

**BY-LAW NO 04-2007
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA**

A BY-LAW OF THE VILLAGE OF WABAMUN RESPECTING WATERWORKS AND PROVIDING FOR THE LEVYING AND COLLECTING OF CHARGES AND RATES FOR WATER SERVICES.

WHEREAS, pursuant to the provisions of Section 7 of the Municipal Government Act, being Chapter M-26.1, R.S.A. 1994, the Council of the Village of Wabamun has the power to enact such a By-Law.

AND WHEREAS, all waterworks, sanitary sewers, drains and sewage disposal works belonging to the Village shall be under the direct control and management of the Village;

NOW THEREFORE, the Council of the Village of Wabamun, duly assembled, enacts as follows:

SECTION I – WATER RATES

1. That every person, firm or corporation, being the registered owner, occupant or purchaser entitled to possession of property which is served directly or indirectly by a service connection to the Village of Wabamun waterworks system shall pay to the Village of Wabamun the monthly water service charges as follows:

TYPE	METER SIZE	MONTHLY FLAT FEE	WATER CONSUMPTION MAXIMUM LEVELS
Single Family Residential or duplex	5/8 x 3/4	14.50	40 cu. meters
Industrial – Commercial – Municipal Park Facility	5/8 x 3/4	29.00	80 cu. meters
Other Residential (Per Unit) – Churches – Seniors Centre	3/4 – 1 1/2	13.00	30 cu. meters
Hotel – Laundromat – Car Wash – Staff House	3/4 – 1 1/2	61.50	145 cu. meters
Schools (Per Classroom)	3/4 – 2	13.00	30 cu. meters
TransAlta Plant/Mine Serv. Bldg.	3/4 – 2	1,025.00	1500 cu. meters

EXCESSIVE WATER CONSUMPTION RATES

Water consumption over the water consumption maximum levels will be levied a water surcharge fee of \$0.80 per cubic meter.

2. That the Council shall have the right to determine into which classification any service belongs and the Council's decision shall be final and binding on all persons concerned.
3. That a deposit, as established by resolution of Council, from time to time, shall be levied and collected for each service connected to the Village system where the account is to be established in a name other than the owner of the land on which a building is situated. Interest shall be paid on the said deposit at such rates as are established from time to time under the provisions of the Landlord & Tenant Act, Revised Statutes of Alberta 1980, Chapter L-6 as amended. This deposit, plus interest, is to be refunded when service to any customer is terminated, after there has been deducted therefrom all water rates and charges outstanding.

SECTION II – SERVICE

Application for New Service Connection

1. Any person who desires a new water service connection from the Village of Wabamun shall apply in writing to the Administrator and shall pay the amount specified in Schedule "A" attached hereto and forming part of this By-Law.
2. In the event that mains and/or services to the property line are required in order to provide the services for the applicant, the applicant will be required to pay the cost of the said mains and services.
3. The Council may refuse to allow any new connection or installations or any new or change any existing service at any time for any reason, which it may consider sufficient.

SECTION III – SERVICE CONNECTION REPAIR

1. In the event that the water service connections from the main to the residence requires replacement or repair, the Village of Wabamun shall repair the service at its cost to the improved surfaced edge of the roadway, curb or public sidewalk in existence, including the rehabilitation of the improved road surface curb and/or public sidewalk. The landowner shall be responsible for the costs of the service from the improved road surface or curb and public sidewalk, if they are in existence, to the residence and shall include any restoration costs to private driveways, sidewalks or landscaping.

