

**CITY OF LACOMBE
BYLAW 393**

Consolidated as of December 7, 2020

A Bylaw of the City of Lacombe providing for the supply of Water, Wastewater and Solid waste services to the residents and customers of the City.

Preamble

Pursuant to the provisions of the *Municipal Government Act*, RSA. 2000, c. M-26, and the Municipal Council of the City of Lacombe, in the Province of Alberta enacts as follows:

PART 1 – SHORT TITLE

- This bylaw may be referred to as the "The Utility Bylaw".
- The City of Lacombe hereby establishes the following municipal utilities: Waterworks, Sanitary Sewer, Storm Sewer and Solid Waste (including recycling).

PART 2 – GENERAL PROVISIONS

Definitions

1. Words and phrases in the Bylaw shall have the meaning set out in Schedule "A" – Utility Bylaw Definitions.

Delegation of Authority

2. The Council hereby delegates to the CAO authority to do all things necessary in order to fulfill the responsibilities and duties under the Act and this Bylaw
 - 2.1 The CAO shall have the responsibility for the operation of the Water, Waste Water and Solid Waste System in accordance with:
 - a. Provincial and Federal Statutes and Regulations;
 - b. This Bylaw and related regulations and policies, and
 - c. The direction of Council
 - 2.2 The CAO may delegate the performance of certain duties to assigned staff, agents, or contractors in so far as such delegation is not inconsistent with Provincial or Federal Legislation or this Bylaw, related regulations or policies thereof

Supply and Ownership of Facilities and Equipment

3. All Residential water meters shall be supplied, owned and maintained by the City unless otherwise provided in this Bylaw. All water meters shall be sized appropriately for the intended use and at the sole discretion of the CAO or designate.
 - 3.1 All Commercial and Industrial water meters larger than three quarter inch (3/4") shall be provided by the City and charged to the owner. Once installed, the meter will be maintained by the City.
 - 3.2 The City shall retain full title to all mains, equipment and apparatus on public property.

City Responsibility and Liability

4. The City does not guarantee the continuous uninterrupted supply of any Utility Service and reserves the right to suspend the supply of a Utility Service at any time without notice where required in the maintenance or operation of the Utility Service.
 - 4.1 The City and employees and agents shall not be liable for any damages of any kind due to or arising out of:

- a. a failure to provide a Utility Service;
- b. the interruption of service due to maintenance or operational requirements, or due to reasons beyond The City's control; or
- c. the disconnection or removal of a Utility Service in accordance with this Bylaw.

PART 3 – UTILITY SERVICES

Utility Service Application

- 5. The CAO or designate is hereby authorized on behalf of the City to execute any agreement required pursuant to this Bylaw
- 5.1 A Person requesting a Utility Service shall apply to The City for a Utility Service account by completing an application form and providing such information as The City may require, including credit references, confirmation of the identity and legal authority of the applicant, and information respecting load and the manner in which the services will be utilized.
- 5.2 Where services are being provided and no application had been made, the owner is deemed to be the customer and utility billings shall be addressed accordingly
- 5.3 A service charge in an amount specified in Schedule "B" will be charged for each application.
- 5.4 The establishment of a Utility Service account creates an agreement between the Customer and The City, of which the provisions of the application form and the terms of this Bylaw shall form a part.

Conditions of Utility Service

- 6. Upon receipt of all required information and fees, verification of the Customer's identity and the accuracy of the information, the City will advise the Customer whether, and on what terms, the City is prepared to supply Utility Services to the Customer; the type and character of the connections it is prepared to approve for the Customer, and any conditions (including without limitation, payments by the Customer) that must be satisfied as a condition of the supply of the Utility Services.
- 6.1 No new Utility account will be opened for anyone who is already indebted to The City for Utility Services unless satisfactory arrangements for payment of the outstanding amount have been made.

