

**TOWN OF MORINVILLE
PROVINCE OF ALBERTA
MORINVILLE WATER RATES BYLAW
BYLAW 13/2019
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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:

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

1.0 DEFINITIONS

- 1.1 **"CAO"** means the Chief Administrative Officer (CAO) appointed by the Council of Morinville, Alberta, or an employee of the municipality as designated by the Chief Administrative Officer.
- 1.2 **"Inspector"** means the CAO or the individual(s) designated or appointed by the CAO, including a Peace Officer;
- 1.3 **"Municipal Government Act"** means the Municipal Government Act, RSA 2000 Chapter M-26 as amended or legislation substituted therefor;
- 1.4 **"Municipality"** means the municipality of the Town of Morinville, or a Department or Division operating within the organizational structure of the Town of Morinville;
- 1.5 **"Owner or Property Owner"** (pursuant to Section 1.1(u) of the MGA and any amendments made from time to time) means:
- 1.5.1 in respect of unpatented land, the Crowns,
- 1.5.2 in respect of other lands, the person who is registered under the Land Titles Act as the owner of the Fee-Simple Estate in the land, and
- 1.5.3 in respect of any property other than land, the person in lawful possession of it.
- 1.6 **"Peace Officer"** means a member of the Royal Canadian Mounted Police, a Bylaw Enforcement Officer, or a Special Constable appointed pursuant to provisions in the current Police Act of Alberta;
- 1.7 **"Person"** means an individual, association, partnership, body corporate, Municipal Corporation, provincial or federal agency, and the heirs, executors, administrators or other legal representative of a person, or an agent or employee thereof.



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- 1.8 **"Violation Tickets and Penalties"** Where a Peace Officer believes that a person has contravened any provision of this bylaw, he/she may proceedings by issuing a summons by means of a violation ticket in of the Provincial Offences Procedure Act, R.S.A. 2000, c.P-34; Part 2
- 1.9 **"Water"** means water supplied by the Municipality; and
- 1.10 **"Water Demand Management Measures"** means restrictions upon the use of water for non-essential purposes, including but not limited to: irrigation, washing of vehicles, driveways or sidewalks, and any other purpose where water is utilized externally to a building and on any certain day or for a certain time period.

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 property owner (hereinafter referred to as "the User"), 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 **No Guarantee of Continuous Supply**


2.2.1 The Municipality does not guarantee or warrant the continuous supply of water services and the Municipality reserves the right to change the operating pressure, restrict the availability of water services or to disconnect water services, in whole or in part, with or without notice, in accordance with this Bylaw;

2.2.2 Customers depending upon a continuous and uninterrupted supply or pressure of water or who require or have processes or equipment that require particularly clear or pure water shall provide such facilities, as they are considered necessary, to ensure a continuous and uninterrupted supply, pressure or quality of water required for this use. The Municipality assumes no responsibility for same; and

2.2.3 The Municipality shall not be liable for damages, including losses caused by a break within the Municipality's waterworks system or caused by the interference or cessation of water supply including those necessary or advisable regarding the repair or proper maintenance of the Municipality's waterworks system, or generally for any accident due to the operation of the Municipality's waterworks system or for the disconnection of service connection nor by reason of the water containing sediments, deposits, or other foreign matter.



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2.3 Services provided to Renters

Services being provided to renters prior to July 1, 2016 will remain in effect until one of the following conditions are met:

- i) There has been a disconnection of water supply for account arrears
- ii) When the renter vacates
- iii) A tenant is in arrears past 120 days and there are not separate shut off valves in a multi-occupied building

If any of the above conditions occurs, the responsibility for all utilities will thereafter be the responsibility of the registered owner of the property and any deposit held on renter accounts will be refunded to the tenant. A previous tenant's utility arrears are not required to be paid in order to open an account in the owner's name and will not be the responsibility of the owner. Any tenant arrears will be sent to collection.

In all cases after July 1, 2016, the property owner shall be liable for the cost of utilities supplied to a property, regardless of whether the property is occupied by the owner or a tenant.

2.4 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.

2.5 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 the service connection.

2.6 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.

2.7 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.



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2.8 Illegal Use of Water

The User shall in no way attempt to obtain water from the connection through bypasses 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. As such there shall be no water equipment or device between the service piping and the water meter such as water softeners, iron filters, etc.

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 Water Rates

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

2.12 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.

2.13 Readings and Billings

The Town shall take readings from the water meters on a monthly basis. The utility bill, based on consumption of water in accordance with the rates set out in Schedule "A" hereto, shall be mailed or emailed 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 can be made at: St. Germain Place, between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday, except holidays. Payment may also be made on-line, telephone banking, most financial institutions in Canada or through pre-authorized payment plan. Failure to receive a utility bill shall in no way affect the liability to pay the account.

2.14 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.



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2.16 Authority

The Town has the authority to complete general maintenance and/or management and operation of the waterworks system.

