

BEING A BY-LAW OF THE VILLAGE OF CLYDE
IN THE PROVINCE OF ALBERTA TO
REGULATE
THE SUPPLY AND DISTRIBUTION OF
WATER
AND TO REGULATE THE SANITARY
SEWAGE
COLLECTION SYSTEM

PURSUANT to authority vested by the Municipal Government Act, Chapter M-26, R.S.A. 2000, and amendments thereto, the Municipal Council of the Village of Clyde in the Province of Alberta, duly assembled, HEREBY ENACTS AS FOLLOWS:

- i. This by-law may be cited as the "Water and Sewer Utility By-Law".
- ii. Where the provisions of this by-law conflict with the provision of any other by-law of the Village of Clyde, this by-law shall prevail.

SECTION 1 - DEFINITIONS

- 1.1 APPLICATION - the Application made by a Property Owner or Chattel Owner to the Village for;
 - (i) the provision of Water Utility and/or Sewer Utility; or
 - (ii) discontinuation of Water Utility and/or Sewer Utility whether temporary or permanent;
- 1.2 ALTERNATE SOURCE OF WATER – any source of water other than that which is provided through the Water Service as set out within this Bylaw.
- 1.3 BYLAW ENFORCEMENT OFFICER – a Person appointed by Council pursuant to the Municipal Government Act and includes a member of the Royal Canadian Mounted Police, and when authorized, a Community Peace Officer.
- 1.4 CAO - the Chief Administrative Officer for the Village of Clyde
- 1.5 CHATTEL OWNER – a person or persons in possession of an item of personal property which is movable, as distinguished from real property (land and improvements). E.g. A mobile home.
- 1.6 CONSUMER - any Person who has entered into an agreement with the Village for the provision of utility services, who is the Property Owner, Chattel Owner or Tenant who has occupancy of any Property connected to or provided with a utility service.
- 1.7 COUNCIL - the Municipal Council of the Village of Clyde.

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- 1.8 CURB COCK – a valve located on the municipality owned portion of the Water Utility, located between the main line and the Property line installed for the purpose of enabling the municipality to turn on or Shut Off the supply of water to the Property; commonly referred to as CC.
- 1.9 DESIGNATED OFFICER – the CAO, or any other individual designated for the purpose of enforcing the provisions of this Bylaw;
- 1.10 METERS - Meters and all other equipment and instruments supplied and used by the Village or authorized by the Village to be used to calculate the amount of water consumed on the premises upon which such Meters are situated.
- 1.11 MUNICIPAL GOVERNMENT ACT – the Municipal Government Act, R.S.A. 2000, c.M-26, as amended or repealed and replaced from time to time and any regulations there under;
- 1.12 OWNER / PROPERTY OWNER – the person registered as the Owner of a Property (land and improvements) pursuant to the provision of the Land Titles Act (Alberta) and shall include a person who is purchasing a Property under an Agreement for Sale.
- 1.13 PERSON – firm, corporation, partnership, Owner, occupier, lessee or tenant.
- 1.14 PRIVATE SERVICE or PRIVATE SERVICE PIPE - that portion of a pipes constructed by an Owner and used or intended to be used for the supply of water or collection of wastewater, as the context may require, in the case of a water service extending from the CC to and within a Property to the Meter, and in the case of a sewer service, extending from the Property line to the main clean out.
- 1.15 PROPERTY – lands, buildings, excavations, stockpiles, structures and appurtenances, or any personal Property located thereupon.
- 1.16 PROPERTY LINE – the boundary separating publicly owned land from private Property.
- 1.17 PROVINCIAL OFFENCES PROCEDURE ACT – the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34, as amended or repealed and replaced from time to time, and any regulations there under.
- 1.18 SAFETY CODES ACT – the Safety Codes Act, R.S.A. 2000, c. S-1, as amended or repealed and replaced from time to time, and any regulations there under.
- 1.19 SERVICE CONNECTION – the part of the system or works of a utility that runs from the main lines of the utility to a building or other place on a Property for the purpose of providing the utility service to the Property and includes parts or works such as the pipes, wires, couplings, curb-cocks, Meters and other apparatus.
- 1.20 SEWER MAIN - those pipes, wires or other apparatus installed by the Village or the developer for the Village in Streets for the conveyance of storm sewer and Wastewater throughout the Village from which a Service Connection may be

connected.

- 1.21 SEWER UTILITY - the system of the utility service owned, operated and provided by the Village to remove Wastewater from a Property through a Service Connection to the Sewer Main and to a treatment facility and all accessories and appurtenances thereof.
- 1.22 SHUT-OFF - an interruption in or discontinuation of the supply of water.
- 1.23 STREET(S) - all highways, roads, lanes, alleys, avenues, easements, thoroughfares, utility lots, drives, sidewalks, boulevards, parks, and public places unless the contrary is expressed or unless such construction would be consistent with the context of this Bylaw.
- 1.24 TEMPORARILY VACANT SERVICES - a Property which has had the Water Utility disconnected at the request of the Consumer or Property Owner by way of the Village shutting off the Curb Cock valve, with the intention of having the water reconnected at some time in the future.
- 1.25 TENANT - a Person who is not a Property Owner or a Chattel Owner but who is in legal possession of a Property to which Utility Services are provided.
- 1.26 UTILITY SERVICE(S) - means and include, as the context may require:
 - (i) the supply of treated water;
 - (ii) the provision of waste water collection and disposal;
 - (iii) the provision of such other utility services as Council may determine.
- 1.27 VACANT SERVICES – a Property which has had the Water Utility disconnected at the request of the Property Owner by way of the Village shutting off the Curb Cock valve.
- 1.28 VILLAGE - The municipality of the Village of Clyde
- 1.29 VIOLATION TAG – means a tag or similar document issued by the Village pursuant to the Municipal Government Act.
- 1.30 VIOLATION TICKET – means a ticket issued pursuant to Part 2 of the Provincial Offences Procedure Act.
- 1.31 WASTEWATER – a combination of water and water-borne wastes from residences, business buildings, institutions, industries and other establishments and such ground, surface and storm waters as may be directed into the Sewer Utility.
- 1.32 WATER MAIN - those pipes, wires and other apparatus installed by the Village or the developer for the Village in streets for the conveyance of water throughout the Village from which a Service Connection may be connected.

- 1.33 WATER UTILITY – the utility service provided by the Village to provide water to Property located within the Village through a Water Main to a Service Connection.
- 1.34 WORKING DAY – 8:30 a.m. – 4:30 p.m. Monday – Friday, excluding statutory and civic holidays.
- 1.35 NUMBER and GENDER REFERENCES - All references in this Bylaw will be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female Person, or a corporation or partnership.

PART I. GENERAL**SECTION 2 - ADMINISTRATION**

- 2.1 The Village shall, in accordance with the terms and conditions prescribed in this Bylaw, be responsible for the operation and management of all Utility Service facilities and equipment utilized for:
- a) Wastewater collection, treatment and disposal; and
 - b) The treatment, supply and distribution of water.
- 2.2 The Utility Services of the Village of Clyde comprising of feed mains, Sewer Mains, Water Mains, manholes, lift stations, service pipes, fire hydrants, valves, Meters, services and all other appurtenances, together with the sale of water shall be under the management and direct control of the CAO, subject to the provisions of this Bylaw and all applicable policies of the Village.
- 2.3 The Village shall:
- a) supply the Utility Services so far as there is sufficient capacity, upon such terms, costs or charges as established by Council, to any Consumer where the Property is situated along a Water Main and Sewer Main;
 - b) so far as is reasonably possible, endeavour to provide regular and uninterrupted operation of the Utility Services. However, breaks to Water Mains, Sewer Mains and other facilities are inherent to the normal operation of a Utility and may result in interruptions to the Utility Service.
- 2.4 The Village:
- a) does not guarantee the pressure of the Water Utility nor the continuous supply of water;
 - b) reserves the right at any time, without notice, to change the operating water pressure of the Water Utility and to Shut Off the Water Utility;