Rates, Billing and Collection

- 7. The various rates and fees associated with this Utility Bylaw can be found in Schedule "B".
- 7.1 A utility bill showing the value of water, waste water and solid waste services provided by the City shall be calculated in accordance with the prescribed rates as soon as is practical after the end of the billing period and forwarded to the person registered as the owner of the property.
- 7.2 The water service charge shall be combined on the same utility bill with the waste water service charges and any other charges, but separate entries identifying each charge shall be made on the utility bill.
- 7.3 Where the calculation of a utility bill is based on the consumption of water, the quantity used shall be determined from the present and previous meter readings as recorded by the City or should an actual reading not be accessible, by an estimated consumption based on the consumption history of the service or customer of similar characteristic.
- 7.4 No reduction in rates of charges shall be made for any interruption in water or waste water services during a billing period.
- 7.5 Failure to receive a Utility bill shall in no way affect the liability of the customer to pay the account and is deemed received after 7 days after the billing period.

- 7.6 Utility bills are payable before the due date listed on the bill. In the event that any such bill remains unpaid by the due date, there shall be added thereto a penalty in the amount two and one half percent (30% annually) on the current charges of the bill and that this penalty shall form part of the arrears and shall be subject to collection in the same manner as all other rates and charges.
- 7.7 Where a utility account has been in arrears for a period of sixty (60) days a notice shall be mailed or delivered to the utility customer giving warning that water service will be shut off unless payment of the full account is received by a specified date.
- 7.8 If payment is not received within the time period specified or if the customer has failed to make other arrangements the utility service shall be turned off and shall not be turned back on. The City will notify the property owner that the utility account will be closed and the utility account will then be opened in the name of the property owner.
- 7.9 Notwithstanding Section 7.8 where the customer is unable to pay the entire amount of the outstanding utility account the CAO or designate may, upon negotiation of a satisfactory repayment schedule postpone the shutoff of water services pending the successful payment of the account.
- 7.10 An amount that becomes delinquent may add to the tax roll of a parcel of land, and collect as a tax owing to the municipality in accordance with the MGA, the amount of unpaid utility charges and other charges and fees under this bylaw owing by the owner of the parcel and a fee will be applied as per Schedule "B".
- 7.11 Where an outstanding account cannot be collected as a result of shutting off the water or if it cannot be added to the Tax Roll the CAO or designate shall undertake collection by any means provided by law.
- 7.12 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 notice of the same at the City office, otherwise the rates thereof shall be charged until such notice is given or the water turned off.
- 7.13 Where a service to a customer or owner is to be discontinued or where the property is sold, a final billing will be calculated on a pro rate basis from the date of the last billing to the date of discontinuance.
- 7.14 Where it has been determined that a customer has been paying an amount lesser than that which should have been paid because of errors of the City with respect to such things as:
 - a. improper meter placement, sizing or specification;
 - b. improper rate application;
 - c. improper meter reading or bill calculation.

A charge of the difference between what was paid and what should have been paid shall be paid by the current customer affected by such an error for the period of twelve (12) months from date of error.

- 7.15 Where it has been determined that a customer has been paying an amount greater than that which should have been paid because of errors of the City with respect to such things as:
 - a. improper meter placement, sizing or specification;
 - b. improper rate application;
 - c. improper meter readings or bill calculation.

A refund of the difference between what was paid and what should have been paid shall be given to all customers affected by such an error from twelve (12) months from date of error.

Deposits

8. The requirements for deposits for customers to which the service is provided shall be as follows:
 - a. Where the utility customer's account has not been maintained in good standing, additional deposits may be applied to the account in order to continue receiving the supply of Water, Wastewater and Solid Waste services from the City.
 - b. The city may waive the deposit if pre authorized payments are set up. If an account holder receives an NSF (Non Sufficient Funds), they will be taking off the pre authorized plan and the deposit will be added to the account.
 - c. Such deposits collected from owners shall have their deposit retained for the duration of their utility services agreement with the City
- 8.1 The requirements for deposits for customers who are the owner of the property to which the service is provided shall be as follows:
 - a. Where the owner of a property is the recipient of the utility service, no deposits are required to establish a utility account, except in the following cases:
 - (i) where payment of a utility account in the name of the owner is in arrears;
 - (ii) where service to a property owned or occupied by the applicant has been shut off for non-payment of the account;
 - (iii) where the owner's utility account has been written off as a bad debt and the owner has applied for a new utility account;
 - (iv) where collection proceedings, including legal action or referral to a collection agency, commenced for recovery of the owner's previous utility account and the owner has applied for a new utility account; or
 - (v) where the owner's existing or previous utility account(s) has not been maintained in good standing.
- 8.2 Such deposits collected from owners shall be retained until the customer has provided consecutive utility payments on or before the utility billing due dates, for a period not less than two (2) years
- 8.3 The deposit shall be returned when the service is discontinued, provided that such deposit may be applied to any unpaid account at the time of such discontinuance of such service
- 8.4 Interest for the period of time which the deposit is held by the City shall not be paid