SECTION IV – BILLING REGULATIONS

1. That a utility bill showing the service charges to the user shall be mailed to the user every two (2) months and payment of the account for water service charges shall be due and payable when the account is rendered. The water service charge shall be combined on the same utility bill with the sewer service charges for the Village of Wabamun, but the water service charges shall be calculated separately and separate entries shall be made on the said utility bill.
2. In the event that any such utility bill remains unpaid for a period of forty-five (45) days after the date of mailing of the account, there shall be added thereto a penalty in the amount of ten (10) percent on the current unpaid portion and that this penalty be part of the arrears and subject to collection in the same manner as all other rates and charges.
3. Payment of utility accounts to be made at the office of the Administrator or at such other place as may be designated from time to time by the Council and failure to receive an account shall in no way affect the liability of the consumer to pay the account.
4. That in the event a water bill remains unpaid for a period of thirty (30) days after the last day of the current billing period, the Administrator shall cause a written notice to be served on the delinquent consumer advising that the water service will be shut off unless the account is paid in full within one hundred and forty-four (144) hours.
5. That after the one hundred and forty-four (144) hours, as provided for in Clause 4, the account remains unpaid, the Administrator shall order the service to be turned off, unless it is considered there are extenuating circumstances, in which case, the matter may be referred to Council for decision.
6. That in the event a water service has been shut off at the request of the property owner or the consumer, or as provided for in Clause 5, by reason of non-payment, a reconnection fee of \$30.00 will be charged and shall be payable in advance of the turning on of the service.

7. Any person intending to vacate any premises that have been supplied with water from the waterworks or who is desirous of discontinuing the use thereof, shall give written notice of same at the Village Office, otherwise the rates thereof shall be charged until such notice is given or the water turned off.
8. The said water charges shall be:
 - (a) a debt recoverable by action,
 - (b) recoverable by distress upon and seizure of the goods and chattels of either the owner or purchaser of the property served; and
 - (c) a lien upon the property and subject to the same penalties and collectible in the same manner as taxes due and owing.

SECTION V – GENERAL

1. The Village Council may, at any time by resolution, restrict the use of water for the sprinkling of any lawn, garden or plot for such time as the Council may deem fit if the available supply of water, in the opinion of the Village Council, shall so require.
2. In the case of making repairs or in constructing new work or in connecting or repairing service pipes, the Village shall have the right to shut off the water from any consumer without notice and keep it shut off for as long as may be necessary.
3. The Village or its employees shall not be liable for any damages resulting from suddenly shutting off the supply of water from any boiler or from a manufacturer deriving its supply of water from the waterworks, either with or without notice.
4. No consumer shall:
 - (a) wrongfully or improperly waste water,
 - (b) lend, sell, give away, or dispose of water to a non-resident of the Village.

Any consumer who contravenes subsections (a) or (b) of this section shall forfeit the right to be supplied with water, and in addition thereto, shall be guilty of an offence and liable on summary conviction to a fine not exceeding \$100.00.
5. No person or persons except the Village Foreman, or those acting with his permission or under the direction of Council or members of the Fire Department in the event of fire shall open, close or interfere with any hydrant, gate or valve connected with the waterworks.
6. No person shall in any way interfere with any stopcock, pipe or other waterworks appliances outside of his own premises.
7. No extensions of any mains shall be constructed except by Council authorization.
8. By-Law No. 03-2003 is hereby repealed.

READ A FIRST TIME IN COUNCIL THIS 4TH DAY OF MARCH, A.D. 2008.

READ A SECOND TIME IN COUNCIL THIS 4TH DAY OF MARCH, A.D. 2008.

READ A THIRD TIME IN COUNCIL AND FINALLY PASSED THIS 4TH DAY OF MARCH, A.D. 2008.

SIGNED by the MAYOR and ADMINISTRATOR this _____ day of _____, _____.

MAYOR

ADMINISTRATOR

SCHEDULE "A"
BY-LAW NO. 04-2007
OF THE
VILLAGE OF WABAMUN
IN THE PROVINCE OF ALBERTA

RATE SCHEDULE WHICH FORMS PART OF BY-LAW NO. 04-2007

THE CHARGE FOR A NEW SERVICE CONNECTION FROM THE VILLAGE WATER
SYSTEM IS \$700.00