- c) recommends that Persons depending on continuous and uninterrupted supply of water or requiring a certain standard of water quality shall provide such facilities as are necessary to ensure the service, at their own cost and expense.
- 2.5 The Village, when requested in writing, may choose to supply utility services to customers outside of the corporate limits of the Village. These customers shall pay the rates as described in Rates and Fees Bylaw for the services they receive, and shall be responsible for the installation and maintenance of all service pipes, valves, and other devices needed to supply utility services to their property, to the point of tie-in at the Village mains. Any utility customer outside of corporate limits must enter into a contract for utility services with the Village.
- 2.6 The provisions of the Bylaw shall form part of any contract between the Consumer and the Village for the supply of the Utility Services which supply shall be subject to all the provisions of this Bylaw.
- 2.7 The Property Owner shall:
- a) pay all charges and rates for the Utility Services provided by the Village in accordance with the Rates and Fees Bylaw and/or any Schedule of this Bylaw;
 - b) adhere to the requirements of this Bylaw;
 - c) be responsible for the condition and protection of all facilities located on the Consumer's Property. The Property Owner shall be liable for any destruction or damage to the Utility Services facilities located on the Consumer's Property unless the destruction or damage is caused by the Village;
 - d) not extend a service from one lot to another without the prior written consent of the Village; and
 - e) at the request of the Village, grant, or cause to be granted to the Village, such easements or rights of ways over, upon or under the Property owned or controlled by the Consumer as the Village reasonably requires for the construction, installation, maintenance, repair, inspection and operation of the facilities required for the Utility Services to the Consumer, and for the performance of all other obligations required to be performed by the Village to maintain the Water Utility and Sewer Utility.
- 2.8 Unauthorized Persons are prohibited from entering any Village water or sewer distribution or treatment facility.
- 2.9 No Person shall be in contravention of a specific provision of this Bylaw if permission has been granted for the contravention by the CAO in writing.
- 2.10 A written notice must be completed and signed by a Consumer providing two (2) days notice prior to the commencement by the Village of any work on any component of the Utility Services or both located on the Consumer's Property.

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- 2.11 Any Person requesting a service call to be made shall pay the fees as set in the Rates and Fees Bylaw.

SECTION 3 - RIGHT OF ENTRY

- 3.1 For the purposes of enforcing the provisions of this Bylaw, a Bylaw Enforcement Officer shall be a Designated Officer.
- 3.2 A Designated Officer may, for the purposes of ensuring that the provisions of this Bylaw are being complied with, enter upon any Property in accordance with section 542, 543 or 544 of the Municipal Government Act, as applicable, in order to carry out an inspection, enforcement or other action required or authorized by this Bylaw, the Municipal Government Act, or any other statute.
- 3.3 Before conducting an inspection pursuant to section 3.2, a Designated Officer shall provide the Property Owner, Chattel Owner or Tenant of the Property with reasonable notice as required by the Municipal Government Act. For the purpose of this Bylaw, a notice period of FORTY EIGHT (48) HOURS before commencement of the inspection is deemed to be reasonable notice.
- 3.4 Notwithstanding sections 3.2 and 3.3, a Designated Officer may enter and have access to all parts of a Property in which the Utility Services is provided by the Village, or intended to be provided by the Village, at any reasonable hour for:
- a) The purpose of constructing, repairing or maintaining the system or works of the Water Utility, Sewer Utility or both, including but not limited to the main line, the Service Connection or the Meter;
 - b) Reading Meters or where the Consumer has provided written permission for the Village to inspect the Meter at anytime; or
 - c) Investigating a Consumer complaint or query where the Consumer has provided written permission for the Village to investigate the complaint, query, including entering the Property at any reasonable time.
- 3.5 The Designated Officer will make reasonable efforts to notify the Consumer of when he intends to enter the Property, or other Person who is at the Property and appears to have sufficient authority to permit entry except:
- a) In case of an emergency;
 - b) Where entry is permitted under Order of the Court; or
 - c) Where entry is authorized under a statute or other enactment.

SECTION 4 - LIABILITY OF VILLAGE

- 4.1 The Village shall not be liable for any loss, injury, damage, expense, charge, cost

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or liability of any kind, whether direct, indirect, special or of a consequential nature (except only as specifically provided for in this section) arising out of or in any way connected with any failure, defect, fluctuation, reduction or interruptions in the provision of Utility Services by the Village to the Consumers, howsoever caused, including that which is caused by or related to:

a) the break, blockage, stoppage or failure of any portion of the Utility Services within the Village;

b) the interference with or cessation of the Utility Services in connection with repair or proper maintenance of the Water Utility, Sewer Utility or both;

c) directly or indirectly as a result of the Village approving any Service Connection;

d) any change in the water pressure of the Water Utility nor for the shutting off of water nor by reason of water containing sediments, deposits or other foreign materials; or

e) any accident or incident due to the operation of the Water Utility or Sewer Utility, unless such costs of damages have been shown to be directly due to an act of bad faith, gross negligence or wilful misconduct of the Village or its employees, agents or other authorized representative.

4.2 All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be applicable to the Village.

PART II. WATER UTILITY**SECTION 5 - USE OF WATER**

5.1 No person, other than an employee, Village authorized licensed plumber, or representative of the Village shall install, test, remove, replace, or disconnect a Water Meter.

5.2 No person, other than an employee or representative of the Village shall turn on or off a utility service at the curb cock.

5.3 No person, other than an employee or representative of the Village shall interfere with the operation of any water meter or remote reading device. Nor interfere or tamper with any meter seal, meter reading equipment, or water shut-off equipment without written consent from the CAO.

5.4 The Village may, upon finding an unauthorized use of water, including the tampering with a Water Meter, Service Connection or Water Main or any part of the same, including sections 5.1, 5.2 and 5.3 above, take corrective measures to repair or remedy the unauthorized use. Anyone in contravention of this or any part of the Bylaw may be liable for any charges as set out in Schedule "C" hereof.

- 5.5 Any Person who contravenes any part of this Bylaw may be responsible for all charges for water consumed in accordance with the water rates sets out in this Bylaw and all charges incurred by the Village in repairing or remedying the unauthorized use pursuant to this Bylaw.

SECTION 6 - FROZEN WATER LINES

- 6.1 A Property Owner shall be responsible for the costs associated with frozen water lines, including but not limited to, thawing the line or repairing the line
- a) when the portion of the line frozen is between the Property Line and the Water Meter; or
- b) when, although the location of the frozen line is between the Water Main and the Property Line, in the sole discretion of the CAO, the frozen line is determined to have been caused by the actions or results of the Property Owner, Chattel Owner, Tenant or Consumer.

SECTION 7 - BOILERS & SIMILAR EQUIPMENT

- 7.1 In any case where a steam boiler or equipment of like nature is supplied directly from a water service, such boiler or other similar equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent the collapse or explosion of the boiler or other similar equipment in the event the Water supply is Shut Off.

SECTION 8 - CONTAMINATION

- 8.1 If a condition is found to exist which is contrary to this Bylaw, the CAO shall, depending on the nature of the hazard:
- a) Carry out an inspection and issue such order or orders to the Property Owner, Chattel Owner, Consumer or other person as may be required to obtain compliance with this Bylaw; or
- b) Without prior notice Shut Off the water service or services
- 8.2 If the Property Owner, Chattel Owner, Consumer or other Person to whom the CAO has issued an order fails to comply with that order the CAO in his discretion may:
- a) give notice to the Person to who the order was directed to correct the fault at the expense of such Person within a specified time period and if the notice is not complied with the CAO may then Shut Off the water services or services; or
- b) Without prior notice Shut Off the water service or services
- 8.3 Any water supply so Shut Off shall not be restored until the breach of this Bylaw has been remedied.

