

BYLAW 523-11

**A BYLAW OF THE VILLAGE OF WARNER, IN THE PROVINCE OF ALBERTA, TO
REGULATE AND CONTROL THE VILLAGE'S WATER, SEWER, SANITATION AND
MISCELLANEOUS FEE STRUCTURE**

WHEREAS:

The Village of Warner, being a Municipal Corporation in the Province of Alberta, owns and operates Water, Sewer and Sanitation systems as public utilities, and

WHEREAS:

Pursuant to Sections 7(g), 8(c)(i), 33 to 44 and 63(2)(a), 64, 65, 66, 67, 68 and 69 of the Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26, the Village has the authority to enact a Bylaw affecting and controlling public utilities, and

WHEREAS:

It is deemed necessary to revise, update and consolidate the Village's utility bylaws,

NOW THEREFORE: Council of the Village of Warner, in the Province of Alberta, duly assembled, enacts as follows:

1. Property Owners Responsibility Section 42 - Municipal Government Act

1.1 Utility accounts will not be established by the Village for a person(s) who has an overdue or outstanding utility account with the Village.

1.2 Failure to receive a utility invoice is not considered sufficient reason for non-payment of the account.

2. New Owners



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2.1 The property owner is responsible to advise the Village of any sale of property and to provide the contact information of the person or company to whom the property has been sold.

2.2 An Administration Fee as per Schedule A will be levied to both the seller and the new owner of the property for costs associated with finalizing one account and creating a new account.

3. New Water Meters

3.1 The property owner of a new building must acquire a water meter from the Village. The Village covers the cost of the meter. It is the owner's responsibility to hire and pay a qualified plumber for installation of the meter.

3.2 A Utility Account will be set up immediately, in the owner's name, following the installation of a meter in a new building.

3.3 If the meter needs to be replaced (if not deemed faulty), the property owner is responsible for the cost of a new meter.

4. Water Disconnect and Reconnect

4.1 The owner of a new property may request water shut-off at a fee as per Schedule A to avoid receiving a monthly invoice for an unoccupied building. A fee as per Schedule A will be levied to turn the water back on.

4.2 If an owner of an existing property requests Public Works to physically shut-off the water at the Curb Stop valve, the owner will be levied fees as per Schedule A for both the disconnect and the re-connect.

4.3 Notwithstanding 4.1 and 4.2, if water is disconnected at a vacant dwelling the property owner will continue to be invoiced for garbage and sewer fees.

5. Replacement Water Meters and Meter Readings



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5.1 If an existing building requires a replacement water meter for any other reason than a faulty meter, the property owner will be responsible for the cost of the meter.

5.2 If Public Works is requested to read a water meter for any reason other than change in the utility account, an Administration Fee as per Schedule A will be levied.

5.3 If Public Works is asked to remove and inspect a water meter which is found not faulty, an Administration Fee as per Schedule A will be levied.

6. Overdue Utility Accounts, Outstanding Utility Accounts and Collection

6.1 An interest charge of two percent (2%) per month will be imposed on outstanding accounts payable to the Village of Warner which remain unpaid after thirty (30) days from the date of the billing of the account.

6.2 Pursuant to Section 553(1)(b) of the Municipal Government Act, Overdue Utility Accounts, including those of tenants, which remain unpaid after ninety (90) days may be added to the property owner's taxes (of the same municipal address).

6.3 If a house is being sold, any outstanding utility account balance may be added to the property owner's taxes.

6.4 Pursuant to Section 553(2) of the Municipal Government Act, upon being added to the property owner's tax levy, the outstanding amount is subject to the requirements of the tax bylaw.

6.5 Inactive, delinquent accounts which have not been added to a tax levy will be sent to a collection agency.

7. Sewer Blockages/Issues

Repairs - Water & Sewer:

(a) Frozen water lines - the Village shall assume the full responsibility and costs for any water service line which may be hereinafter frozen between the property line and the street main. Any water line frozen between the property



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line and the meter shall be the responsibility of the property owner. Any costs incurred by the Village, in thawing frozen lines on behalf of a person, shall be recoverable, subject to penalties, as taxes.

(b) Sewer Blockages

(i) If the blockage is due to physical damage, the Village will be responsible for only the portion of sewer servicing between the main and the connection made to the Village service on or about the property line. The Village will not be responsible for a failure of the connection.

