

**VILLAGE OF WARNER
BYLAW 620-23**

**A BYLAW OF THE VILLAGE OF WARNER, IN THE PROVINCE OF ALBERTA, TO REGULATE
AND CONTROL THE VILLAGE'S WATER, WASTEWATER, AND SOLID WASTE**

WHEREAS: The Village of Warner, being a Municipal Corporation in the Province of Alberta, owns and operates Water, Wastewater, and Solid Waste systems as public utilities; and

WHEREAS: The Municipal Government Act R.S.A. 2000 Chapter M-26 and amendments thereto, provides that a Council may pass bylaws for municipal purposes respecting public utilities within the Village of Warner;

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

1. TITLE

1.1. This bylaw may be referred to as the Utility Bylaw.

2. DEFINITIONS

Curb Stop shall mean the device on a water service line used to interrupt or discontinue the supply of water.

Meter shall mean a mechanical and/or electronic device used to measure the amount of water consumed on the premises upon which such meters are situated.

Service Line means an individual connection of a water and/or wastewater line extending from the street main line to the property line of the land and/or building being serviced.

Street Main means that portion of water and/or wastewater line that is system laid down in Village owned land for the purpose of servicing more than one property.

Waterworks shall mean all public water treatment systems, street mains and service lines within the Village of Warner.

3. WATERWORKS

3.1. REGULATIONS

3.1.1. No person, except employees of the Village, shall make any connection or communication whatsoever with any of the public water pipes or mains, unless otherwise approved by Public Works. Upon authorization, an individual assumes full liability for any damage caused while making such connection and will also provide adequate safety provisions during the connection.

3.1.2. New connections of a water service line from the main line to the property line and costs associated with the new connection, shall be the responsibility of the property owner. All water service lines laid down on private property shall be constructed of CSA approved material of equal or better quality to the service lines in the street between the street main and the property line.



- 3.1.3. The Village shall be responsible for the costs of repair to a water service line from the main line to the curb stop. The owner shall assume the full responsibility and costs of repairs to the service line from the property line into the building.
- 3.1.4. After any construction, reconstruction, alteration or change, or the completion of any work requiring a permit, water shall not be turned on to any building or premises until after the whole of the work has been done to the satisfaction of the Village. Water shall be turned on or off only by an authorized employee of the Village.
- 3.1.5. To maintain an adequate supply of water and adequate water pressure within the Village, or in the emergency situations, the Council or CAO may authorize restriction on the use of water.
- 3.1.6. Except as hereinafter provided, no person other than authorized employees of the Village shall open or close or operate or interfere with any valve, hydrant, or fire plug, or draw water therefrom.
- 3.1.7. The Fire Chief of the Village Fire Department, their assistants, officers, and members of the department, are authorized to use the hydrants or fire plugs for the purpose of extinguishing fires, or fire practices, or testing of hose pipe for fire protection. However, all such cases shall be under the direction and supervision of the said Chief or their duly authorized assistants, and in no event shall any inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant or plug.
- 3.1.8. No person shall in any manner obstruct the free access to any hydrant or valve or curb stop. No vehicle, building, or any other matter which would cause such obstruction shall be placed nearer to a hydrant than the property line of the street in which the hydrant is located, nor within five (5) meters of the hydrant in a direction parallel with the said property line.
- 3.1.9. No person shall interfere with, damage or make inaccessible any curb stop due to the construction of sidewalks, pathways, driveways, etc. If it is required to make any repairs or changes to inaccessibility to or damage to curb stops, the owners of the property being serviced by said curb stop shall, in addition to the penalties of this Bylaw, be required to assume all costs involved in said repair.
- 3.1.10. The curb stop shall remain property of the Village. Any and all maintenance of the curb stop shall be the sole responsibility of the Village.
- 3.1.11. The Village shall assume full responsibility and costs for any water service line which may be frozen between the property line and the street main. Any water line frozen between the property 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, and taxes.
- 3.1.12. The Village may, with due notice, shut off the water supplied to the land or premises of any consumer who may be guilty of a breach of non-compliance with any of the provisions of the Bylaw or an Alberta Health or Alberta Environment regulation, and may refuse to turn on the water until satisfied and

assured that the consumer intends to comply with the Bylaw or provincial regulations.

- 3.1.13. When possible, reasonable notice will be provided to all customers, however the Village reserves the right to turn off water service without notice to any or all consumers in an emergency situation. It is hereby declared that no person shall have any claim for compensation or damages as a result of the Village turning off the water service in an emergency situation without notice or from the failure of water supply system from any cause whatsoever.
- 3.1.14. Any person or persons about to vacate a premises that has been supplied with water and/ or who are desirous of discontinuing the use thereof must give notice to the Village, either in writing or by telephone, to shut off the water to said premises. Otherwise, they will be held liable for the accruing rates therefore and for all damage suffered or sustained by the Village and caused by failure to give such notice. There will be a charge associated with water turn on and shut off.