SECTION 9 - METERS

- 9.1 All water supplied by the Village to a Consumer through the Water Utility shall be measured by a Meter unless otherwise provided under this Bylaw or unless a special agreement is entered into between the Village and the Consumer, in writing.
- 9.2 All Consumer shall have a Meter connected to the Water Utility, and shall pay to the Village all regular billing charges for consumption whether an alternative source of water is used or not.
- 9.3 The Village is the sole supplier of Meters. As a condition of service, the Village may:
- a) Determine the size, type and number of Meters to be supplied and installed in a premises;
 - b) Determine the location that the water Meter is to be installed.
- 9.4 One (1) Meter shall be provided, installed and maintained by the Village. Meter installations expenses including the cost of the Meter shall be borne by the Property Owner.
- 9.5 Notwithstanding the payment of any costs, all Meters fifty (50) mm in size or smaller shall remain the Property of the Village.
- 9.6 All Meters shall be installed in accordance with Village specifications and standards.
- 9.7 Any Consumer at their sole cost and expense, shall supply, install and maintain Shut Off Valves a minimum of fifteen (15) cm and a maximum of thirty (30) cm from the Meter connection on both sides of the Meter.
- 9.8 Water Meters shall be located upstream of any take-offs except for approved fire lines, sprinkler controls or standpipe hose systems.
- 9.9 Meters and Shut Off Valves must be installed in an area readily accessible for Meter reading, inspection, repair and removal, and their location shall be subject to approval by the Village.
- 9.10 All Consumers shall give free access to all or parts of the building or Property in which water is delivered or consumed to the Village or its employees to install, inspect, repair and read the Meter or anything of a similar nature.
- 9.11 Water Meters, where practicable, may be read once every one (1) month or such other frequency as determined by the Village.
- 9.12 Where the Village is unable to obtain a Meter reading, or where a Meter fails to properly register the volume of water consumed within a Property, the amount of water consumed during the time period in which the Village has been unable to

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obtain a Meter reading or the Meter has failed to properly register, may be estimated by the Village based on the average daily consumption for the Property for a period of four (4) months, if known, or in the event that such information is not available, on the basis of the average daily consumption over a four (4) month period, for a comparable Property within the Village.

- 9.13 In the event a Meter reading is disputed by either the Village or the Consumer, a written notice shall be given to the other.
- 9.14 A Consumer that has reasonable ground to believe that a Meter is not operating correctly, or is damaged or broken, shall immediately notify the Village of the condition, its location and the estimated length of time that the Meter has been inoperable, damaged or broken.
- 9.15 A Consumer may request that the Village test a Meter located on the Consumer's Property and shall deposit with the Village the fee as set out in the Rates and Fees Bylaw. The Meter will then be removed from service and given a bench test. Should the Meter be found to be accurate within two and one half percent (2.5 %) of the actual amount of flow as determined by the Village, the Consumer shall forfeit the deposit to the Village to cover the costs of removal and testing of the Meter. Where the Meter is registering in excess of two and one half percent (2.5%) accuracy, the Consumer shall be refunded the deposit.
- 9.16 Should the Meter be found to over read or under read by more than two and one half percent (2.5%), the rate charged for the preceding two (2) Meter reading periods, will be adjusted by the same percentage as the Meter was found to be in error. The Person shall pay or shall be refunded the amount so determined and this payment or refund shall be accepted by both the Village and the Consumer as settlement in full to the date thereof of all claims on account of such Meter.
- 9.17 In the event that a Consumer refuses to allow a Meter to be read or fails to provide a Meter reading as requested by the Village, for a period in excess of six (6) months, the CAO may direct that the Water Utility to the Property be Shut Off, after providing twenty-four (24) hours written notice to the Consumer.
- 9.18 Every Consumer shall provide adequate protection for the Meter supplied by the Village against:
- a) freezing;
 - b) heat, or;
 - c) any other internal or external damage.

The Consumer shall pay to the Village all costs associated with the repair and replacement of the Meter, if it is deemed by the CAO, that the Consumer did not adequately protect the Meter.

- 9.19 When in the sole discretion of the CAO the building or other premises intended to be supplied with water are too far from the Village service to conveniently install

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a Meter in such building or premises, or if a number of buildings are to be supplied or for any other reason in the opinion of the CAO, then the Consumer shall, at their sole cost, construct and maintain a container for a Meter and such container shall in all respects, including location, construction, size, access and otherwise, be satisfactory to the CAO.

- 9.20 A Property Owner, at his own cost, may install a secondary Meter between the Meter supplied by the Village and the point of use of the Water supplied, upon receipt of written approval from the Village and shall in no manner interfere with the Meter installed by the Village. All Secondary Meters shall be owned and maintained by the Property Owner. A Property Owner shall immediately relocate a secondary Meter upon request of the CAO, if in the opinion of the CAO the secondary Meter is interfering in the operation of the Meter supplied by the Village.
- 9.21 For multi-use residential properties, including a Property that contains several buildings, a mobile home park, a condominium or a seasonal park with no permanent buildings, Meters shall be installed to Village standards and specifications but shall also comply with the following requirements:
- a) If not installed indoors in a building or dwelling, the Meter shall be housed in an insulated enclosure with heat tape to and from the Meter;
 - b) the Meter shall be installed in a location that is easily accessible and protected from damage; and
 - c) wire for any remote reader shall be installed, by the Property Owner at their sole expense, at the Street side of the unit and all wire used by the Property Owner must be acceptable to the Village.

SECTION 10 - AUTHORITY TO RESTRICT OR SHUT OFF WATER UTILITY

- 10.1 Where the Village determines that there is a water shortage, the Village may declare that water restrictions are in effect, and shall provide notice to the public of such restrictions by means of advertising the restriction in a local newspaper of general circulation, or by delivery of written notice to the affected residences and businesses, as per the Water Conservation and Restriction Response Bylaw and Joint Water Shortage Response Plan
- 10.2 The CAO may discontinue the provision of the Water Utility to a Consumer, where the CAO has reasonable grounds to believe that the Consumer has violated the water restrictions in force.
- 10.3 The Village shall give notice to Consumers when the Water Utility is to be Shut Off where possible, except in emergencies. The Village shall not be liable for any damages which may result to any Persons or Property from shutting off the Water Utility from any Water Main or service or for any purpose whatsoever even in cases where no notice is given.

- 10.4 The supply of water to any Person may be Shut Off for any or all of the following reasons:
- a) Repair;
 - b) Want of supply;
 - c) Non-payment of accounts rendered;
 - d) Defective piping;
 - e) Has abandoned or appeared to abandon the Property;
 - f) Has undertaken any activity which puts the integrity of the Village's Water Utility at risk;
 - g) Where there is an emergency situation; or
 - h) For any reason which the CAO or Council considers sufficient.

SECTION 11 - VACANT SERVICES - TEMPORARY DISCONNECTION

- 11.1 A Property Owner or Chattel Owner may request a Vacant Service; in which case the Property Owner or Chattel Owner shall provide notice to the Village in writing a minimum of two (2) business days prior to the disconnect date. Water Utility is not deemed to be discontinued unless turned off at the Curb Cock.
- 11.2 The Village shall obtain a final reading of the Meter(s) and the Property Owner shall be liable for and payment of the rates and charges due until the time of the final Meter reading.
- 11.3 While the service is temporarily disconnected or vacant, the Property Owner shall be responsible for all charges and applicable fees for vacant services and temporary disconnections as set out in the Rates and Fees Bylaw
- 11.4 The Water being Shut Off at the Water Meter by the Property Owner, Chattel Owner or Tenant does not establish a discontinuance of Utility Service or Vacant Service.
- 11.5 The Village may discontinue the supply of a utility service for any of the following reasons:
- a) Non payment of any utility account; or
 - b) Inability of the Village to obtain access to a residential premises to read, repair or replace any Meter for a period of six months, or to a non residential premises to read, repair or replace any Meter for a period of three months;
 - c) Failure by, or refusal of, a Property Owner, Chattel Owner or Tenant to comply with any provision of this bylaw; or

d) Failure by, or refusal of, a Property Owner, Chattel Owner or Tenant to comply with provision of any provincial acts, the building code or any regulations; or

e) In another case provided for in this bylaw.

In any event the Village shall not be liable for any damages of any kind form such discontinuance of service.