After Hours Calls

9. The Caller, Owner or Customer shall pay the applicable after hour's fee as set forth in Schedule "B" for service calls after 4:00 p.m. or before 7:00 a.m., Monday through Friday, or at any time on a Saturday, Sunday, or statutory or civic holiday. The afterhour's fee shall also apply if a meter is required to be installed or connected, to flush a sanitary sewer service line, or should a Utility Service be required to be disconnected or reconnected during such times.

Winter Installation

10. The cost payable by the Customer for installing a Utility service between October 31st of current year and May 1st of the following year as set forth in Schedule "B".

Appeals

11. A Customer, who uses, receives, or pays for Utility Services may appeal a service charge, rate or toll charged under this Bylaw on the grounds that such service charge, rate or toll does not conform to the established public Utility rate structure, has been improperly imposed, or is discriminatory, to Lacombe City Council and the Alberta Utilities Commission.

- 11.1 A Customer may appeal decisions made by the City CAO or designate pursuant to the following sections of this Bylaw:
- a. Billing Errors;
 - b. Requirement(s) for an Account; and
 - c. Connection to Utility Service

All appeals will go before Council; the applicant can also go before the Alberta Utilities Commission (AUC).

Reasonable Notice

12. The City shall provide written notice to a Customer of any breach of this Bylaw which may result in The City discontinuing Utility Services. Such notice shall be delivered at least ten (10) days prior to discontinuance of Utility Services and shall be sent to the Customer as follows:
- a. in the case of a Customer who is known to be a Tenant at the premises, the notice shall be sent to the address of the premises;
 - b. in the case of a Customer who owns the Property, the notice shall be sent to the address of the premises and the address provided in the application for service, if different.

Termination of Account by Customer

13. A Customer is responsible for all charges accruing to the Customer's account until such time as the account is closed.
- 13.1 When a Customer gives at least ten (10) days notice to The City to close an account. The City shall obtain a final reading of any meter as soon as reasonably practical and the Customer shall be liable for and pay for all service supplied prior to such reading. The City may base the final charge for service on an estimated meter reading which will be prorated from the time of an actual meter reading.

Termination of Account by the City with Notice

14. The City may discontinue the supply of any Utility Service for any of the following reasons, after notice has been given pursuant to Section (12):
- a. non-payment of any Utility accounts;
 - b. inability of The City to obtain access to premises to read, service or inspect a water meter;
 - c. failure or refusal of a Customer to comply with any provision of this Bylaw;
 - d. failure or refusal of a Customer to comply with the provisions of any statute or regulation, including the Alberta Building Code; or
 - e. in any other case provided for in this Bylaw.

Termination without Notice

15. The City may discontinue the supply of a Utility Service without prior notice in the event of any threatened or actual danger to life or Property, or in any other similar circumstances that the City determines, in its sole discretion, acting reasonably, that would require such action.
- 15.1 The City may discontinue the supply of the Water Utility Service without prior notice for any of the reasons listed above or for any of the following reasons:
- a. if the Customer has caused, permitted or allowed any piping, fixture, fitting, container or other appliance to be or remain connected to the waterworks supply system which allows or has the potential to allow water from a source

other than the Waterworks Utility or any other harmful or Deleterious liquid or substance to enter the Waterworks system;

- b. in the event of an emergency or water shortage as The City deems necessary; or
- c. in any other case provided for in this Bylaw.

Requirement for Account

- 16. When the premises to which Utility Services is provided become vacant and no new application for service has been made, The City may terminate the contract and:
 - a. disconnect the Utility Service; or
 - b. in lieu of disconnecting the service, open a new utility account in the name of the owner and charge the fee set forth in Schedule "B" to open the account as well as other ongoing charges under Schedules "B".

Nothing herein shall prevent the Property Owner from requesting that The City discontinue such Utility Service provided the Property Owner pays the service charge prescribed herein.