2.16.1 In the event any utility charges shall remain unpaid after the penalty date, the Town may take any or all of the following actions to recover:

- Written notice of arrears requesting payment, including authorizing appropriate payment arrangements
- Disconnection of water service, applying any deposit held by the Town and imposing a re-connection fee prior to re-establishing water services
- Adding the outstanding account balance to the owners Property Tax Roll
- By action, in any court of competent jurisdiction

2.17 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.

2.18 Manufactured Home Park

Unless otherwise noted within a signed development agreement with 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.

2.19 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, purchase and installation 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.



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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.

2.20 Water for Construction

A person who has received a building permit for a property and who wishes to receive a temporary supply of water for construction and the testing of fixtures on that property may apply through the Planning and Development department to receive a supply of water from the Town subject to rates as per Schedule "A". The fee under Schedule "A" must be paid in full at the time that the application is submitted to the Town. Construction water is for use in building activities only and a water meter must be installed prior to use of water for the purposes of landscaping and grading activities such as seeding, sodding, compaction or other similar uses.

3.0 WATER DEMAND MANAGEMENT MEASURES

- 3.1 The CAO may, at such times and for such lengths of time as is considered necessary or advisable, implement Water Demand Management Measures; as outlined in Schedule B of this Bylaw, which restrict water usage to any or all parts of the Town. The CAO may impart measures to restrict, regulate or prohibit outdoor water use for any purpose other than for firefighting.
- 3.2 All Water Demand Management Measures shall be duly advertised by use of local media, printed or otherwise, prior to effect, unless in the event of an emergency which measures may be declared to be effective immediately;
- 3.3 No person shall contravene the terms or conditions of any Water Demand Management Measures without first obtaining written authorization from the Town; and
- 3.4 Water Demand Management Measures may be requested by the Regional Water Customer Group; however, direction for implementation within the municipality will be given by the CAO.
- 3.5 During such periods as the CAO may designate:
- 3.5.1 No person or owner shall use, permit, or allow to be used, any water supplied to any premises, the numerical address of which (excluding street name) ends in odd number, for vehicle washing, lawn watering or other irrigation purposes on any day of the month which is an even number; and
- 3.5.2 No person or owner shall use, permit, or allow to be used any water supplied to any premises, the numerical address of which (excluding street name) ends in an even number for vehicle washing, lawn watering, or other irrigation purposes, on any day of the month which is an odd number.



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4.0 WATER CONSERVATION

4.1 Water efficient plumbing fixtures

4.1.1 All new construction, development, renovation, retrofitting or restoration of residential, commercial, institutional, industrial or municipal buildings are required to have water efficient plumbing fixtures which Under the National Plumbing Code adopted by Alberta, every fixture must conform to Canada Standards Association (CSA) standard B45 .0 General Requirements for Plumbing Fixtures and every plumbing faucet to CSA standard B 125-98 Plumbing Fittings, as applicable. The fixture should have the CSA mark prominently stamped on it or on the package, or it must have an identifying mark from a testing agency recognized by the Standards Council of Canada.

4.1.2 Notwithstanding section 4.1.1, all toilets must be low-flush or dual-flush toilets rated 6 Liters per flush (Lpf) or less.

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 there from and to be enacted as such.


That Bylaw 15/2018 is hereby rescinded when Bylaw 13/2019 receives third and final reading.

READ for a first time the 22nd day of October, 2019.

READ for a second time the 12th day of November, 2019.

READ for a third time the 10th day of December, 2019.


Barry Turner
Mayor


Stephane Labonne
Chief Administrative Officer

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Schedule "A"

WATER CUSTOMER FIXED ADMINISTRATIVE FEE \$4.65 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 \$2.60 per cubic meter of actual water used.

Service Capacity Fixed Charge (waterline charge)

Imperial	Metric	Monthly Rates
5/8"	15mm	\$21.70
3/4"	20mm	\$31.26
1"	25mm	\$55.58
1 1/2 "	40mm	\$125.05
2"	50mm	\$222.30
3"	75mm	\$500.22
4"	100mm	\$625.29

SPECIAL SERVICES

1.0 CONNECTION FEE \$35

The service fee is payable in advance to obtaining water service from the Town of Morinville. This one-time flat fee is payable by every new account that requires water service. The fee is payable by an owner when a tenant prior to July 1, 2016 vacates and / or water services are scheduled for disconnection due to arrears.

2.0 RECONNECTION FEES

2.1 During regular office hours (Monday to Friday 7:00 am to 3:30 pm): \$50

2.2 Reconnection fee outside of regular business hours (as stated above) will include the on-call surcharge of two hours at overtime rates as per the Collective Agreement.

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

3.0 METER TESTING

3.1 Contracted Meter Testing up to and including 1" size at cost for each test to be paid in advance.

Bench: \$25.50 (meter removed and replaced - test back at the shop)

In-situ: \$75.00 (meter tested in place as is with a test port)

Field test: \$85.00 (meter removed and tested using a fire hydrant)

3.2 Meter testing, over 1" size at cost for each test to be paid in advance:

Bench: \$165.50

In-situ: \$250.00

Field test: \$295.00

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


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Schedule "A"

service requested.