SECTION 12 - ABANDON SERVICES

- 12.1 If potential for re-use of the water service exists, or for any reason the CAO deems acceptable, the water service may be temporarily disconnected at the Property Line at the cost of the Property owner. If a temporary discontinuation is allowed and thereafter, for any reason the CAO deems it necessary to do a permanent disconnect, the physical disconnection of a water service pipe from a water main, a charge will be made to the Property Owner pursuant the Rates and Fees Bylaw
- 12.2 If in the CAO's opinion, a temporary disconnection is inappropriate, a service kill shall be performed at the water main at the Property Owner's expense.
- 12.3 If the water is to be Shut Off and the Meter removed for the purpose of demolition, the Property Owner shall be responsible of all costs associated with such. If the water cannot be Shut Off due to damage to the Curb Cock the Village shall excavate to the water service pipe and disconnect the services at the expense of the Property owner.
- 12.4 No permit for the demolition or removal of a building shall be issued by the Village nor shall any person cause, permit or allow to be demolished or removed a building connected to a utility service line or main until there has been paid to the Village of the cost of disconnecting the utility service in the amount under this bylaw, including costs of Meter and appurtenances and such utility services have been disconnected. The Village may in circumstances permit the services to remain connected to the utility service line or main.
- 12.5 Request for permit to demolish or remove a building shall be required to give a minimum two (2) business days notice to the Village prior to commencing the work.
- 12.6 If any sewer connection is abandoned, the Village shall, at the Property Owner's expense, effectively block up such connection at a suitable location within the Owner's Property so as to prevent wastewater backing up into the soil, or dirt being washed into the sewer.
- 12.7 A Consumer shall not assume the Water Utility has been discontinued. The Water Utility shall only be considered discontinued upon the Curb Cock valve being turned off by the Village.
- 12.8 A Consumer may apply in writing to the Village, to have their Water Utility

reactivated, and the Village shall apply all applicable fees and charges to the Utility Account as set out in the Rates and Fees Bylaw

- 12.9 A Consumer who does not apply in writing to the Village to have their water discontinued nor provide an opportunity for the Village to turn the Curb Cock valve off, shall be responsible for all fees and charges, whether or not they would have qualified for vacant service if they had submitted an Application for such service.

SECTION 13 - WATER VALVES, HYDRANTS

- 13.1 The Village Fire Department is authorized to use the hydrants or fire plugs for the purpose of fire protection and suppression, and for fire training practices, all such uses shall be under the direction and supervision of the Chief or his authorized officers.
- 13.2 All Persons who owns Property on which a hydrant is located or Property which is adjacent to Property on which a hydrant is located:
- a) Shall maintain a two (2) meter clearance on each side of the fire hydrant and a one (1) meter clearance on the back of a fire hydrant, as set out in Schedule "E".
- 13.3 The Village may authorize the use of fire hydrants and the use of water from fire hydrants on a temporary basis where no other supply of water can be conveniently obtained. This authorization will require inspection and approval by the Village. A condition for the use of fire hydrants will be that the water pass through a Water Meter. No backflow wastewater or other substance can enter the water system.

SECTION 14 - WELLS AND OTHER SOURCES OF SUPPLY OF WATER

- 14.1 No Person shall use an Alternative Source of Water for any purpose, including but not limited to residential use, except in accordance with the provisions of this Bylaw.
- 14.2 Notwithstanding section 14.1, a Person may use an Alternative Source of Water, if approved by the Village and the Property Owner has obtained the required provincial approval, license, registration or written confirmation from the appropriate provincial department or agency.
- 14.3 A Property Owner desiring to use an Alternative Source of Water shall apply for a permit for the Alternate Source of Water and submit the applicable fee as set out in the Rates and Fees Bylaw
- 14.4 A Property Owner shall submit to the Village, together with the Application for a permit for an Alternate Source of Water:
- a) Written approval by appropriate provincial department or agency and the Plumbing Inspector; and

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- b) Analysis of the water quality and evidence that such analysis is satisfactory to the Public Health Inspector, including confirmation from the Public Health Inspector that the water is potable and suitable for domestic consumptions.
- 14.5 No such permit shall be granted in connection with any premises abutting on a Street upon which there is a Village Water Main unless the supply obtained from such main is inadequate.
- 14.6 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 the same has been given by the Village to the Owner of the premises, such Alternative Source of Water may be declared a nuisance and dangerous to the public health or safety and shall be removed, filled up or otherwise abated, at the Property Owner's expense.
- 14.7 Any permit issued by the Village for an Alternative Source of Water may be withdrawn by order of the Village any time without notice and no Person shall use an Alternative Source of Water after a permit for use of the same has been withdrawn.
- 14.8 No Person shall use an Alternative Source of Water without first having obtained a permit from the Village except for the purpose of watering lawns, gardens, flowers, shrubs or trees.
- 14.9 Any permit issued for an Alternative Source of Water shall only authorize the use of the water for the purpose indicated in the approval and no pipes or accessories from an Alternative Source of Water shall be connected to or laid within a structure connected to the Water Utility.
- 14.10 No permit issued under this Section shall give or be construed to give the holder of the said permit the right to sell or distribute water within the Village.
- 14.11 A Person may be connected to the Water Utility for residential use, and upon receipt of written approval from the Village, in accordance with this Part, use an Alternate Source of Water for other purposes.
- 14.12 The right to have an Alternative Source of Water shall be the exclusive right of the applicant. In the event of further development on the Property, the Property Owner shall enter into a development agreement with the Village and pay all costs associated with providing the land with the Water Utility.
- 14.13 The permit holder shall ensure that the Alternative Water Source is in no way connected to the Village Water Utility, to ensure the Village system will not be contaminated.
- 14.14 The Village may deny a permit where it deems it unsafe to drill a well, or any matter of safety is in question.
- 14.15 The Village may place such terms and conditions, deemed necessary on any permit for an Alternative Source of Water, including but not limited to, a specific

period of time for which the permit is valid.

- 14.16 Any Person who has an Alternate Source of Water, shall install an approved Backflow Valve to ensure the Alternate Source of Water does not enter the Water Utility, prior to a permit for the Alternate Source of Water being issued.
- 14.17 The Village may pursue all legal remedies pursuant to any federal, provincial or municipal legislation or the common law, available to it in the event that the Village has reasonable grounds to believe that any Person has failed to take adequate measures to ensure that an Alternate Source of Water does not enter the Water Utility.
- 14.18 The Village shall not be responsible, in any manner, for the quality or quantity of water obtained from an Alternate Supply of Water.

PART III. WASTEWATER UTILITY

SECTION 15 - PRIVATE WASTEWATER DISPOSAL SYSTEMS

- 15.1 If a Property does not lie along the line of a Sewer Main, the buildings on such Property shall be connected to a private wastewater disposal system complying with the provision of this Bylaw and Village of Clyde Procedures and Design Standards for Development.
- 15.2 The type, capacity, location, and layout of a private wastewater disposal system shall comply with all requirements of the Alberta Private Sewage Disposal Regulations.
- 15.3 No private wastewater disposal system shall discharge to any storm sewer or natural outlet.
- 15.4 When a Property is situated along a Sewer Main and a lawful Private Wastewater Disposal System in operating on the Property, the Property Owner shall:
 - a) Install the required equipment to connect the Private Wastewater Disposal System to the Service Connection, at the Property Owner's sole cost and expense; and
 - b) Obtain the required development permit from the Village authorizing the installation.
- 15.5 If a Property is situated along a Sewer Main, and no lawful private wastewater disposal system is installed on the Property, the Property shall be connected to the Sewer Utility, at the Property Owner's sole cost and expense, in accordance with the terms of this Bylaw, unless prior written approval is obtained from the Village.

