

**TOWN OF HARDISTY
BYLAW NO. 1101/06**

A BYLAW OF THE TOWN OF HARDISTY ENACTED FOR THE PURPOSE TO AUTHORIZE THE MUNICIPAL COUNCIL TO OPERATE THE SUPPLY OF PUBLIC UTILITIES AND SERVICES PROVIDED BY THE MUNICIPALITY AND THE LEVYING AND COLLECTING OF FEES AND CHARGES THEREFOR.

WHEREAS under the provisions of Section 7 of the Municipal Government Act, being Chapter M-26, S.A. 2000, and amendments thereto, the Council has been granted the authority to pass bylaws for municipal purposes respecting public utilities and services provided by or on behalf of the municipality; and

WHEREAS the Town of Hardisty provides a water supply and distribution system, a sewage collection and disposal system, a waste disposal service, and an ambulance service; and

WHEREAS it is necessary to make a charge against the property owners and others for whose convenience the said utilities and services have been provided.

NOW THEREFORE the Municipal Council of the Town of Hardisty duly assembled **ENACTS AS FOLLOWS:**

1. Any person or persons making application for utility services or to whom services are rendered from the Town shall pay, at the Town Office, a service charge of \$10.00.
2. A charge shall be made for the use of water supply and distribution system, sewage collection and disposal system, for the provision of a waste disposal service, and for the provision of an ambulance service against the owners of all land which is served by the said system or service in the Town of Hardisty according to rates hereinafter set from time to time by resolution of Council (Schedule A attached).
3. A charge shall be made for the use of water supply and distribution system, sewage collection and disposal system, for the provision of waste disposal service, and for the provision of an ambulance service against the occupant of a parcel of land who is not the owner upon the receipt of a deposit equal to two (2) billings. The deposit will be held in trust until the service is no longer required. If in any case money deposited with the Town by any person, firm or corporation has a guarantee deposit for the payment of accounts of the Town with respect to water, sewer, waste, or

other utilities remains unclaimed for a period of five (5) years after the account of the person, firm or corporation so depositing it has been discontinued, the amount of the deposit shall be transferred to the general revenue account of the Town. The Town remains liable to repay the amount of the deposit to the person, firm or corporation lawfully entitled to it for a period of ten (10) years following the discontinuation of the account but after the ten (10) year period the deposit becomes the absolute property of the Town free from any claim in respect thereof. Deposits are transferable to another account occupied by the person paying the deposit.

4. The rates hereby imposed shall be payable monthly by the owner or occupant on or before the 28th of the month following the billing date which shall be set out on the notice mailed or delivered to the owner in each month, and in default of payment of the said rates after the day named, the Town shall have the right to disconnect the water supply to such owner or shall have the right to enforce payment of the said rates by transfer of the municipal services to the owner's tax account.
5. All users of water service must allow the Town to install a water meter in a convenient place on the owner's premises and the Town or its' duly authorized agent shall have the right to enter upon the owner's premises at periodic intervals to inspect the said meter and determine the amount of water used;
6. The water meters shall at all times remain the property of the Town of Hardisty and shall not be tampered with or interfered with at any time by the user of those under his control. Any damage to the said meter shall be paid for by the individual or firm using the water services, on the basis of costs of parts required plus **TWENTY DOLLARS (\$20.00)** labor charge.
7. No person other than the Public Works Operators or their duly authorized agent shall turn off or turn on the water supply from the Town supply system to the owner's premises or attempt to do so.
8. The cost of connecting up an owner's services with the Town at the property line of the owner shall be borne by the owner, but no such connections shall be made without notice to the Town of Hardisty and until such time as the proper inspections have been made to ensure compliance with Town standards and Provincial plumbing standards. For Large Lot Residential parcels the Town will pick up the first \$500.00 for servicing when services become available in the area.

9. No subscriber of a Town utility system/service shall by gift or otherwise discharge any of the services of the said systems, for use outside the property for which the services are rendered.
10. If a person, firm or corporation:
 - (a) willfully or maliciously hinders or interrupts or causes or procures to be hindered or interrupt, the Town of its contractors, servants, agents, workman or any of them in the exercise of any of their powers and authorities related to public utilities authorized by or contained in the Municipal Government Act;
 - (b) willfully or maliciously lets off or discharges water so that it runs waste or useless;
 - (c) not being in the employment of the Town and not being a member of the fire department and authorized in that behalf, willfully opens or closes any hydrant or obstructs the free access to any hydrant stop-clock, chamber pipe or hydrant chamber by placing on it any building material, rubbish or other obstruction;
 - (d) throws or deposits any injurious, noisome or offensive matter into the water or water works or on the ice in case that water is frozen or in any way fouls the water or commits any willful damage or injury to the works, pipes or water or encourages it to be done;
 - (e) willfully alters a meter placed on any service pipe or connected with it inside or outside any house, building or other place so as to lessen or later the amount of water registered by it, unless specifically authorized by the municipality for that particular purpose and occasion;
 - (f) lays or causes to be laid or attached any pipe or main or wire rod to communicate with a any pipe or main or wire or rod of the public utility or anyway obtains or uses any water thereof without consent of the town;
 - (g) washes or cleanses cloth, wool, leather, skin or animals or places any nuisance or offense thing within the distance of 1.6 kilometers above the source of supply for the water works, in any river, pond, creek, spring or

source of fountain from which the water of the water works is obtained, or conveys, casts, throws, or puts any filth, dirt, dead carcass or other noisome or offensive thing therein or within the distance as above set forth, or causes, permits or suffers the water of any sink, sewer or drain to run or to be conveyed in it or causes anything to be done whereby the water therein may be in any way tainted or fouled;

- (h) willfully, and without authority, enters, interrupts or cuts off the supply of public utility; is guilty of an offense and liable to a fine of not more than \$1000.00.
- 11. That in the event a public utilities and services bill remains unpaid for a period of TWENTY EIGHT (28) days after the due date stated on the invoice, the Public Works Foreman shall cause a written notice to be served on the delinquent consumer advising that the public utility will be disconnected within SEVEN (7) additional days unless the account is paid in full. If the bill remains unpaid after the deadline on the written notice, the Public Works Foreman shall order a notice be delivered or posted at the residence giving the consumer FORTY-EIGHT (48) hours to bring the account into good standing, failing which the Public Works Foreman shall order that the service to be disconnected. The fee payable to the Town for shutting off or discontinuation of service shall be \$50.00.
- 12. Any service, which is discontinued for reason of non-payment, shall pay a service charge of \$80.00 in addition to those as set out in paragraphs 1,3 and 12 above before services are re-instated.
- 13. Any charges provided for under this by-law shall constitute debts recoverable by action in accordance with the Municipal Government Act.

14. By-laws No. 1020/00 and 1009/99 are hereby repealed.

15. This by-law shall take effect on the day of the final passing thereof.

READ A FIRST TIME THIS 3rd DAY OF March, 2006

READ A SECOND TIME THIS 3rd DAY OF March, 2006

READ A THIRD TIME AND FINALLY PASSED THIS 3rd DAY OF March, 2006



MAYOR - Anita Miller



CAO - Tony Kulbisky