

**TOWN OF MORINVILLE  
PROVINCE OF ALBERTA**

BYLAW 17/2009

A BYLAW OF THE TOWN OF MORINVILLE, IN THE PROVINCE OF ALBERTA, TO SET FORTH THE TERMS AND CONDITIONS FOR THE SUPPLY OF WATER AND TO ESTABLISH AND PROVIDE FOR THE COLLECTION OF WATER RATES IN THE TOWN OF MORINVILLE.

**WHEREAS**, The Municipal Government Act gives the Municipalities the power to establish charging and collecting of water rates to meet the cost of maintaining and operating its water distribution system;

**AND WHEREAS**, the Municipal Government Act gives the Municipalities the power to set forth the terms and conditions for the supply of water from its water distribution system;

**NOW THEREFORE**, the Municipal Council of the Town of Morinville, Alberta, duly assembled, hereby enacts as follows:

**1.0** This bylaw may be cited as the, "Town of Morinville Water Rates Bylaw",

**2.0 CONDITIONS**

In accordance with the Municipal Government Act Section 34 (1) (2), the Town of Morinville (hereinafter referred to as "the Town") shall supply water to the owner of land, or may supply water to the occupant of land (hereinafter referred to as "the User"), as the case may be), who has an approved connection to the property from the Town's water distribution system on the following conditions:

**2.1 Application for Service**

The User shall apply to the Town at the Town Administration building for the supply of water. An account must be opened before water is used. Persons who use water without opening an account will be liable for the cost of water consumed as estimated by the Town

**2.2 Prepayment Charge**

As a provision of providing water service, the Town may require a prepayment charge from the applicant as set out in Schedule "A" hereto

**2.3 Meter and Outside Register**

The User shall provide on the land or premises a suitable place for a water meter and the outside register (Schedule A) and shall be responsible for the safekeeping of the water meter and outside register; any damage resulting from frost, heat, overheating of water, or damage from neglect by the User will be charged to the User. The User shall provide on the service piping a control valve of approved pattern. This control valve shall be so placed that the supply of water can be shut off prior to entering the water meter. The User shall not draw water from the service piping in advance of the meter.

**TOWN OF MORINVILLE  
PROVINCE OF ALBERTA**

BYLAW 17/2009

Page 2

**2.4 Piping and Fixtures**

The User shall keep his service piping and all fixtures connected thereto in good repair and well protected, at his own expense. The Town will not be responsible for any piping beyond its own property lines

**2.5 Access for Readings and Inspections**

All Users shall allow or arrange for access to the water meter and outside register by the Town's personnel for purposes of obtaining readings, performing inspections, repairs, checking of service piping at all reasonable times.

**2.6 Repairs to Meters**

Repairs necessitated to meters through normal operation and wear will be repaired by the Town and will be considered as an operation expense and as such charged to the water department.

**2.7 Damage to seals**

The User shall prevent any damage to seals of whatever nature installed on the water meter and outside register and shall pay charges to the Town as set out in Schedule "A" thereto, for damage to seals.

**2.8 Illegal Use of Water**

The User shall in no way attempt to obtain water from the connection through by-passes by the water meter, or tamper with the water meter or outside register in order to alter the readings shown thereon or in any way fraudulently obtain water from the Town.

**2.9 Damage to Water Meter and Register**

Any damage caused to meters and outside register through abuse, tampering, freezing or hot water shall be considered the responsibility of the User. The damage will be repaired and/or the meter and/or outside register replaced by the Town and all costs and expenses involved therein shall be charged to the account of the User.

**2.10 Calibration Test**

If the User requests the Town for a calibration test, the user shall pay to the Town, in advance, the fees or charges for checking of water meters, as set out in Schedule "A" hereto. The Town shall refund the fees or charges as described in this Section if the water meter is found to be registering in excess of the allowances.

**2.11 Rates Building Construction**

Water used for construction purposes shall be charged in accordance with rates for "buildings under Construction" as set out in Schedule "A" hereto and paid together with the Building Permit Fee as set out in the Building Permit Bylaw. However, the Superintendent of Public Works may require that water for construction purposes be metered and charged in accordance with charges as set out in Schedule "A" hereto.

**TOWN OF MORINVILLE  
PROVINCE OF ALBERTA**

BYLAW 17/2009

Page 3

**2.12 Water Rates**

The User shall pay to the Town the water distribution charges as set out in Schedule "A" attached.

**2.13 Readings**

The Town shall take readings from the water meters every 2 months and the interval between readings shall be not less than fifty six (56) days and not more than sixty eight (68) days. Accounts billed monthly shall be based on estimated consumption in the month water meters are not read. This estimate will be based on previously obtained consumption figures.