SECTION 16 - USE AND PROTECTION OF WASTEWATER SYSTEM

WATER & SEWER UTILITY BY-LAW

- 16.1 The Sewer Utility may be disconnected by the Village, when in the opinion of the CAO:
- a) The Property is or appears to be abandoned;
 - b) There is a noncompliance of this Bylaw on the Property;
 - c) There is an emergency situation; or
 - d) It is necessary to protect the integrity of the Village's Sewer Utility.
- 16.2 Any Person who released or permits to be released into the Sewer Main or a Service Connection any Wastewater or matter prohibited as per Schedule A and Schedule B, from entering the Sewer Main or a Service Connection, shall immediately upon becoming aware of the release notify:
- a) The CAO;
 - b) The Owner of the Property; and
 - c) Any other Person who the reporting Person knows or ought to know may be directly affected by the release.
- 16.3 When notifying the CAO pursuant to Section 16.2, the notifying Person shall provide the following information:
- a) Name of the company or Person who caused the release;
 - b) Location of the release;
 - c) Name and contact information of the notifying Person;
 - d) Approximate time of the release;
 - e) Type of materials released;
 - f) Volume of material released; and
 - g) Corrective action being taken or anticipated to be taken to control the release.
- 16.4 Any authorized Village employee or Safety Codes Officer shall have the right at all reasonable times to enter residents or other places which have been connected with Village sewer, and facilities must be given him to ascertain whether or not any improper material or liquid is begin discharged into the sewers, and he shall have the 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 damage the sewers or obstruct the flow of water.

SECTION 17- INDUSTRIAL OR TRADE WASTES

WATER & SEWER UTILITY BY-LAW

- 17.1 Notwithstanding any other section of this Bylaw, no waste or discharges resulting from any trade, industrial or manufacturing process shall be directly discharged to any Village Sewer Main or Service Connection without such previous treatment as shall be prescribed by the Village for each such case. The necessary treatment works so prescribed shall be completely installed by the Consumer at his cost and expense, prior to the construction of the Service Connection and thereafter shall be continuously maintained and operated by the Consumer.

SECTION 18 - INTERCEPTORS

- 18.1 Grease, oil, mud and dental amalgam interceptors shall be provided for all garages, restaurants, dental office, automotive service stations and vehicle and equipment washing establishments and for other types of business when required by the Village of Clyde Procedures and Design Standards for Development or , in the opinion of the CAO, such interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, dental amalgam, or any flammable wastes, sand, mud or other harmful ingredients
- 18.2 All interceptors shall be of a type and capacity which conform to the Village of Clyde Procedures and Design Standards for Development and shall be located so as to be readily and easily accessible for cleaning and inspection.
- 18.3 All interceptors shall be maintained at all times in satisfactory and effective operation by the owners of the properties on which they are installed at the Property Owner's expense. All interceptors shall be connected to the Sewer Main unless the Village shall otherwise stipulate.
- 18.4 If the drainage system in any new commercial or industrial building includes an interceptor, then a control manhole is required. A control manhole for the purposes of this Bylaw shall mean a manhole situated over a building sewer for the purpose of observation, sampling and measurement of wastewater.
- 18.5 Residential parking garages with floor drains connected to the sanitary sewer must have a mud interceptor of sufficient size and design to effectively trap solids.
- 18.6 The Property Owner or operator of the premises shall keep for a two-year period the documents of proof of interceptor clean out.

PART IV. UTILITY SERVICE**SECTION 19 - ACCOUNTS AND BILLING**

- 19.1 The Owner of a Property must submit an Application for Utility Services with the Village prior to the Utility Services being connected. Such application must be made not less than two (2) Business Days prior to the date the Utility Services are required.

WATER & SEWER UTILITY BY-LAW

- 19.2 Upon acceptance of the Application, an account shall be set up in the name of the Property Owner.
- 19.3 Utility Services will not be established by the Village for a Property Owner who has an overdue or outstanding account of any nature with the Village.
- 19.4 In all cases the Property Owner Shall be liable for the cost of Utility Services supplied to a property, regardless whether the Property is occupied by the Property Owner, Chattel Owner or a Tenant and all invoices issued by the Village shall be sent to the Property Owner.
- 19.5 All current residential or commercial utility accounts in the name of the Chattel Owner or Tenant will be transitioned to the Property Owner.
- 19.6 To accommodate transition, Property where the account is held in the name of a current Tenant or Chattel Owner and the account is in good standing at the time this Bylaw comes into effect, may continue to receive the applicable Utility until such times as the Property Owner transfers the account into the Property Owner's name or the Utility is otherwise discontinued for any reason pursuant to this Bylaw.
- 19.7 Notwithstanding subsection 19.7 the Owner of a Property serviced by a Utility where the account is in the name of the Chattel Owner or Tenant, shall be required to submit an Application for the Utilities not later than one year from the date this Bylaw comes into effect, in order to transfer the account into the Property Owner's name. The failure to submit an Application in the format required by the Village within this deadline may result in the discontinuation of the provision of the Utility to the Property until such time that the Application has been received and approved by the Village.
- 19.8 Any Consumer wanting to discontinue the Utility Services must give not less than two (2) Business Day(s) notice to the Village, otherwise the Property Owner shall be liable for the rates and any damages arising from the use of the Utility Services.
- 19.9 There shall be a separate Water Utility account for each Water Meter located on a Property.
- 19.10 Payment of utility bills is due at the last day of the month in which the bill is mailed.
- 19.11 A utility bill not paid by the due date will be considered to be in arrears and subject to late penalty charges as per the Rates and Fees Bylaw
- 19.12 A penalty will be applied to all charges, levies and previous penalties that are in arrears, on the first day of the month following the due date as set out in Section 19.7 above.
- 19.13 A final notice shall be issued to each Consumer on the fifteenth day of the month following the due date as set out in Section 19.7 above noting the Water Utility

may be disconnected in seven (7) business days.

- 19.14 An Administration fee as set out in the Rates and Fees Bylaw will be levied in the event that a transfer of utility account balance to the Property tax account is deemed necessary.
- 19.15 All Consumers receiving the Utility Services pursuant to the provisions of this Bylaw, shall pay the required charges, levies and fees set out in Rates and Fees Bylaw of this Bylaw. Such charges, levies and fees are subject to change.
- 19.16 The Village will prepare and issue invoices for the Utility Services supplied to a Consumer on a monthly basis..
- 19.17 The Utility Services charges issued pursuant to this Bylaw to the property owner and a Consumer may be issued a copy of the same to the mailing address provided by the Consumer at the time of the Application for the utility, and shall be deemed to have been received within seven (7) days of the date of mailing.
- 19.18 A Consumer is not relieved from paying the applicable Utility Services charges by reason of non-receipt of an invoice for that charge. A Consumer who does not receive an invoice for an applicable billing period shall contact the Village as soon as the Consumer is aware, or ought to have been aware, that the Utility Services charges have become due and payable.
- 19.19 Following written notification by a Consumer of their desire to terminate the Utility Services contract, the Village shall Shut Off the Utility Services as soon as reasonably practicable and the Consumer shall be liable for and shall pay all of the rates and charges payable until the time of such Shut Off including the costs of such Shut Off, as designated in the Rates and Fees Bylaw
- 19.20 All Applications for connection or notification to terminate the Utility Services shall allow a minimum of two (2) Business Days before such Application or notification order is to become operative provided that such time period falls within the normal business hours of the Village.
- 19.21 A Consumer who fails to provide written notice pursuant to Section 19.16, shall be liable for those charges in relation to the Provision of the Utility Services to the Property, notwithstanding that the Consumer no longer occupies the Property, that accrue up to the date that notice is provided by the Consumer pursuant to Section 19.16.
- 19.22 In case of default in payment of the rates herein provided the Village may enforce such payment by action in a court of competent jurisdiction, by distress upon seizure of goods and chattels of the Property Owner, Chattel Owner, or by shutting off the utility being supplied to the utility customer or discontinuing the service thereof.
- a) Where the Person is the Owner of the Property, the sum payable by him for the Utility Services supplied by the Village to him or for his use and all rates, costs and charges imposed or loans made to him are a preferential lien and

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charge on the Property and on the Personal Property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable.

- 19.23 In any case in which the Village has rendered an account based upon an estimate of water supplied, the Village shall, upon reading the Meter in respect of which the estimate was made, render an account for water supplied to that time and since the time the said Meter was last read by the Village. All amounts received from the utility customer since the last meter reading shall be first credited to the account prior to rendering the account for water supplied since the last time the Meter was read.

