

**BYLAW 1071  
OF THE TOWN OF CASTOR**

A BYLAW TO PROVIDE FOR THE LEVYING AND COLLECTING OF CHARGES AND RATES FOR WATER SERVICE, SEWER SERVICE, GAS SERVICE, AND GARBAGE SERVICE.

**WHEREAS**, the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000, hereinafter referred to as the “M.G.A.” provides for Council to pass bylaws, and;

**WHEREAS**, the Municipal Council of the Town of Castor deems it necessary to raise such funds as required in order to finance these services;

**NOW THEREFORE**, the Council of the Town of Castor, duly assembled, enacts as follows:

**1. General**

- a) **SHORT TITLE:** This bylaw may be cited as the “Utilities Bylaw”.
- b) That the rates set forth in this Bylaw are subject to review and adjustment from time to time as Council sees fit.
- c) The Owner of the property, whether they are the occupant or the landlord, shall be responsible for the amount owing for any utility service provided by the Town or through a service contracted by the Town.
- d) The Owner of the property, whether they are the occupant or the landlord, may not request utilities shut off to a residence or business if the building is occupied.

**2. Default of Payment**

- a) All utility invoices unpaid after a period of Thirty (30) days, the following procedures will take place:

- i. A letter to be sent warning of the cut-off of utility services for unpaid invoices if not paid within ten (10) days.
  - ii. A telephone call will be made warning of cut-off on (1) day prior to cut-off.
  - iii. Cut-off to occur at the end of the ten (10) unpaid days.
  - iv. A penalty of 2% interest shall be charged on the outstanding balance on account each month, on a cumulative basis.
  - v. Outstanding utility charges shall be transferred to taxes pursuant to the Municipal Government Act, R.S.A. 2000, Chapter 26.1, Section 553 (1)(b).
- b) Utility services herein provided may be discontinued on default of payment of the consumers account. The charge for reconnection shall be \$50.00.
- c) Utility service charges in default shall constitute a debt owing to the Town and shall be subject to collection by any legal process the Town deems necessary to recover said debt.

### **3. Delegation of Authority**

The Municipal Council of the Town of Castor hereby delegates to the C.A.O. the power to:

- i. Establish regulations for the general maintenance or management or conduct, of any employee of the utilities and of any other employees employed in connection with the utility services;
- ii. Collect the rates or charges in connection with any utility;
- iii. Enforce payment of those rates or charges by all or any of the following methods, namely:
  - a. By shutting of the service being supplied to the consumer or discontinuing the service thereof;
  - b. By transfer to taxes pursuant to Section 553 (1)(b) of the Municipal Government Act, R.S.A. 2000, Chapter M-26.1 as amended;

- iv. Enforce the terms and conditions under which the utility is supplied either:
  - a. By enforcing this bylaw; or
  - b. By enforcing any agreement made between the Town as supplier and consumer;
  - c. By enforcing Provincial regulations

Including discontinuing the utility being supplied to the consumer or discontinuing the service thereof until the consumer complies with the terms and conditions of this Bylaw or provincial regulations.

#### **4. Water System**

##### **a) Water Supply**

- i. That the source of treated water for the Town of Castor shall be the Shirley McClellan Regional Water Services Commission.
- ii. All Residential, Commercial, Institutional and Industrial facilities using water will be required to connect to the Town's water system.

##### **b) Distribution**

- i. That all water consumed from the Town of Castor Distribution System shall be recorded through a meter of sufficient size to meet the type of service being used.
- ii. That the Town of Castor shall install such meters, as are required, supplied by any manufacturer which the Town deems reputable.
- iii. That upon installation each meter shall be sealed by means of lead seal fastened securely to the meter and leaving stamped upon thereon the letters "CWW".
- iv. No person shall tamper with, break or remove any seal installed by the Town on any valve or flagged outlet on water service connections or water metering facilities except in the case of an emergency.

c) Installation

- i. The installation charges for new construction are covered under the Alberta Building Code.
- ii. For each subsequent installation connection carried out at the request of a resident or owner, the charge shall be \$50.00.
- iii. Costs to relocate a water meter will be incurred by the owner of the property and will be inspected by the Town of Castor at a cost of \$50.00.
- iv. All new and replacement water line, whether public or private property must use municipal grade pipe and fittings.

d) Rates

- i. Invoices for water consumption will be made out and sent to customers on a monthly basis.
- ii. All water consumers shall pay to the Town of Castor upon receipt of their invoice, which shall be calculated using the following rates:

5/8 inch meter	\$60.00 for the first 3,000 gallons or 13.63 cubic metres.
3/4 inch meter	\$120.00 for the first 6,000 gallons or 27.27 cubic metres.
1 inch meter	\$240.00 for the first 12,000 gallons or 54.55 cubic metres.
1 ½ inch meter	\$480.00 for the first 24,000 gallons or 109.10 cubic metres.
2 inch meter	\$960.00 for the first 48,000 gallons or 218.20 cubic metres.
3 inch meter	\$1,920.00 for the first 96,000 gallons or 436.22 cubic metres.

