

**SMOKY LAKE COUNTY  
IN THE PROVINCE OF ALBERTA  
BYLAW NO. 1265-14**

**A BYLAW OF SMOKY LAKE COUNTY IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE SETTING AND COLLECTION OF WATER AND SEWER RATES, FEES AND CHARGES.**

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**PURSUANT** to the provisions of the *Municipal Government Act*, Chapter M-26, 2000 and amendments thereto:

**WHEREAS**, the Smoky Lake County operates a water supply and distribution system, and waste water collection system in various hamlets and other locations; and

**WHEREAS**, the owner of a parcel of land is responsible for the construction, maintenance and repair of a service connection of a municipal public utility located above, on or underneath the parcel; and

**WHEREAS**, there are substantial costs involved in the operation and maintenance of the aforementioned services; and

**WHEREAS**, it is the intention of the County Council that wherever possible, the cost of providing the service be paid for by the user;

**NOW THEREFORE**, the Council of Smoky Lake County, in the Province of Alberta, duly assembled, and pursuant to the authority conferred upon it by the *Municipal Government Act*, RSA 2000, Chapter M-26, as amended, does hereby enacts as follows:

**SECTION 1: NAME OF THIS BYLAW**

1.1 This Bylaw may be cited as the "**Water and Sewer Bylaw**".

**SECTION 2: APPLICATION FOR SERVICE**

2.1 An application for service shall be made at least 48 hours in advance of the expected date; of connection, as per **Schedule "B": Application for Utility Service**.

2.2 All users of water service must allow the Smoky Lake County's authorized agent to have the right to enter the owner's property at periodic intervals to inspect and exercise CC valves, and must consent to any utility easements or agreements required by the County to these ends.

2.3 All service applications shall be made in the name of the Owner of the Property. In the event of the property being occupied by a tenant other than the Property Owner, a copy of the Utility Bill, at the request of the Property Owner, shall be mailed to the tenant. The account, however, shall remain the responsibility of the Property Owner.

2.4 It shall be the responsibility of the Property Owner or Occupant of the property to ensure that employees or duly authorized agents of the County have safe access to the CC valves.

2.5 A service application fee shall be required each time there is a change in the ownership of the property, and when the Property Owner wishes to attach the name of a tenant to the account or change the name of the tenants, as per **Schedule "B": Application for Utility Service**.

2.6 Weeping tile must not connect to the sanitary sewer system. Weeping tile must connect to a sump and water shall be discharged by a sump pump to an exterior splash pad that drains away from the foundation.

2.7 It shall be the responsibility of the Property Owner to install a check valve prior to the sewage connection to prevent flooding in the event of a sewage backup.

**SECTION 3: FEE FOR SERVICE**

- 3.1 A charge shall be made against the Property Owner of all properties which are served by Smoky Lake County Utility Services for the supply and distribution of water and disposal of Sewage where applicable.
- 3.2 For every new residential construction there will be a twenty five hundred dollar (\$2,500.00) access fee.
- 3.3 For every new commercial or industrial construction there will be a thirty five hundred dollar (\$3,500.00) access fee.
- 3.4 Smoky Lake County shall mail each account's Property Owner a statement of water and sewage services monthly. The statement shall name a day and the place when and where such charges are to be payable.
- 3.5 The record of the County of the mailing of such notice shall be sufficient evidence that the notice was sent to the last known address of the person to be charged. The failure to receive such notice does not relieve the person to be charged from the penalties imposed by the provisions of this bylaw.
- 3.6 Other fees and charges for services shall be as per **Schedule "A": Fees and Charges**.