SECTION 20 - APPEALS

- 20.1 Notwithstanding any other provision of this Bylaw, any Person who feels aggrieved in respect of rates charged under Rates and Fees Bylaw may, within FOURTEEN (14) days of receiving the utility account forming the basis of the appeal, request in writing that the CAO review the rates charged. The CAO is not obligated to conduct an oral hearing and may conduct the review based on written material provided by the Person and Village employees.
- 20.2 Notwithstanding any other provision of this Bylaw, any Person who has filed an appeal of the rates charged pursuant to Section 20.1 may, within FOURTEEN (14) days of receipt of the decision of the CAO, request in writing that Council review the rates charged. Council is not obligated to conduct an oral hearing and may conduct the review based on written material provided by the Person, the CAO and any other Village employee.
- 20.3 The CAO or Council upon a review conducted pursuant to Sections 20.1 or 20.2 of this Bylaw may:
- a) uphold the rates charged; or
 - b) vary the amount of the rates charged.
- 20.4 The decision of the CAO or Council shall be provided to the Person in writing within THIRTY (30) days of the review being conducted and may be served Personally or by registered mail on the Person. If the decision is sent by registered mail, but is unclaimed, the decision may be sent to the Person by regular mail and shall be deemed received SEVEN (7) days after the date of mailing.

SECTION 21 - PROHIBITIONS

- 21.1 No Person shall:
- a) operate, use, interfere with, obstruct or impede access to the Water Utility or Sewer Utility or any portion thereof in any manner not expressly permitted by this Bylaw;

WATER & SEWER UTILITY BY-LAW

b) remove, operate, connect to or alter any portion of the Utility Services owned by the Village, except as authorized by the Village, and in accordance with the standards and policies established by the Village. A Consumer shall be responsible for all damage to the Water Utility or Sewer Utility resulting directly or indirectly from a breach of this bylaw;

c) use the Utility Services in any manner that causes any interference or disturbance to any other Consumer's use of the Utility Services;

d) obstruct or impede free and direct access to the Utility Services; or

e) install or allow to be installed any temporary or permanent structures that could interfere with the Property and safe maintenance and operation of the Utility Services result in any damage to the Utility Services.

21.2 No Person shall:

a) lend, sell or otherwise dispose of water unless specifically licensed to do so;

b) give away or permit water to be taken;

c) increase the usage of water beyond that agreed upon with the Village; or

d) wrongfully or improperly waste water.

21.3 No Person shall allow water from the Water Utility to run off the Property such that there is:

a) a stream of water running into a Street or swale for a distance of thirty (30) metres or more from the Property line of the Property;

b) a stream of water running into a Street or swale and directly into a catch basin; or

c) a stream or spray of water running into or falling onto a Street.

21.4 Except as otherwise provided for in this Bylaw, no Person shall use water:

a) in an illegal manner;

b) in a manner that will impede its use by others;

c) unless an account for the Water Utility has been established, if the Property is connected to the Water Main; and

d) unless the water first passes through a Water Meter, if the Property is connected to the Water Main.

21.5 No Person shall:

WATER & SEWER UTILITY BY-LAW

- a) cause, permit or allow to remain connected to their Service Connection any piping, fixture, fitting, container or other apparatus which may cause water from a source other than the Water Utility or any other harmful or deleterious liquid or substance to enter the Water Utility;
- b) do, or shall cause to be done, or shall permit to be done, any act or thing which may obstruct, interfere with or impede a direct and convenient access to a Meter for the purpose of installation, inspection, removal, repair, replacement, reading;
- c) other than the Village, install, test, remove, repair, replace or disconnect a Meter unless that Person has been granted the authority to do so in writing by the Village; or
- d) construct or alter a Service Connection so as to bypass a Meter;
- e) interrupt, interfere or tamper with the operation of a Meter, remote reading device, or seals placed by the Village on Water Main components.

21.7 No Person shall:

- a) cause, permit or allow to be demolished or removed, a building connected to a water main until application has been made to the Village for the discontinuation for water service;
- b) in any manner obstruct the free access to any hydrant, valve or Curb Cock; or
- c) allow anything to be constructed, placed, erected, or planted adjacent to a fire hydrant, which may in any ways interfere with access to, use, maintenance or visibility of the hydrant.

21.8 No Person other than authorized Village employees or Persons so authorized by the Village shall open or close or operate or interfere with any valve, hydrant, curb cock, or draw water from anything associated with the Water Utility.**21.9 No Person shall discharge, cause or permit to be discharged into the Sewer Utility any matter or Wastewater:**

- a) In contravention of any federal, provincial or municipal legislation;
- b) Which would interfere with the proper operation of the Sewer Utility;
- c) Which may impair or interfere with the treatment process; or
- d) May result in a hazard to Persons, Property or animals,

unless otherwise authorized in this Bylaw or in writing by the Village.

21.10 Without limiting the generality of this section, no Person shall discharge, cause or

WATER & SEWER UTILITY BY-LAW

permit to be discharged into the Sewer Utility any matter or Wastewater as set out in Schedule A and Schedule B of this Bylaw.

21.11 No Person shall throw, deposit or leave any garbage, litter, refuse, manure, rubbish, sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, paper or ashes on or in any part, component or appurtenances of the Sewer Utility or Sewer Main.

21.12 No Person shall discharge into the Sewer Main or a Service Connection:

a) Hazardous Waste or other liquids which may detrimentally effect the Sewer Utility;

b) any substance which may impact the flow through the Sewer Main or Service Connection;

c) chemical refuse, trade waste, waste stream, condensing water, or any liquids whose temperature is one hundred and seventy seven (177) degrees Celsius or over;

d) inflammable or explosive material;

e) storm water;

f) roof drainage;

g) cistern or tank overflow; or

h) condensing or cooling water.

21.13 No Person shall discharge into the Sewer Main or a Service Connection the contents of a:

a) Privy vault;

b) Manure pit; or

c) Cesspool

excluding a recreational vehicle at an approved dumping station.

21.14 Unless authorized by the Village, no Person shall:

a) turn, lift, remove, raise or tamper with any component of the Sewer Utility, including but not limited to, manholes, ventilators or other appurtenances;

b) cut, break, pierce or cap the Sewer Main or an approved Service Connection; or

c) interfere with the free discharge of any Sewer Main or part thereof, or do any

act which may impede or obstruct the flow from the Sewer Main or Service Connection.

21.15 No Person shall release or permit the release of hauled Wastewater that contains any of the following:

a) grit or skimming's from interceptors, catch basins, pre-treatment facilities or private Wastewater disposal systems; or

b) sludge from interceptors, catch basins, pre-treatment facilities or private Wastewater disposal systems.

21.16 No unauthorized Person shall cut, break, pierce, or tap any part of the Village's Sewer Utility or accessories, or introduce any pipe, tubes conduit into any component of the Village's Sewer Utility.

21.17 No Person shall:

a) interfere with the free discharge of the Village's Sewer Utility, or part thereof, or do any act or thing which may impede or obstruct the flow or clog up any part of the Village's Sewer Utility or accessories thereof;

b) dilute Wastewater so as to avoid the requirements of this Bylaw;

c) use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an interceptor; or

d) deposit, cause, or allow any interceptor residue to be deposited into the sewer system.

SECTION 22 - CONNECTION TO UTILITY SERVICE

22.1 Service Connections located within the Property boundaries of a Property are owned by the Owner of the Property, and the Property Owner shall be responsible for the construction, maintenance and repair of that portion of the Service Connection.

22.2 The Village shall, at all times, remain the Owner of that portion of the Service Connection between the Village's Water Main or Sewer Main and the Property line of the road or boundary of an easement granted to the Village for its Utility Service, notwithstanding that the Village's portion of the Service Connection may have been constructed by, or its construction funded by, some Person other than the Village.