Authorization to Enter Premises

- 17. In accordance with the Municipal Government Act, The City may, after giving reasonable notice to the Property Owner and occupier of the Property, enter any Property upon which a meter or shut-off valve is situated for the purpose of providing, maintaining or terminating the supply of a Utility Service to that Property.
 - 17.1 The Customer and the Property Owner are responsible to provide The City reasonable access to the meter, shut-off valve and other City infrastructure for the purpose of providing, maintaining or terminating the supply of a Utility Service.
 - 17.2 The City can remove obstructions that are interfering with the performance of providing, maintaining or terminating the supply of a Utility Service and may charge the Customer or the Property Owner the costs associated with such removal. The City will use reasonable care to avoid damaging the obstruction or vehicle during removal.
 - 17.3 If The City or agent cannot access the meter, shut off valve, cross connection control device for any reason, The City may charge a fee to the Customer or Property Owner as set forth in Schedule "B".
 - 17.4 City employees or agents shall have the right to access property, buildings, or premises which have been connected to the City Wastewater system to ascertain whether or not any improper material or liquid is being discharged into the Wastewater system, and the City shall have the power to use any test or other means necessary to determine compliance with this Bylaw or regulations to stop or prevent the discharge of any substances which are liable to damage the wastewater systems or obstruct the flow of the wastewater .

Service Removal and Building Demolition

- 18. No Person shall cause, permit or allow a building to be demolished or removed until Utility Services to the Property are removed and any fee for such removal has been paid. Notwithstanding the foregoing, The City may, in circumstances which The City considers appropriate, permit the service to remain connected to the Utility Service line or main.
 - 18.1 Utility charges will continue in accordance with the rates identified in this Bylaw until all occupied buildings located on the Property have been demolished.

Connection to Utility Service

- 19. Within one (1) year after a Utility Service becomes available, the owner of every building situated on land abutting on any street in which there is a Water Main, a Sanitary Sewer, or a Storm Sewer, shall at the owner's expense connect to

available systems in accordance with the requirements and standards set out in the Alberta Building Code and elsewhere in this Bylaw.

- 19.1 The Property Owner shall provide The City with a completed application in the form approved by The City for a permit to make such connection. The application shall include any plans, or specifications as may be required by the City's Engineering Design Guidelines, or other information required by The City.
- 19.2 The connection fee specified in section (19) above shall not apply to any parcel in respect of which The City has otherwise received or made arrangements to receive payment of an equivalent amount.
- 19.3 A Person who has been directed to connect their building to a Utility Service may appeal the direction.
- 19.4 At such time as the Property Owner connects to a Utility Service, the Property Owner shall also open a Utility account and make payment of all application fees and deposits that may be required under this Bylaw.
- 19.5 No Person may connect to a Utility Service until such time as payment has been made to The City by the Property Owner or prior owner in respect of the cost of construction of the Utility Service (including carrying charges) to serve the land owned or occupied by that Person, or until such Person has made other arrangements satisfactory to The City to pay that Person's proportionate share of those costs.
- 19.6 No Person shall uncover, make any connections with or opening into, use, alter, or disturb any Water Mains, City Service Connections, Sanitary Sewer, Storm Water Sewer or appurtenances thereof, unless authorized by the CAO or designate.
- 19.7 All Water Mains, Sanitary Sewers, and Storm Water Sewers located within The City's Property, right-of-way, or easement shall be constructed by The City's forces or its contractors and shall be maintained by The City.
- 19.8 All Private Service Connections, Water, Sanitary Sewers, and Storm Water infrastructure and Facilities on private Property shall be constructed and maintained by the owner's forces at his expense in accordance with the requirements of this Bylaw and the Alberta Building Code.

Service Fees for Subsequent Site Visits

20. A fee as per Schedule "B" may be charged, as set by the CAO or designate from time to time, where a City employee or agent is required to make an additional visit or visits to a parcel or premises for any of the following reasons:
 - a. where a Customer refuses access to a parcel or premises for a City employee or agent to install, repair, replace, inspect, test or read a Water Meter, cross connection control device, or any other equipment in relation to the Waterworks System;
 - b. where a City employee or agent attends a parcel or premises for a scheduled appointment to perform any of the functions set out in subsection (a) above, and the Customer is not present at the scheduled time to provide access to the parcel or premises;
 - c. where a City employee or agent attends a parcel or premises to perform any of the functions set out in subsection (a) above, and is unable to proceed based on unsafe conditions or the inadequacy of access to the parcel or premises
 - d. where, at the owners request, an additional Water meter reading is required

Water, Sanitary Sewer, and Storm Sewer Construction

21. The City shall operate a water supply and distribution system for the purposes of supplying residents and consumers within the City with potable water and fire protection.