3.2. WATER METER

- 3.2.1. 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 the installation of the meter.
- 3.2.2. The meter shall remain the property of, and shall be maintained by, the Village. The Village will replace any meter that stops working due to normal wear and tear at no cost to the owner.
- 3.2.3. If the meter needs to be replaced (if not deemed faulty), the property owner is responsible for the cost of the new meter.
- 3.2.4. 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.
- 3.2.5. 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 the Village of Warner's Rate Bylaw will be levied.
- 3.2.6. If Public Works is asked to remove and inspect a water meter which is found not faulty, an administration fee as per the Village of Warner's Rate Bylaw will be levied.
- 3.2.7. Any person permitting any meter to be damaged by frost shall be liable for all costs incurred in the replacement of said meter. Replacement costs shall include the costs for any Village employees required to complete the replacement, the costs for Village equipment, contracted services and goods purchased. The said charges shall be subject to the same penalties and are collectible by the same procedures as taxes levied by the Village.
- 3.2.8. Any person permitting any radio transmitter to be damaged shall be liable for all costs incurred in the replacement of said radio transmitter. Replacement costs shall include the costs for any Village employees required to complete

the replacement, the costs for Village equipment, contracted services and goods purchased. The said charges shall be subject to the same penalties and are collectible by the same procedures as taxes levied by the Village.

- 3.2.9. No person shall interfere with, cut or remove the wire seal on a meter, valve, radio transmitter or outside readout.
- 3.2.10. The user shall be responsible for damage to the remote reading device, which may result from other than normal wear and tear.
- 3.2.11. No person shall disconnect a meter or do anything which may prevent or impede the flow of water through a meter or the recording of the flow of water through the meter, or which may affect the proper operation of the water meter. Repairs to said meters will be at the expense of the customer.
- 3.2.12. No well or other source of water except the Village waterworks will be permitted within the Village of Warner corporate boundaries.
- 3.2.13. All owners, tenants or occupiers, upon due notification to the occupant, shall give clear and unhindered access to an authorized Village employee to:
 - 3.2.13.1. Install, service or seal a water meter and shall be liable for any damage which may occur to said meter.
 - 3.2.13.2. Install, service or maintain a radio transmitter.
 - 3.2.13.3. Shut off and seal a water line for nonpayment.
 - 3.2.13.4. Read a meter.

3.3. WATER DISCONNECT AND RECONNECT

- 3.3.1. The owner of a new property may request water shut-off at a fee as per the Village of Warner's Rate Bylaw. A fee as per the Village of Warner's Rate Bylaw will be levied to turn the water back on.
- 3.3.2. 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 the Village of Warner's Rate Bylaw for both the disconnect and the re-connect.
- 3.3.3. Notwithstanding 3.3.1. and 3.3.2., if water is disconnected at a vacant dwelling, the property owner will continue to be invoiced for garbage, sewer, administration, and waterline loan fees.

4. WASTEWATER

4.1. REGULATIONS

- 4.1.1. No person other than those authorized by the Village shall make any connection to or shall cut or otherwise tamper in any way with the Village wastewater system.
- 4.1.2. New connections of a wastewater service line from the main line to the property line and costs associated with the new connection, shall be the responsibility of the property owner. All wastewater service lines laid down shall be constructed of CSA approved material.

- 4.1.3. The owner and/or person occupying any premises connected to a street main by a Wastewater Service Line, shall be required, at their own cost, to keep the said Wastewater Service Line in operating condition at all times and shall be fully responsible for the operation of the said Wastewater Service Line. All work is to be completed to Village specifications.
- 4.1.4. No person shall discharge, throw, deposit or leave in or upon any Village wastewater service or any trap, basin, grating, manhole or other appurtenance or any Village wastewater main any material, thing or liquid which would prejudicially affect the wastewater collection system.
- 4.1.5. Grease traps of sufficient size and approved design shall be placed on the wastewater pipes from hotels, restaurants, laundries and such other places as the Village may direct. Such traps shall be installed prior to any connection to the Village wastewater system.
- 4.1.6. When a sewer back up occurs, the property owner shall first contact a private plumbing firm to assess whether the backup is predominantly caused a restriction or blockage within the sewer connection or with the Village portion of the sewer connection, being the wastewater main line.
- 4.1.7. The owner shall notify the Village if the plumber identifies that the blockage is in the Village's main line. The Village will investigate to confirm the location of the blockage.
- 4.1.8. 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.
- 4.1.9. If the repair of a blockage, which is determined to be the responsibility of the owner, causes any portion of sidewalks, boulevards, curbs, gutters, 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.
- 4.1.10. 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.
- 4.1.11. The Village shall have the right, with due notice, to enter houses or other places which have been connected with Village wastewater collection systems. In the case of emergency, no notice is required. Facilities will be provided them in order to ascertain whether or not any improper material or liquid is being discharged into the wastewater collection system and they shall have the power to stop or prevent any material or action from continuing to damage the system.