**2.14 Estimated Consumption**

Should a meter cease to operate between meter readings period, billing of the account will be done on an estimated consumption for the period. This estimate will be based on previously obtained consumption figures.

**2.15 Billings**

The utility bill, based on consumption of water in accordance with the rates set out in Schedule "A" hereto, shall be mailed every month to all users. Payment of the amount shown shall be made within TWENTY (20) days following the date the utility bill is mailed. Payment shall be made at: The Civic Plaza, between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, except holidays. Payment may also be made at most financial institutes in Canada

**2.16 Penalty**

In the event that such utility bill shall remain unpaid after TWENTY (20) days following the date upon which the utility bill was mailed, there shall be added by way of penalty an amount as set out in Schedule "A" being attached hereto and forming part of this bylaw. The said penalty shall be added to and shall form part of the unpaid utility bill.

**2.17 Final Notice**

In the event that any utility bill shall remain unpaid after TWENTY (20) days following the date upon which the utility bill was mailed a final notice will be issued. If the account remains unpaid within FOURTEEN (14) days of the Final Notice date, the Town of Morinville is hereby authorized to turn off the water supply to the property concerned

**2.18 Authority**

The said water charges shall be billed and collected in the manner hereinbefore provided however, notwithstanding the generality of the foregoing the said water charge shall:

**2.18.1** Be a debt recoverable by action, in any court of competent jurisdiction;

**2.18.2** Be recoverable by distress and the sale of the goods and chattels of the person owing the rates, charges, tolls, fares or rents wherever they may be found in the municipality;

**TOWN OF MORINVILLE  
PROVINCE OF ALBERTA**

BYLAW 17/2009

Page 4

**2.18.3** Where the occupant is the owner or purchaser of a building or lot or part of lot, the sum payable by him for the public utility supplied by the municipality to him or for his use and all rates, costs and charges imposed or loans made to him under this bylaw are preferential lien and charge on the building or lot or part of a lot and on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes are recoverable.

**2.19 Discontinue Service**

In the event the User does not comply with the regulations as set out in this bylaw, the Town of Morinville shall be authorized to turn off the water supply to the property concerned. If water service has been disconnected for non-payment of an account at one location, the Town may discontinue water service to the same consumer at another location. A reconnection fee must be paid prior to reconnection of water service

**2.20 Manufactured Home Park**

In a manufactured home community the Town shall supply water to a master meter vault only. It will then be the responsibility of the land owner of the manufactured home community to distribute this water to each site as he deems necessary. Only one invoice shall be issued to the landowner of the manufactured home community for the total water consumed by the manufactured home community

**2.21 Remote Reading Devices**

All buildings which require water meters, and for which Building Permits are issued after March 1, 2006 shall have provision on the outside of the building in a convenient location between five (5) and six (6) feet above grade at the front or no more than five (5) feet from the front of the building if on the side nearest the driveway, a place for installation of a remote reading device by the Town and for this purpose the user shall install a minimum triple 18 electrical wire in accordance with appropriate regulations from the place of the water meter to the place of the remote reading device.

Any user shall be responsible for damage of the meter and remote reading device, which may result from other than normal wear and tear.

Any consumer requesting the installation of a remote reading device on their premises will be required to comply with the above regulations and shall be responsible for the installation of the wiring, ownership of the meter, and the payment to the Town for the remote reading device. Ownership of the meter and remote reading device and any apparatus thereto remains with the Town.

The Town does not assume any responsibility for any damages to the premises due to the installation of such wiring. The Town will install the remote reading device on the outside of the premises. All other conditions of the remote reading device shall apply.

**TOWN OF MORINVILLE  
PROVINCE OF ALBERTA**

BYLAW 17/2009

Page 5

**3.0 RATIONING**

3.1 The Town shall supply water to its users as set out in Section 1 of this bylaw, but shall have the right to restrict or ration the amount of water used during periods of heavy demand, or interrupt the service for necessary maintenance, repairs or fire fighting, or any possible emergencies.

4.0 This Bylaw shall come into full force and effect January 1, 2010.

**5.0 SEVERABILITY**

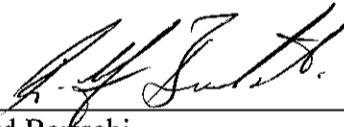
5.1 If any Section or Sections of this Bylaw or parts thereof are found in any court of law to be illegal or beyond the power of Council to enact, such Section or Sections or parts thereof shall be deemed to be severable and all other sections or parts thereof shall be deemed to be severable and all other Sections or parts of this Bylaw shall be deemed to be separate and independent therefrom and to be enacted as such.