- 21.1 The City shall operate a wastewater collection and disposal system for the purposes of collecting, treating and disposing of sewage produced by the residents and other consumers of water within the City.
- 21.2 Council may by resolution enter into agreements with other municipalities, private corporations or citizens for the supply of water or wastewater services beyond the corporate limits of the City, adopting such provisions, regulations or rates as may be deemed appropriate.
- 21.3 Council may, as becomes necessary, authorize the construction, replacement or upgrading of the water supply system or the sanitary sewer system with funding for such projects obtained from appropriate sources.

Installation of Water and Wastewater Mains

- 22. The assessment of the need for the construction of water distribution, sanitary sewer, or storm sewer mains may be initiated by the CAO or designate, private owners or developers.
 - 22.1 Where Council has authorized the construction of the proposed mains the City shall be responsible for such construction and may perform the installation with its own forces or may arrange the installation by a private contractor.
 - 22.2 The costs of the construction of such mains shall be borne totally by the benefiting properties with the owners or developers of the lands providing the required funding for the project through:
 - a. Cash contributions to the City;
 - b. a Special Tax levied pursuant to Part 10 (Taxation), Division 5 (Special Tax) of the Act; or
 - c. a Local Improvement Tax levied in accordance with Part 10 (Taxation), Division 7 (Local Improvement Tax) of the Act.
 - 22.3 Where the owner of the property which will benefit from the installation of a main cannot be obligated to share the costs of the project, the City may either:
 - a. Require the remaining owners or developers to fund the entire cost of the project with the City endeavoring to collect the proportionate cost attributable to the undeveloped property plus appropriate interest and return it to owners at some point in the future when the undeveloped property seeks service from the main installed; or
 - b. Fund the portion of cost attributable to the non-participating properties itself collecting the proportionate cost of the project plus appropriate interest when the undeveloped property seeks service from the main installed.
 - 22.4 The installation of all water and wastewater mains and related facilities shall be in accordance with the standards and specifications as may be adopted from time to time by Council.
 - 22.5 The costs to install water and wastewater mains shall include, but not be limited to:
 - a. Engineering, surveying, materials testing, inspection; and
 - b. Acquisition of right-of-way and easements; and
 - c. Materials such as pipe, valves, fittings, manholes, fire hydrants and other specified materials required in the installation; and
 - d. Excavation and installation of mains; and
 - e. Backfill, compaction, road surface repair and other restoration.

Replacement of Water and Wastewater Mains

- 23. Where it is necessary to replace a water or wastewater main because of deterioration in the condition of the pipe to a point where the ability of the pipe to function is seriously reduced, or where because of planned major street

upgrading it is deemed desirable to replace a main prior to upgrading to prevent subsequent damage to a new road surface from anticipated main repairs or replacements, the Council may initiate the replacement of water or wastewater mains or both.

- 23.1 Council may include the replacement of additional mains to improve the financial viability and cost effectiveness of a planned replacement project.

Water and Wastewater Service Connections

- 24. Where the City undertakes work pursuant to this part the costs to be charged to owners of property shall be calculated in accordance with costs and charges as may be adopted from time to time by Council.
 - 24.1 No source of water including wells other than the City Water Distribution System shall be used for any purpose within the City except where specifically authorized by resolution of Council.
 - 24.2 Where a property is using an alternate water source pursuant to Section (24) and where subsequent to the permission being granted for that source, a water main is constructed or upgraded such that the supply of water from the City system is practical, the owner of the property shall discontinue the use of the alternate water source and make connection to City water main within one (1) year of the completion of the installation or upgrading of the water main.
 - 24.3 All properties which generate sewage shall be connected to the City's sanitary sewer collection system except where exempted by Council in the Development Permit application process.
 - 24.4 An alternative sewage disposal installation may include a sewage pump out tank or septic tank, are subject to all applicable Regulations, and must be approved by Council before installation begins.
 - 24.5 Where an alternate sewage disposal installation has been permitted by Council pursuant to Section (24) and where subsequent to that installation a sewage main is constructed or upgraded such that the disposal of sewage from the property to the City sanitary sewer system is practical, the owner of the property shall discontinue the use of the alternate sewage installation and make connection to the City sanitary sewer main within one (1) year of the installation or upgrading of the sanitary sewer main.