5. WASTE MANAGEMENT REGULATIONS

5.1. The Municipality shall provide waste management services as follows:

- 5.1.1. Waste pickup shall be conducted on Thursdays.

- 5.1.2. Waste shall be picked up:
 - 5.1.2.1. at the curb in residential areas with a three-foot parameter of space left between black bins;
 - 5.1.2.2. at the curb or other such location deemed appropriate in commercial areas with a three-foot parameter of space left between black bins.
- 5.1.3. All waste shall be placed in the black bin provided for each premises, while enabling lid closure.
- 5.1.4. The following wastes are deemed appropriate for pickup and disposal by the Municipality:
 - 5.1.4.1. household / commercial waste;
 - 5.1.4.2. paper;
 - 5.1.4.3. cardboard;
 - 5.1.4.4. bagged or boxed cold ashes from fireplaces, wood stoves and garbage barrels.
- 5.1.5. The following wastes will not be picked up for disposal by the Municipality:
 - 5.1.5.1. dead animals;
 - 5.1.5.2. noxious or hazardous wastes, used oils, used commercial food oils;
 - 5.1.5.3. construction and demolition debris, concrete and pavement;
 - 5.1.5.4. refrigerators, air conditioners, freezers, stoves, ovens, washers or dryers;
 - 5.1.5.5. furniture;
 - 5.1.5.6. metal;
 - 5.1.5.7. tree branches, limbs and trunks;
 - 5.1.5.8. tires;
 - 5.1.5.9. grain dust and seed screenings;
 - 5.1.5.10. burning barrels
- 5.1.6. The Municipality is not responsible for cleaning out any bins, or containers. If a bin or container is in need of cleaning a notice will be given.
- 5.1.7. Additional bins are available with a fee as per the Village of Warner's Rates Bylaw.

6. UTILITY FEES, PAYMENT, COLLECTION

- 6.1. A Utility Account will be set up immediately, in the owner's name, following the installation of a meter in a new building.
- 6.2. Utility accounts will not be established by the Village for a person(s) who has an overdue or outstanding utility account with the Village.
- 6.3. 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.
- 6.4. An administration fee as per the Village of Warner's Rate Bylaw 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.
- 6.5. Failure to receive a utility invoice is not considered sufficient reason for non-payment of the account.

- 6.6. That monthly rates for water, sewer, garbage pick-up, administration fee (street lighting) and waterline loan repayment be adopted as per the Village of Warner's Rate Bylaw.
- 6.7. In the case of non-use of services, each customer shall continue to pay the flat or base rates as specified in the Village of Warners Rates Bylaw.
- 6.8. Payments of utility accounts may be made at the Village Office, local banks, online banking, electric funds transfer using utility roll number, or through a pre-authorized payment plan.
- 6.9. 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 the Village of Warner's Rates Bylaw, are paid in full.
- 6.10. No reduction in rate or charges shall be made for any interruption in water or sewer services during a billing period.

7. PENALTIES

- 7.1. 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.
- 7.2. Where it has become necessary to discontinue service for non-payment of an account, reconnection will not be made until all arrears and penalties have been paid in full and the reconnection charge as specified in the Village of Warner "Rates Bylaw" has been paid in advance. The account will only be opened in the name of the Owner, even if the account that was disconnected was in the name of an Occupant.
- 7.3. Pursuant to Section 553(1)(b) of the Municipal Government Act, overdue utility accounts, including those of tenants, may be added to the property owner's taxes (of the same municipal address).
- 7.4. If a house is being sold, any outstanding utility account balance will be added to the property owner's taxes.
- 7.5. 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.
- 7.6. Any person who violates a provision of this Bylaw is guilty of an offense and liable upon summary conviction to a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00) and not less than Three Hundred Dollars (\$300.00) exclusive of costs, and in each and every case in default of payment said person shall be liable to imprisonment in the nearest common jail for a period not exceeding six (6) months, unless the fine and costs be sooner paid.

8. EFFECTIVE DATE


- 8.1. This bylaw shall come into effect upon third and final reading.
- 8.2. Bylaw 615-23 is hereby repealed as of January 1, 2024.



Read for a first time this 20th day of September, 2023

Read for a second time, with amendments, this 17th day of April, 2024

Read for a third and final time, with amendments, this 17th day of April, 2024



Tyler Lindsay
Mayor



Kelly Lloyd
Chief Administrative Officer

Signed by the Chief Elected Official and the Chief Administrative Officer this 17th day of April, 2024.