6.0 That Bylaw 29/2008 is hereby rescinded when Bylaw 17/2009 receives third and final reading.

READ a first time this 8<sup>th</sup> day of December 8, 2009

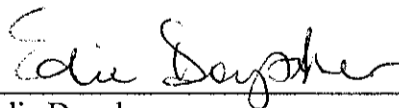
READ a second time this 8<sup>th</sup> day of December, 2009

READ a third and finally passed this 8<sup>th</sup> day of December, 2009



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R. Lloyd Bertschi  
Mayor



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Edie Doepker  
Chief Administrative Officer

**TOWN OF MORINVILLE  
PROVINCE OF ALBERTA**

BYLAW 17/2009

SCHEDULE 'A'

WATER CUSTOMER ACCOUNT CHARGE - \$4.58 PER INVOICE

WATER FLAT FEES AND METERED RATES

The following monthly flat fee shall be levied according to the size of the water meters installed together with a rate of \$1.7549 per cubic meter of actual water used.

Service Capacity Fixed Charge (waterline charge)

Imperial	Metric	Monthly Rates
5/8"	15mm	\$19.35
3/4"	20mm	\$27.86
1"	25mm	\$49.54
1 1/2"	40mm	\$111.46
2"	50mm	\$198.14
3"	75mm	\$445.82
4"	100mm	\$557.28

**SPECIAL SERVICES**

1.0 SERVICE FEE \$35.00

The service fee is payable in advance to obtaining water service from the Town of Morinville. This fee is payable by every new occupant of a property, residence, commercial location, industrial location or any other location, or establishment that has or requires an individual water service. The fee is not payable by an owner (landlord) when a tenant vacates and the owner takes on the responsibility of the water service.

2.0 PREPAYMENT CHARGE \$200.00

A prepayment charge is payable by residential renters in advance to obtaining water service from the Town of Morinville. The prepayment charge is in the amount of \$200.00 for residential meters of 15mm (5/8") size. For renters of non-residential facilities, the prepayment charge shall be based on meter size as follows:

20mm (3/4") Meter		\$200.00
25mm (1") Meter	=	\$200.00
40mm (1 1/2") Meter	=	\$255.00
50mm (2") Meter	=	\$445.00
75mm (3") Meter	=	\$636.00

**TOWN OF MORINVILLE  
PROVINCE OF ALBERTA**

BYLAW 17/2009

SCHEDULE 'A'

Page 2

An owner of a property may become a guarantor on a utility account by filling out the appropriate form that states he or she will guarantee that the renter of the property will pay for all utility charges. In the event of default on payment, the owner thus becomes liable for the utility charges for that property. If the owner acts as the guarantor, the Town of Morinville may waive the fee of \$200.00.

The Town of Morinville may waive the prepayment charge if the applicant has an account in good standing for the previous six months. The Town of Morinville may also increase the payment charge based on past historical payment history.

For utility accounts held by renters, the prepayment charge will be refunded when service has been discontinued.

3.0 RECONNECTION FEES – during regular office hours \$50.00

Reconnection fees are payable by users when the water supply to the property has been turned off due to an unpaid utility bill.

4.0 METER TEST

4.1 Meter Test, up to 1" size at cost for each test (\$50.00 to be paid in advance).

4.2 Meter Test, over 1" size at cost for each test (\$75.00 deposit required in advance).

Any user requesting that a service reconnection or any other service to be performed by Town forces after regular office hours will be charged double the normal fee for the service requested.

5.0 BUILDINGS UNDER CONSTRUCTION

An unmetered rate for buildings under construction per building permit is a minimum of \$250.00.

The rate is for the use of water during building construction only. Water meter must be installed prior to use of water for seeding, sodding, compaction or any other uses.

6.0 OTHER SERVICES

Meter Repairs - other than residential - at cost.

Resealing Meters - \$30.00

7.0 PENALTIES

Two and one half percent (2.5%) of unpaid current utility bill.

Unauthorized use of water - \$100.00

**TOWN OF MORINVILLE  
PROVINCE OF ALBERTA**

BYLAW 17/2009

SCHEDULE 'A'

Page 3

**8.0 SALE AND REPAIR OF WATER METERS**

One 15mm (5/8") water meter will be supplied to each residential property at no charge. Repairs necessitated to these residential meters through normal operation and wear will be repaired by the Town and will be considered as an operation expense and as such charged to the Water Department.

The Town will sell to the property owner, other than a residence, water meters at cost including fittings etc. Repairs and replacement of meters at businesses, including apartments, is the responsibility of the property owner and will be charged at cost.