis.

d) **Community Irrigation Water Services** - may be provided at “cost”

4. Electrical Utility Connection Fees:

Residential \$2300.00

- 100 amp
- Includes 50 meters of wire
 - Overhead #4 triplex
 - Or underground #2 useb 90
- 1 meter
- Electrician to supply the meter base

Rural or Large Lot Residential \$2600.00

- 100 amp
- Includes 1 – 25 KVA Transformer
- 30 meters of wire
 - Overhead #4 triplex
 - Or underground #2 useb 90
- 1 meter
- Electrician to supply the meter base

Light Commercial \$3000.00

- 200 amp 120/208/240 volt single phase
- Includes 1 meter
- Electrician to supply wire to transformer or tub
- Electrician to supply the meter base

Light Commercial \$3500.00

- 200 amp 120/208 volt three phase
- Includes 1 meter
- Electrician to supply wire to transformer or tub
- Electrician to supply the meter base

Larger than 200 amp service

- Single or three phase at cost of development to the property owner
- Electrician’s to supply wire to tub or transformer on all commercial

“It there is no Town of Cardston service in the area, the property owner will also have to pay to have electrical services brought to the property”

5. Private Development

Off-site levies will be assessed using the following criteria:

- a. The area to be developed is larger than 2 acres and the area will be classified as low-medium density residential (5 but not more than 10 dwelling units per acre)
- b. The developer is required to provide infrastructure within the subdivision roads, water, sanitary sewer, storm sewer, surface drainage and electrical to service the dwelling units within the subdivision.
- c. That the servicing rates from the other parts of the bylaw cannot be applied to deal with the development.

d. That the off-site levies will be on a dwelling unit basis and be paid at the time that the development permit is taken.

e. That for any unit presently serviced and has paid for those services, a credit will be applied for each service to that property in the same amount as per the offsite levy.

f. That the developer may enter into a development agreement with the Town for the costs of other services/improvements, provided to the property, such as electrical, street lighting, roads, paving, sidewalk, etc.

OFF-SITE LEVIES

- 1. Water \$285.00/dwelling unit
- 2. Sanitary Sewer \$285.00/dwelling unit
- 3. Storm Sewer \$285.00/dwelling unit

6. Blood Reserve

Residents on the Blood Reserve, that require servicing by the Town of Cardston, shall pay the prescribed connection fee as established by the agreement dated December 16, 2003. Actual work to be done by the Blood Tribe or its agent.

- Water \$300.00
- Sanitary Sewer \$300.00

7. Sale of Water from the Distribution System

Any person, who sells, lends or gives away water obtained from the water utility shall pay the same rate as the current filling station water rate.

8. General Guidelines

- a. Winter rates for underground services will be as per rate schedule plus 40%.
- b. In the case of odd-shaped lots, frontage charges shall be based as follows:
 - 1. Cul de Sac – frontage to be based on a width twenty five (25) feet back from the front property line
 - 2. For interior lots the charge is to be based on the average of the property abutting the street plus the width of the interior portion of the lot.

9 Other Costs

- Lot pin locates (minimum of two pins \$30.00/pin minimum of 2 pins
- Reconnect & Disconnect fee (water or electrical) \$75.00
- After Working Hours \$150.00
- Water Meter Testing & repairs at cost including labor
- Water Meter Fees as per Water Meter Policy W/10

10. All rates in this bylaw shall be reviewed on an annual basis to determine possible increases based on inflationary costs.

Wastewater over strength surcharges shall be added to the bylaw when they have been developed.