4.0 OTHER SERVICES

4.1 Meter Repairs - other than residential - at cost.

4.2 Resealing Meters -No charge.

6.0 WATER FOR CONSTRUCTION

For single detached, semi-detached and duplexes
residential units: \$50.00 per building

For all other construction: \$0.50 per \$1,000.00 of
construction value as
reported on the
building permit, to a
maximum of \$1,000.00
per building

7.0 PENALTIES

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

7.2 Unauthorized/illegal use of water under provision of this bylaw:

First offence: \$500
Second offence: \$1,000
Third and subsequent offences: \$2,500

7.3 Continuing offences:

In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.


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Schedule B**

WATER DEMAND MANAGEMENT MEASURES

Demand Measure "A" - Internal water restrictions only. No customer water restrictions implemented.

Trigger Mechanisms	When May Happen
Water Demand Management Measure "A" is only typically implemented for local internal water restrictions. This measure "A" does not affect residents/customers. Internal water restrictions only. No customer water restrictions implemented.	Severe dry weather: 1. EPCOR notification per Water Supply Agreement. Demand prediction that EPCOR's reservoirs will be below 35% within the next 10 days. 2. RWCG Water Management of the highest 5 days or a minimum of 3 RWCG member reservoir levels are predicted to be below 65% within the next 24 hours
Steps	Responsibilities
RWCG (Control Room) to determine draw rates for the RWCG Members and adjust / recommend system flow rates to members to ensure consistent / equitable water supply amount among all members.	Chair of the RWCG Technical Committee or designate
Morinville to suspend all non-essential potable water use such as: Water main flushing Sewer main flushing Firefighting training Street sweeping Parks irrigation	CAO through Morinville Public Works Department
Termination Mechanisms/Actions	Responsibilities
EPCOR's forecast says high 5 days is over. RWCG reservoirs will recover to 80% capacity within the next 24 hrs. Received notification that emergency has passed.	Chair of the RWCG Technical Committee or designate
Resume normal operations.	CAO through Morinville Public Works Department

Demand Measure "B" - Internal water restrictions and appeal to customers for voluntary water reduction.

Trigger Mechanisms	When May Happen
Water Demand Management Measure "B" is implemented to the rest of the RWCG members if 3 or more members are entering into this condition.	Prolonged severe dry weather: 1. EPCOR notification per the Water Supply Agreement. Demand forecasts predict EPCOR's reservoirs will be below 35% within the next 5 days. 2. RWCG Water Management of the highest 5 days or a minimum of 3 RWCG member reservoir levels are predicted to be below 50% within the next 24 hrs
Steps	Responsibilities
RWCG (Control Room) to determine draw rates for the RWCG Members and adjust / recommend system flow rates to members to ensure consistent / equitable water supply amount among all members.	Chair of RWCG Technical Committee or designate

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All customers including industrial, commercial and institutional, are asked to cooperate in suspending all non-essential potable water use in addition to demand measure "A" such as: <ul style="list-style-type: none"> - Watering lawns - Washing driveways and sidewalks - Filling pools or fountains 	<ul style="list-style-type: none"> - Morinville Public Works Department to issue notification to all customers. - Corporate Operations to provide Bylaw enforcement as applicable.
Termination Mechanisms/Actions	Responsibilities
EPCOR's forecast says high 5 days is over. RWCG reservoirs will recover to 80% capacity within the next 24 hrs. Received notification that emergency has passed.	Chair of the RWCG Technical Committee or designate
Resume normal operations.	CAO through Morinville Public Works Department provides notification to customers.

Demand Measure "C" - Complete water ban for both internal staff/departments and all customers

Trigger Mechanisms	When May Happen
Water Demand Management Measure C is implemented to the rest of the RWCG members if 3 or more members are entering into this condition.	Prolonged severe dry weather, water system/reservoir failure, system contamination 1. EPCOR notification per Water Supply Agreement. Demand forecasts predict EPCOR's reservoirs will be below 20% within the next 3 days. 2. RWCG water management of High 5 Day or a minimum of 3 RWCG reservoir levels are predicted to be below 35% within the next 24 hours
Steps	Responsibilities
RWCG (Control Room) to determine draw rates for the RWCG Members and adjust / recommend system flow rates to members to ensure consistent / equitable water supply amount among all members.	Chair of the RWCG Technical Committee or designate
All customers including industrial, commercial and institutional, are required to suspend all non-essential potable water use.	<ul style="list-style-type: none"> - CAO through Morinville Public Works Department to issue notification to all customers. - Corporate Operations to provide Bylaw enforcement as applicable.
Termination Mechanisms/Actions	Responsibilities
EPCOR's forecast says highest 5 days are over.	Chair of the RWCG Technical Committee or designate
Resume normal operations or move to Water Demand Management Measure "B"	CAO through Morinville Public Works Department provides notification to customers.