Multiple Unit Housing, Commercial and Industrial Developments

- 25. The developers of Multiple Unit Housing, Commercial and Industrial Developments shall submit private water and wastewater system design plans, duly signed by a Professional Engineer, to the City for review and approval by the CAO or designate prior to construction start.
 - 25.1 The developer shall furnish two (2) sets of "as built" plans to the City with 30 (thirty) days completion of the private water and wastewater system and accompanying these "As built" plans shall be a letter indicating that the private waterworks system is fully operational.
 - 25.2 The developer shall provide the City with a water meter servicing strategy for review and approval by the CAO or designate prior to construction start.

New Lot or Multiple Lots Developed

- 26. Where any new lot or group of lots is developed, the developer shall arrange at his own cost the installation of adequate water and wastewater service lines to the City's specifications and requirements.
 - 26.1 Such subdivision development will be governed by development or servicing agreements.
 - 26.2 Where a lot is within a developed area and where there had not been service lines placed, the City shall install the service lines to the front property boundary and shall charge the owner of the property the costs incurred.

- 26.3 The Owner may at their option choose to have the installation performed by a private contractor in accordance with specified standards at the time of installation.

Using a Private Contractor

27. Where a private contractor is used pursuant to Sections (22 to 26), the City shall have the right of inspection.
- 27.1 Only City qualified and approved private contractors may install new service lines to the City's Waterworks and Wastewater systems. A list of approved contractors is available from the CAO or designate.
- 27.2 The owner shall advise the City of the time of installation and shall allow the City reasonable opportunity to inspect the installation for conformance to City standards and specifications.
- 27.3 Persons excavating for service lines and connections shall not backfill until a request for inspection has been made to the City and the City has done an inspection and approved the installation.
- 27.4 When making a request for an inspection, a twenty-four (24) hour notice will be required by the City and inspection will only be done during normal working hours.
- 27.5 Person's backfilling before requesting and receiving an inspection may be asked by the inspector to dig out and expose the service lines so that a proper inspection can be done.
- 27.6 The owner shall be responsible to arrange and pay for the installation of services within their own property.

Water and Wastewater – Replacement of Existing Service Lines

28. If the owner of a property wishes to replace a water or wastewater service line it shall be at the owner's cost.
- 28.1 Where a service line needs replacement because it can no longer be economically repaired the replacement must be undertaken and the costs assessed to the owner.

PART 4 – WATERWORKS SYSTEM

Waterworks Use and Service

29. A customer shall pay the amounts specified in this Bylaw and in Schedule "B" for all Water supplied and Waterworks Services provided.
- 29.1 As a condition of water service and as operational needs dictate, employees of the City shall have free access to all parts of a property, building or other premises in which water is delivered and consumed, at reasonable hours of the day and upon reasonable notice for the purpose of:
- a. installation, maintenance, repair, and removal of the Waterworks System and Water Service Connections;
 - b. installation, testing, repair and removal of Water Meters or other parts of the Waterworks System;
 - c. inspection of Cross-Connection Control Devices or other equipment associated with the Waterworks System and the Customer Plumbing System;
 - d. Inspection of water meter bypass system to ensure compliance;
 - e. reading of Water Meters; and
 - f. inspections for compliance with this Bylaw.