22.3 Nothing in this Bylaw shall be interpreted as preventing the Subdivision or Development Authority from imposing as a condition of subdivision or development approval, an obligation upon the applicant for subdivision or development approval to pay for the cost of installation of a portion of the Water Utility necessary to service the lands subject to the Application, including the Water Main and those portions of the Service Connection owned by the Village,

and located between the Village's Water Main and the Property line.

- 22.4 As a condition of receiving Utility Service from the Village, the Property Owner shall maintain, in a state of good repair, free from leakage, infiltration and/or other forms of loss, with sufficient protection from freezing, all parts of the Service Connection to the satisfaction of the CAO, through which Wastewater is conveyed from outlets or Fixtures located on or within the Property to the Sewer Main or which the supply of water is conveyed from the Village's Water System to water supply outlets or fixtures located on or within the Property, as the case may be.
- 22.5 An Owner shall:
- a) prior to constructing a Service Connection obtain all necessary municipal and provincial approvals, including a development permit and Safety Codes Permits;
 - b) ensure all components of the Service Connection located within the boundaries of a Property be constructed to the same standard and with same or equivalent materials as the Service Connection located between the Water Main or Sewer Main and the Property boundary;
 - c) not backfill the excavation until the work has been inspected by the appropriate Designated Officer; and
 - d) ensure all work or service upon a Private Service, Service Connection or the plumbing system and attached thereto complies with the provisions of the Safety Codes Act, the Public Health Act and any applicable Village Bylaws, policies and Design Standards including but not limited to the Village of Clyde Procedures and Design Standards for Development.
- 22.6 The provision of Utility Service shall not commence until the Village has received copies of all required approvals under the Safety Codes Act and all required inspection reports.
- 22.7 Where the Owner of a Property fails or refuses to maintain, repair or replace all, or any component of the Service Connection as required pursuant to this Bylaw, the Village may:
- a) disconnect the Sewer Utility to the Property, on twenty four (24) hours notice to the Property Owner, Chattel Owner and Occupant, until necessary repairs have been made, at the Property Owner's expense, or the Service Connection has otherwise been restored to a condition satisfactory to the Village;
 - b) Shut Off the supply of water to the Property, on twenty four (24) hours notice to the Property Owner, Chattel Owner and Occupant, until necessary repairs, at the Property Owner's expense, have been made to stop the loss of water, or otherwise restore the Service Connection to a condition satisfactory to the Village;
 - c) prepare an estimate of the volume of water lost and demand payment from the Consumer for the estimated amount of water lost as a result of the lack of

maintenance and repair of the Service Connection.

- 22.8 Payment for the amount of water estimated lost pursuant to subsection 22.7(c), shall become due and payable upon receipt of a demand, in writing, from the Village, and may be recovered from the Property Owner in accordance with the terms of this Bylaw and the Municipal Government Act.
- 22.9 Any person complaining of a failure or interruption of the Utility Service, the investigation of which necessitates the opening up or excavation of a Street, prior to such opening up or excavation, shall deposit with the Village the costs, as estimated by the CAO, for such work.
- 22.10 The Village shall be responsible for all costs incurred in respect to any investigation of the cause, and the repair of the obstruction, where the obstruction is determined to be located between the Water Main and the boundary line of the Property. Where the obstruction is located inside the boundary line of the Property, the Owner of the Property shall be solely responsible for the costs of investigation of the cause and the repairs to the Service Connection.
- 22.11 The Property Owner shall be responsible for all costs incurred in respect to any investigation of the cause, and the repair of the obstruction, where the obstruction is determined to be located between the Sewer Main and the boundary line of the Property when, at the CAO's sole discretion, it is determined that the blockage was caused by the Consumer. Where the obstruction is located inside the boundary line of the Property, the Owner of the Property shall be solely responsible for the costs of investigation of the cause and the repairs to the Service Connection.
- 22.12 The Village shall not be liable for damages caused by any blockage or damage caused by tree roots infiltrating a Service Connection whether the roots originate from trees on Village owned Property or private Property.
- 22.13 On any new Service Connection connected to the Water Main, the Property Owner shall install a Curb Cock of an approved pattern by the Village on every Service Connection on the out flowing side of the Water Meter and shall set the Stop Valve two decimal fifty four (2.54) cm below the finished landscaped surface and keep the area clear of all obstructions.
- 22.14 Every Service Connection connected to the Water Main, shall have an accessible Curb Cock at the Property boundary between the Water Main and the Water Meter.
- 22.15 A Property Owner shall install a Back Flow Valve on the Service Connection connected to the Sewer Main, as per the Village of Clyde Procedures and Design Standards for Development, on every Service Connection to prevent Wastewater backup into the Property from the Sewer Main.
- 22.16 Upon request, the Village shall provide to the Property Owner, information on the method and manner of installing the Service Connection and associated

apparatus.

22.17 When a Service Connection for the Utility Service is no longer required, the Property Owner or Chattel Owner shall obtain written permission from the Village to disconnect from the Water Main or Sewer Main. The Property Owner or Chattel Owner shall disconnect in compliance with the directions of the Village relative to the method and location and the Property Owner shall bear all responsibility and costs associated with the disconnection.

22.18 For all new or replacement water services, the Curb Cock valve shall only be opened by Village Personnel.

SECTION 23 - OFFENCES

23.1 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 "C" herein.

23.2 Notwithstanding section 23.1 of this Bylaw, any Person who commits a second, third or subsequent offence under this Bylaw within one (1) year of committing the first offence is liable for the increased penalty as set out in Schedule "C" herein.

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

SECTION 24 - VIOLATION TAGS

24.1 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.

24.2 A Violation Tag may be issued to such Person:

a) either Personally; or

b) by mailing a copy, via registered mail, to such Person at his or her last known postal address.

24.3 The Violation Tag shall be in a form approved by the CAO and shall state:

a) the name of the Person;

b) a description of the offence and the applicable Bylaw section;

c) the appropriate penalty for the offence as specified in Schedule "C" of this Bylaw;

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

e) any other information as may be required by the CAO.

- 24.4 Where a Violation Tag has been issued pursuant to section 24.1, the Person to whom the Violation Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Village Office, the penalty specified on the Violation Tag.
- 24.5 In the event that a Violation Tag has been issued and the 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 Procedure Act to the Person to whom the Violation Tag was issued.

SECTION 25 - VIOLATION TICKETS

- 25.1 Notwithstanding section 24.1, 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.
- 25.2 A Violation Ticket issued with respect to a violation of this Bylaw may be served upon the Person responsible for the contravention in accordance with the Provincial Offences Procedure Act.
- 25.3 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 an amount equal to the specified penalty for the offence as provided by this Bylaw.
- 25.4 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 the specified penalty.

SECTION 26 - VALIDITY

- 26.1 By-law 2020-02-02 and amendments thereto are hereby repealed.
- 26.2 The invalidity of any section, clause, sentence or provision of this Bylaw shall not affect the validity of any other part of this Bylaw, which can be given effect with such invalid part or parts.

SECTION 27 - AMENDMENTS

- 27.1 Council may, by Bylaw or resolution of Council, alter, amend or repeal any or all of the Schedules, which form part of the Bylaw.

SECTION 28 - EFFECTIVE

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upon the Person responsible for the contravention in accordance with the Provincial Offences Procedure Act.

- 25.3 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 an amount equal to the specified penalty for the offence as provided by this Bylaw.
- 25.4 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 the specified penalty.

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SECTION 27 - AMENDMENTS

- 27.1 Council may, by Bylaw or resolution of Council, alter, amend or repeal any or all of the Schedules, which form part of the Bylaw.

SECTION 28 - EFFECTIVE

- 28.1 This Bylaw shall come into force and take effect upon third and final reading.