- iii. All water consumers shall pay an additional \$15.00 per thousand gallons or 4.54 cubic metres in excess of the minimums set out in Section "b".

- iv. All water consumers shall pay a water system Capital Reserve fee of \$10.00/month.
  - v. These rates shall not be subject to GST.
- e) Meter Reading/Maintenance/Testing
- i. Each water meter shall be read at such times or intervals as the Town may designate.
  - ii. If any water meter has, in the opinion of the Town, failed to accurately register the flow of water through the meter since the last reading, the water charge shall be adjusted to the greater of the recorded amount or the minimum rate for water supplied to the premises.
  - iii. In the event that the Town is unable to read the water meter due to the inaccessibility of the water meter, or for any other reason, the Town shall estimate and establish the charges based on:
    - a. The average consumption of the previous three (3) billing periods, or
    - b. The minimum rate for water supplied to that premises, whichever is greater.

Payment of an estimated amount shall not excuse the consumer from liability for payment of a greater amount which may be owing after a meter is read.
  - iv. Water meters may be removed by the Town for maintenance and testing on a periodic basis. The Town may require that a water meter be tested on site or be removed and tested.
  - v. A consumer may request the Town to test a water meter located on the consumer's premises. If the water meter is found to be measuring within two (2) percent of accuracy, the consumer shall pay a fee of \$100.00 plus costs incurred to test the meter.
  - vi. In the event of an emergency, the Town may shut off the water, without prior notice.

f) Liability for Damages Incurred

- i. Except as provided for in the Municipal Government Act, R.S.A. 2000, Chapter M-26.1 and amendments thereto, or other relevant legislation, the Town is not liable for damages:
  - a. Caused by the break of any Town water main, water service connection or other pipe for the settlement of any excavation or trench made for the installation or repair of any party of the water utility, or
  - b. Caused by the disruption of any supply of water from the water utility when such disruption is necessary in connection with the repairs or proper maintenance of water system.

g) Cross Connections and Backflow Prevention

- i. Any new principle building (commercial, industrial, residential or other) utilizing Town water must have a vacuum breaker device on all hose bibs as required by Canadian Plumbing Code as amended.

h) Willful Act Prohibitions

- i. No person or persons shall:
  - a. Willfully or maliciously hinder or interrupt or cause or procure to be hindered or interrupted the Town or its' contractor, servants, agents, workmen or any of them in the exercise of any of the powers and duties related to water utility system and authorized by or contained in this Bylaw;
  - b. Throw or deposit any injurious, noxious or offensive matter or water contaminant into the water or water system, or in any way foul the water or commit any willful damage or injury to the water or water system or encourage the same to be don;
  - c. Willfully alter or tamper with in any way, any water meter so as to lessen or alter the amount of water registered thereby, unless specifically authorized by the Town for that particular purpose;

d. No person shall install branch supply lines, outlets, or fixtures on the upstream side of a water meter or shut-off valve.

Any person failing to comply with any order made pursuant to Section h) a., b., c., and d. of this ByLaw shall be liable upon summary conviction of a fine not exceeding Two Thousand, (\$2,000.00) dollars exclusive of costs.

i) Delegation of Authority

The Municipal Council of the Town of Castor hereby delegates to the C.A.O. the power to:

v. Establish regulations for the general maintenance or management or conduct, of any employee of the water utility and of any other employees employed in connection with the water utility services;

vi. Collect the rates or charges in connection with the water utility;

vii. Enforce payment of those rates or charges by all or any of the following methods, namely:

c. By shutting of the water being supplied to the consumer or discontinuing the service thereof;

d. By transfer to taxes pursuant to Section 553 (1)(b) of the Municipal Government Act, R.S.A. 2000, Chapter M-26.1 as amended;

viii. Enforce the terms and conditions under which the water utility is supplied either:

d. By enforcing this bylaw; or

e. By enforcing any agreement made between the Town as supplier and consumer;

f. By enforcing Provincial regulations

Including shutting off the water utility being supplied to the consumer or discontinuing the service thereof until the consumer complies with the terms and conditions of this Bylaw or provincial regulations.