- 29.2 No Person shall hinder or interrupt an employee of the City or agents, in the exercise of any of the powers or duties relating to the Waterworks System as authorized or required in this Bylaw.
- 29.3 No person shall install or allow to be installed a water boosting device on a water service line, without approval from the CAO or designate.
- 29.4 No person shall allow for the installation of a water meter bypass system unless authorized by the CAO or designate.
- 29.5 Upon termination of Water Service, an employee of the City or agent may enter the parcel or premises which was supplied with Water Service for the purpose of removing from the parcel or premises any fittings, machines, apparatus, meters, pipes or any other things that are the property of the City.
- 29.6 Employees of the City may at any time specify the required position or require the relocation, at a property owner's expense, of any Water Meter, Cross Connection Control Device, pipe, valve or fitting forming part of the Waterworks System.
- 29.7 Owners of premises may submit in writing to the CAO or designate a request to not have a radio frequency water meter installed on their premises. Those granted approval from the CAO or designate to be exempt from the RF water meters shall be billed the cost of the non-rf water meter and the costs associated to have the water meter read as per Schedule "B".

Single Water Service to Multiple Buildings

- 30. Permission will not be granted to supply two (2) or more buildings fronting on the same street with a single water service unless:
 - a. the service is divided within the street and a separate shutoff(s) is provided for each service(s); or
 - b. a meter room is constructed with separate lock-able shut-off valves for each service; or
 - c. wall curb cock valves are installed for each service.
- 30.1 Exceptions to Section (30) shall be approved by the CAO or designate before construction.

Temporary Water Service

- 31. Persons who wish temporary water service shall make applications in accordance with Section (5.1), and shall pay the City in advance the whole cost of service construction, including the cost of removal when no longer required.

Water Service Lines - Repair and Maintenance

- 32. Should the damage to the line be caused by the negligence or improper action of the occupant the costs for repairing or thawing lines will be charged to the owner.
- 32.1 The property owner shall be responsible for the repair of the water service line within their own property.

City Repair of Private Water Service Lines

- 33. The City will not normally undertake the repair of a water service line on private property but may do so if the property owner, after diligent efforts, cannot arrange a private contractor to undertake the repairs.
- 33.1 The Owner shall be required to enter into an agreement with the City, agreeing to the repair and assuming the costs of the repairs deemed necessary by the City.

Location of Water Service Repair

- 34. Where the exact location of a problem cannot be determined to be either clearly within the City side (Public) or on private property the City will undertake to determine the location of the problem.
- 34.1 If the problem exists between the property lines (curb cock) to the water main, the City will continue to complete repairs.
- 34.2 If it is found to exist on private property the owner shall be responsible for the costs incurred.
- 34.3 Where the owner undertakes the repair of the service line on his own property and finds that the problem exists on the portion of line for which the City is responsible, the City will complete the repairs.
- 34.4 The owner of a premise shall ensure that the water service curb cock valve remains accessible and exposed and where the owner or occupier damages or causes the curb cock to become inoperative, the Owner shall be responsible for repair or replacement costs.

Construction Water

- 35. Water used for any construction purpose shall be charged in accordance with "unmetered rates for building construction" as provided in Schedule "B", and paid together with the Building Permit Fee imposed pursuant to the City of Lacombe Building Permit Bylaw.

Water Emergency

- 36. In case of making repairs or in construction of a new Waterworks System or in connecting or repairing service pipes, the City shall have the right to shut off the water from any consumer or customer without notice and keep it off as long as may be necessary. The City is not liable for any leaks or issues that arise from shutting off water without notice.
- 36.1 The City shall endeavor to provide notice to customers of such interruption of service and shall seek to minimize the inconvenience to customers as may be possible and reasonable.
- 36.2 Except where authorized by the CAO or designate no person shall open, close or interfere with any hydrant or valve connected to the City Waterworks System. Contravention of this will be subject to fines, as per Schedule "B".
- 36.3 The City may have the water shut off to a premises or property of any owner or customer infringing on any of the rules and regulations of the City. In cases where the water had been shut off for allowing leaks, defects in pipes or connections. The City may refuse to restore water service until the defects have been repaired.
- 36.4 Water shall be shut off at the curb cock valve and no person shall turn on or attempt to turn on the water except where authorized by the CAO or designate.

Water Restrictions

- 37. When an emergency in the water supply occurs, the CAO or designate may restrict the use of water from the City Waterworks System.
- 37.1 During the period when water is restricted, notice to the public shall be announced in the local newspaper, radio, City website, social media, or such other means as is deemed appropriate by the CAO or designate.
- 37.2 The declaration of a water use restriction may apply to:
 - a. the entire City; or
 - b. specific zone(s) or geographic area(s) of the City; or
 - c. specific water uses.