**SECTION 4: PAYMENT OF ACCOUNTS**

- 4.1 The Utility Bills shall be due and payable on the date of issue, and shall be deemed overdue and subject to a penalty if unpaid beyond one month after the last day of the month for which the utilities were consumed.
- 4.2 Accounts shall be considered paid if full payment is received at the County Office no later than at time of County Office opening on the first working day following the last day of the month.
- 4.3 In the event a Utility Bill remains unpaid at the end of three months from the last day of the month for which the utilities were consumed, the County shall consider the account in arrears and shall have the right to disconnect the water supply to the property to which the rates were charged.
- 4.3.1 Service shall not be restored until the full amount of the bill, current and arrears, plus a reconnection charge is paid.
- 4.3.2 Disconnection for non-payment of utilities shall be performed during regular Smoky Lake County office hours.
- 4.3.3 Reconnection will only be performed during normal working hours (8:00 a.m. to 4:00 p.m. Monday through Friday, excluding holidays) unless authorized by Environmental Operations Manager.
- 4.4 Smoky Lake County shall have the right to transfer any and all amounts from accounts deemed to be in arrears onto the Property Owner's property tax account.
- 4.5 In the event of a payment, either by cheque or direct deposit, being returned for insufficient funds, a charge of TWENTY FIVE DOLLARS (\$25.00) shall be added and charged back to the account.

**SECTION 5: CONSTRUCTION OF A SERVICE CONNECTION FROM THE MAIN LINE**

- 5.1 This section applies when the main lines of the system or works of a municipal public utility are located above, on or underneath a road easement and the municipality provides the municipal utility service to a parcel of land adjacent to the road easement.
- 5.2 An agreement shall be executed between the County and the Property Owner detailing the project, costing and responsibility; and may include a deposit, plus a performance bond.

**SECTION 6: CONNECTION OF SERVICE**

- 6.1 No person other than an employee of the County or its duly authorized agent shall turn off or turn on the water supply from the County's supply system to the owner's premises or attempt to do so.
- 6.2 The cost of connecting a Property Owner's water or sewage service with the County's water and sewer mains at the property line of the owner shall be borne by the Property Owner, but no such connection shall be made without notice to the county and until such time as the proper inspections have been made by the County to ensure compliance with the County's standards and provincial standards. The Property Owner is responsible for all costs including contractors' fees. A County employee or duly authorized agent must inspect the service prior to backfilling.
- 6.3 The Property Owner of a parcel of land is responsible for the construction, maintenance and repair of a service connection of municipal public utility located above, on or underneath the parcel.
- 6.4 If the municipality is not satisfied with the construction, maintenance or repair of the service connection, the municipality may require the owner of the parcel of land to correct the construction, maintenance or repair of the system or works by a specific time and in accordance with the County's instructions.
- 6.5 If the repair has not been done to the satisfaction of the municipality within the specified time or due to an emergency, the municipality may enter on any land or building to construct, maintain or repair the service connection.

**SECTION 7: WATER RESTRICTIONS**

- 7.1 The County reserves the right to enforce water usage restrictions for emergent situations including but not restricted to fire protection, shortage of water supply, or misuse of the service.

**SECTION 8: DISCRETION**

- 8.1 Discretionary power shall be awarded to the County's Chief Administrative Officer to be exercised in unique or special circumstances.

**SECTION 9: SEVERABILITY**

- 9.1 Should any provision of this Bylaw be invalid by any means, then the invalid provision shall be severed and the remaining provisions of this Bylaw shall be maintained and in full effect.

**SECTION 10: REPEAL**

- 10.1 Bylaw 1237-12 shall be repealed upon the passing of this Bylaw.

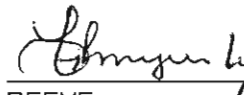
**SECTION 11: EFFECTIVE DATE OF BYLAW**

- 11.1 This Bylaw shall take effect on the day of the Third and Final Reading.

**READ FIRST TIME THIS 29<sup>th</sup> DAY OF April, 2014.**

**READ A SECOND TIME THIS 29<sup>th</sup> DAY OF April, 2014.**

**READ A THIRD TIME AND FINAL PASSED THIS 29<sup>th</sup> DAY OF April, 2014.**

  
REEVE

SEAL  
  
CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE "A"****FEEES AND CHARGES**