(ii) Any blockages of the service piping to the sewer main due to foreign material introduced to the service, by the owner/occupant, is the responsibility of the property owner.

(iii) If a blockage is caused by roots, the Village will attempt to determine whether the problem trees are on Village or private property. The Village will pay the plumber's bill if it is determined that the trees solely on Village property are responsible for the blockage. If it is determined that trees on both Village and private property are contributing to the problem, a portion of the bill will be paid by the Village.

(iv) If a root problem caused by or contributed to by Village trees recurs:

1. The Village may either inhibit root growth using an approved method, or
2. The Village may have the trees removed, or
3. If the property owner wishes to have the trees left on site, the property owner must sign a release stating that the Village will not be responsible for any further blockage due to roots. This release shall be registered on the property title and shall remain with the property, regardless of ownership.

(v) If the repair of a blockage, which is determined to be the responsibility of the owner, causes any portion of sidewalks, boulevards, curbs, gutters,



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streets or other Village property to be dug up, disturbed or otherwise changed, it shall be the responsibility of the property owner for the cost of repairing damages.

(vi) Costs incurred in determining where and what caused any blockage on the service line, including but not limited to such costs as camera scoping, flushing or de-rooting shall, in the event the owner is found to be responsible, be recoverable from the owner as costs in the same manner as other costs.

8. Utility Fees, Payment, Collection

8.1 That monthly rates for Water be adopted as per Schedule A.

8.2 That monthly rates for Sewer, garbage pick-up, administration fee (street lighting) and waterline loan repayment be adopted as per Schedule B.

8.4 Payments of Utility Accounts may be made at the Village Office, Local Banks, online banking or through the pre-authorized payment plan.

8.5 If payment is not received within 90 days after the date of mailing, the water service will be turned off and will not be turned on until the account, including arrears, a reconnection fee as specified in Schedule "A" are paid in full. Payment must be in cash or by certified cheque only.

9. Rescind Earlier Utility Bylaws

All previous Bylaws relating to utilities are hereby rescinded.

10. Effective Date

This bylaw shall come into effect on the date of its final passing.



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**A BYLAW OF THE VILLAGE OF WARNER, IN THE PROVINCE OF ALBERTA,
TO ESTABLISH UTILITY FEES FOR THE VILLAGE OF WARNER**

SCHEDULE A

WATER RATES

Residential:	\$ 40.00 minimum for 22.73 cubic meters \$ 1.00 per cubic meter overage will apply
Commercial:	\$ 60.00 minimum for 34 cubic meters \$ 1.00 per cubic meter overage will apply

The following fees may be charged at the Villages discretion

Utility Hook-up Administration Fee:	\$ 25.00
Account Finalization Administration Fee	\$ 25.00
New Building Temporary Disconnect of Water	\$ 50.00
New Building Reconnect	\$ 50.00
Water Shut-off at Curb Stop	\$ 50.00
Turn-on at Curb Stop (Reconnection Fee)	\$ 50.00
Water Meter Inspection When Meter Not Faulty	\$ 50.00
Meter Readings (see Item 5.2)	\$ 30.00



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SCHEDULE B

SEWER RATES

Residential & Commercial: \$ 10.00

GARBAGE RATES

Garbage: \$ 15.00


UTILITY ADMIN FEE (street lighting)

Utility Admin Fee: \$ 2.50

WATERLINE LOAN REPAYMENT FEE

Waterline Loan Repayment Fee: \$ 13.00

Updated and Approved by Village Council - This day of May 20th, 2015



Mayor, Tyler Lindsay



Jon Hood, CAO



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TO ESTABLISH UTILITY FEES FOR THE VILLAGE OF WARNER**

SCHEDULE B

SEWER RATES

Residential & Commercial: \$ 10.00

GARBAGE RATES

Garbage: \$ 15.00


UTILITY ADMIN FEE

Utility Admin Fee: \$ 7.50

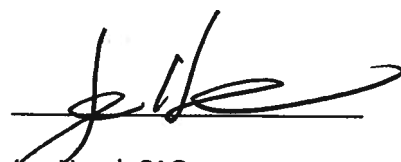
WATERLINE LOAN REPAYMENT FEE

Waterline Loan Repayment Fee: \$ 13.00

Updated and Approved by Village Council - This day of April 19th, 2017



Mayor, Tyler Lindsay



Jon Hood, CAO