- ix. The C.A.O. in consultation with the Public Utilities Committee for the Town of Castor and the SMRWSC deems it necessary they may order the following:
  - a. That those persons occupying even numbered houses shall be permitted to use water for the purpose of watering gardens, trees, shrubs, flowers, or lawns from 6:00p.m. to 9:00p.m. on Mondays, Wednesdays, and Fridays only.
  - b. That those persons occupying odd numbered houses shall be permitted to use water for the purpose of watering gardens, trees, shrubs, flowers, or lawns from 6:00p.m. to 9:00p.m. on Tuesday, Thursdays, and Saturdays only.
- x. That in an emergency of extreme proportions any means of conserving water may be ordered by the Mayor or, in his absence the Deputy Mayor in consultation with Council.
- xi. Any person failing to comply with any order made pursuant to Section i)(v)(a.) and (b.) of this ByLaw shall be liable upon summary conviction of a fine not exceeding One Hundred (\$100.00) dollars exclusive of costs.

## **5. Sewer System**

- a) Every person, firm or corporation being registered owner or purchaser entitled to possession under an agreement for sale, or the occupant of the property served directly or indirectly by a connection with the sewage system of the Town of Castor shall pay the sewage service charge as follows:
  - i. Each domestic service \$25.00 per month
  - ii. All services not classified in subsection (i) shall be liable to a monthly invoice for sewage services equal to twenty-five (25) per cent of the



monthly water charges. The minimum monthly sewer charge shall be \$25.00 per month.

- b) These rates shall not be subject to GST.

### **6. Waste Collection and Disposal System**

- a) That all domestic, commercial, industrial, and institutional places of residential and commercial use shall be charged a monthly service fee for the collection and disposal of waste.
- b) That the fees hereafter listed shall be charged a monthly fee based on which type of service is provided and shall be billed on a monthly basis in the same manner as water, sewage and natural gas utility service.
  - i. That any commercial, industrial and institutional places which receive five weekly pick-ups shall be charged a rate of \$71.00 per month.
  - ii That any commercial, industrial, and institutional places which have two weekly pick-ups shall be charged a rate of \$36.00 per month.
  - iii That all residential and commercial customers which receive weekly garbage pick-up shall be charged a rate of \$18.00 per month.
- e) These rates shall not be subject to GST.

### **7. Natural Gas Transmission and Distribution System**

- a) That the following Fixed Charges and Commodity charges shall be charged to the Town of Castor Natural Gas Customers.

Fixed Monthly Charge: \$30.00 per month

Commodity Charges: Shall be calculated at a rate of \$1.90 per gigajoule above the cost of gas as charged by Gas Alberta Ltd. or the market price listed in the Intra-Alberta Monthly Gas Price.

Minimum Monthly Charge

\$30.00 per month

- b) That the rates set out in Section a) apply to and shall commence with the monthly billing scheduled for January 1<sup>st</sup>, 2019 for all natural gas consumption for the period forward.
- c) That a charge of \$25.00 shall apply to any new construction or subsequent connection at the request of the owner or occupier.
- d) No new construction such as a deck, stairway, or addition shall impede the servicing of the gas meter, riser, or gas line. Proper placement of gas services will be determined by the Town staff. Any work to relocate meters is at the owner's cost.
- e) Should a natural gas customer wish to keep a natural gas service in place, but not actively using natural gas, an annual operating charge of one-half (1/2) the normal operating charge will be levied. Should a customer become in default of payment the Town of Castor shall have the right to remove the service for non-payment.
- f) In the event that the owner elects to have the idle riser service removed, then later applies to have the natural gas service re-installed, the owner shall pay the current year's customer service installation cost. The cost to remove the service shall be charged to the customer.

#### **Effective Date**

- a) The rates herein provided shall apply to all utilities delivered from the 1<sup>st</sup> day of January, 2019 with scheduled billing date of January 15, 2019.

#### **Repeal**

- a) Bylaw number 1037

Introduced and read a first time on the 16 Day of December, 2019.

Read a second time on the 16 Day of December, 2019.

Third and final reading given on the 16 Day of December, 2019.

Original Signed \_\_\_\_\_

Mayor

Original Signed \_\_\_\_\_

Chief Administrative Officer