READ A FIRST TIME THIS 8th DAY OF SEPTEMBER, 2025

READ A SECOND TIME THIS 8th DAY OF SEPTEMBER, 2025

READ A THIRD TIME THIS 8th DAY OF SEPTEMBER, 2025


MAYOR, Charis Aguirre
CAO, Jaye Parrent

SCHEDULE "A"**Prohibited Wastes**

The following are designated as Prohibited Wastes:

1. Any matter in a concentration that may cause a hazard to human health.
2. Any flammable liquid or explosive matter which, by itself or in combination with any other substance, is capable of causing or contributing to an explosion or supporting combustion.
3. Any matter which by itself or in combination with another substance is capable of obstructing the flow of or interfering with the operation or performance of the sewage system, waste water facility including, but not limited to:
 - a) agricultural wastes;
 - b) animals, including fish and fowl or portions thereof that will not pass a two centimetre screen;
 - c) ashes;
 - d) asphalt;
 - e) gardening wastes;
 - f) glass;
 - g) gravel, into the sanitary sewage system;
 - h) metal;
 - i) plastics;
 - j) rags and cloth;
 - k) wood, sawdust or shavings from wood.
4. Any matter with corrosive properties which, by itself or in combination with another substance, may cause damage to any sewage system or Wastewater treatment facility.
5. Any matter, other than domestic Wastewater, which by itself or in combination with another substance, is capable of creating an air pollution problem outside a sewage system or in and around a Wastewater treatment facility.

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6. Any matter which, by itself or in combination with another substance, is capable of preventing safe entry into a sewage system or Wastewater treatment facility.
7. Any matter which, by itself or in combination with another substance, is detrimental to the operation or performance of the sewage system, Wastewater treatment facility or the environment including, but not limited to:
 - a) biological waste;
 - b) elemental mercury;
 - c) paint, stains, coatings including oil and water based;
 - d) prescription drugs;
 - e) used automotive and machine oils and lubricants.
8. Radioactive material in solid form.
9. Effluent from an industrial garbage grinder.
10. Any matter which may:
 - a) cause a hazard to human health and that cannot be effectively mitigated by Wastewater treatment;
 - b) cause a hazard to the environment;
 - c) cause a hazard to the Village workers responsible for operating and maintaining the sewage system or the Wastewater treatment facilities;
 - d) cause an adverse effect to the sewage system;
 - e) cause an adverse effect to the Wastewater treatment facilities;
 - f) result in the Wastewater being released by the Village's Wastewater treatment facilities being in contravention of provincial regulatory requirements.

SCHEDULE "B"**Restricted Wastes**

The following are designated as restricted wastes when present in Wastewater, storm water or subsurface water being released to the sanitary sewage system at a concentration in excess of the levels set out below, with concentrations being expressed as total concentrations unless specified otherwise.

1. a) Contaminants



WATER & SEWER UTILITY BY-LAW

- (i) Biochemical oxygen demand (B.O.D.) 10,000 mg/L
- (ii) Chemical oxygen demand (C.O.D.) 20,000 mg/L
- (iii) Oil and grease 800 mg/L
- (iv) Phosphorus 200 mg/L
- (v) Suspended solids 5,000 mg/L

b) Inorganic Constituents

- (i) Hydrogen ion less than 6.0 or greater than 11.5
- (ii) Arsenic 1.0 mg/L
- (iii) Cadmium 0.10mg/L
- (iv) Chlorine (free) 5.0 mg/L
- (v) Cobalt 5.0 mg/L
- (vi) Copper 1.0 mg/L
- (vii) Cyanide 2.0 mg/L
- (viii) Lead 1.0 mg/L
- (ix) Mercury 0.10mg/L
- (x) Zinc 2.0 mg/L

c) Organic Compounds

- (i) Hydrocarbons 50 mg/L
- (ii) Phenols 1.0 mg/L

d) Physical Property

- (i) temperature greater than 75 degrees Celsius

2. Radioactive materials in concentrations greater than allowed under the Atomic Energy Control Act and the Atomic Control Regulations as amended from time to time.

SCHEDULE "C"

Fines

Sections

Use of Water – unlawful use (5.1, 21.1, 21.3, 21.8)	\$250.00
Contamination of water supply system (8)	not more than \$10,000.00
Meter interference (5.1, 21.5)	\$1,000.00
Water Restrictions not adhered (10.2, 21.2, 21.6)	\$250.00
Release of Matter not in accordance with Schedule "B" (16.2)	not more than \$10,000.00

WATER & SEWER UTILITY BY-LAW

Release of Matter not in accordance with
Schedule "C" (16.2)

not more than \$10,000.00

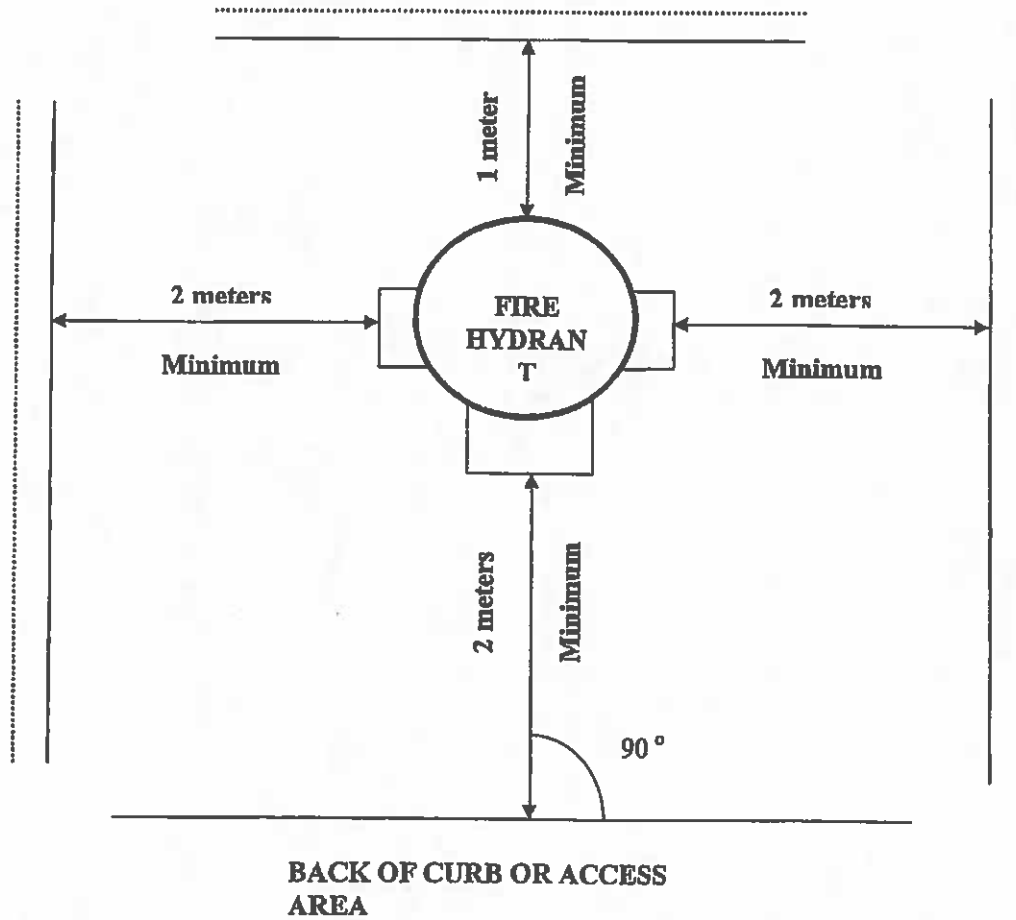
Any work carried out by the Village and the costs charged to the Property Owner will be invoiced to the Property Owner, and in default of payment the Village may recover the same as debt due to the Village.

- i) \$100.00 for any offence for which a fine is not otherwise established in this section;
- ii) A penalty of two (2) times applicable fine as provided in this Bylaw shall be levied against a Property owner who commits, for a second time, any infraction of this Bylaw, providing that such infraction is committed within one (1) year of the committing of the first infraction;
- iii) A penalty of three (3) times applicable fine as provided in this Bylaw shall be levied against a Person who commits, for a third or subsequent time, any infraction of this Bylaw, providing that such infraction is committed within one (1) year of the committing of the first infraction;
- iv) Administrative surcharge if payment of penalty charged is not received by the municipality within thirty (30) days of date of issuance of specified penalty, \$20.00 or 20% of the Violation Tag whichever amount is greater.



Schedule E

BACK CLEARANCE



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