<b><u>ITEM DESCRIPTION</u></b>	<b><u>COST</u></b>
Hook up <ul style="list-style-type: none"> <li>• Residential</li> </ul>	\$2,500.00
<ul style="list-style-type: none"> <li>• Commercial / Industrial</li> </ul>	\$3,500.00
Reconnection	\$ 55.00
After Hour Reconnection	\$115.00
Renter's Deposit	\$300.00
Sewer Charge:	
<ul style="list-style-type: none"> <li>• Metered</li> </ul>	\$20.00
<ul style="list-style-type: none"> <li>• Un-metered</li> </ul>	\$20.00
Truck Fills:	
<ul style="list-style-type: none"> <li>• Raw Water</li> </ul>	\$1.50 per 100 gallons
<ul style="list-style-type: none"> <li>• Potable Water: Distributed</li> </ul>	\$7.13 per Cubic Meter \$ .37 per Cubic Meter System Capital \$7.50
<ul style="list-style-type: none"> <li>• Garner Lake Provincial Park</li> </ul>	\$7.13 per Cubic Meter \$ .37 per Cubic Meter System Capital \$7.50
Un-metered Water Service	\$55.00 per month
Water Meter Deposit:	
<ul style="list-style-type: none"> <li>• 5/8" meter or service line/tenant</li> </ul>	\$ 75.00
<ul style="list-style-type: none"> <li>• 1" meter or service line/tenant</li> </ul>	\$100.00
<ul style="list-style-type: none"> <li>• 1 ½" meter or service line/tenant</li> </ul>	\$165.00
<ul style="list-style-type: none"> <li>• 3" meter of service line/tenant</li> </ul>	\$500.00
Water and Sewer Rates:	
<ul style="list-style-type: none"> <li>• Water distribution service charge</li> </ul>	\$25.00
<ul style="list-style-type: none"> <li>• Every cubic meter</li> </ul>	\$ 7.13 per Cubic Meter \$ 0.37 per cubic meter system Capital \$ 7.50
Non Active service Charge	\$25.00





**SCHEDULE "B"**  
**APPLICATION FOR UTILITY SERVICE**

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_.

BETWEEN:

**SMOKY LAKE COUNTY**  
Box 310, Smoky Lake, Alberta T0A 3C0  
Telephone: 780-656-3730 Fax: 780-656-3768  
a Municipal Corporation in the Province of Alberta  
(hereinafter referred to as "the County")

OF THE FIRST PART

AND

of \_\_\_\_\_  
Telephone: Res: \_\_\_\_\_ Business: \_\_\_\_\_ Cellular: \_\_\_\_\_  
(hereinafter referred to as "the Property Owner" as shown on the tax roll)

OF THE SECOND PART

\*\*\*\*\*

The Owner hereby applies to the County to become a Utility customer for the following services:

- Water Residential:** \_\_\_\_\_
- Water Commercial:** \_\_\_\_\_
- Sewer:** \_\_\_\_\_

The Owner agrees to have the County supply the above listed utilities to the Owner.

The County agrees to sell and deliver, so far as is practical for the County to do so, and the Owner will purchase from the County, the Owner's entire need for utilities indicated above.

The utility service application is made for the following location:

**Civic Address:** \_\_\_\_\_ **Legal Land Description:** \_\_\_\_\_

The Owner agrees to pay for utilities used and service rendered at rates as may be determined by the County from time to time.

Services will be discontinued upon approval of the Owner if an outstanding utility bill is sixty (60) days in arrears or if the account is not paid in full upon termination. The services will not be reconnected until all arrears are paid by the Owner. A **Reconnect Fee of \$55.00** will also be charged by the County and must be paid prior to utilities being restored.

Service charges for water and sewer will be billed monthly whether or not consumed. Request for disconnection must be submitted by the Owner before the County will do so. A **Reconnect Fee of \$55.00** will be charged by the County and must be paid prior to utilities being restored.

I have read and agree to the information outlined in this Agreement and have executed this Agreement as of the day first above written.

**PROPERTY OWNER:**  
Per: \_\_\_\_\_  
Signature

**SMOKY LAKE COUNTY:**  
Per: \_\_\_\_\_  
Signature

Per: \_\_\_\_\_  
Print Name

Per: \_\_\_\_\_  
Authorized Agent: Print Name