- 37.3 Any Person installing plumbing fixtures for any new construction or renovation project that requires a plumbing permit for a residential, commercial, industrial, or Institutional structure shall install only Low-flow Plumbing Fixtures.
- 37.4 The requirements of Section (37.3) shall not apply to plumbing Facilities installed for safety or emergency purposes including emergency safety showers and face / eye wash stations.

Plumbers

- 38. A plumber may after obtaining permission from the CAO or designate, to operate a curb cock valve up to 1inch (25 mm) in diameter for the purpose of:
 - a. the testing of his own piping in the case of new installations; or
 - b. the replacing or renewing of a service line.
- 38.1 If water is required to test plumbing before a meter is installed a plumber may temporarily install a meter piece.
- 38.2 After completion of work under this clause they shall immediately close the valve and remove the temporary meter piece.
- 38.3 A plumber shall not operate any of the curb cock valves larger than 1 inch (25 mm) for any purpose.

Shut-Off Valves

- 39. Every Owner shall ensure:
 - a. that all shut-off valves on their premises are maintained in good mechanical condition;
 - b. that all shut-off valves are easily accessible at all times to ensure that such valves are operable in case of emergency.

Water Meters

- 40. All water outlets from a water service connection to any building within the City must be metered using a meter of the specification as adopted by the CAO or designate.
- 40.1 One (1) water meter will be allowed for a building where only one water service is provided. For multiple water meters refer to Section (30)
- 40.2 Notwithstanding Section (40.1), the CAO or designate can grant approval to owners that want to install subsidiary meter on their property.
- 40.3 The City will not read or maintain any subsidiary meter(s).
- 40.4 Where the installation requires pipefitting and alternations the owner shall be responsible for those additional costs.
- 40.5 Every owner shall make allowance for the installation of water meters in accordance with the City's specifications and shall protect the same from frost or other damage when placed upon their premises.
- 40.6 Every owner or occupant that fails to protect the meter and service lines from frost or other damage, the City shall charge the cost of repairs and replacement to the owner.
- 40.7 The City shall seal those meters installed and no person except as authorized by the City shall break or tamper with any such seal or meter.

Water Meter Testing

- 41. Where the owner disputes the accuracy of the meter, they shall give written notice to the CAO or designate to check the meter. The CAO or designate may at their sole discretion deny the testing of a water meter.

- 41.1 If the accuracy of the meter is found to be in the acceptable tolerance limits, as per current AWWA water meter testing standards, the meter will be reinstalled.
- 41.2 If the accuracy of the meter is found to be outside of the AWWA acceptable tolerance limits, the meter will be replaced with another; and have the previous two (2) months water use and wastewater consumption refunded.

Water Meter Reading

- 42. The City shall:
 - a. require a Water Meter to be read; and
 - b. determine the frequency at which Water Meters shall be read; and
 - c. shut-off the Water Supply to a Customer who refuses to provide a Water Meter reading within three (3) months of a request to provide such Water Meter reading; and
 - d. subject to subsection (c) above, estimate a Water Meter reading.
- 42.1 Every Customer shall:
 - a. provide readings of a Water Meter or Water Meters on premises under their control, when requested by the City; and
 - b. in circumstances where a Water Meter was estimated, pay the cost of the estimated consumption; and
 - c. if the actual consumption is greater than the estimated consumption when the Water Meter is read, pay the cost of the actual consumption;
 - d. allow access to the water meter for reading, inspection, maintenance or replacement by the CAO or designate, or an agent of the City;
 - e. notify the City of a broken water meter.
- 42.2 A Water Meter reading may be estimated by the City based on either previous consumption patterns or a daily average consumption for the premises, if:
 - a. the City is unable to obtain a Water Meter reading; or
 - b. a Water Meter fails to properly register the amount of water consumed; or
 - c. water supplied through a Water Meter has not, for any reason whatsoever, registered on the Water Meter.
- 42.3 Where RF water meters are installed, the City shall read the consumption monthly.

Fire Protection

- 43. When a property owner wishes to provide fire protection by means of sprinkler head, hydrant(s), outlets for hose lines, or some other manner, application for a special service pipe shall be made in accordance with Section (5.1).
- 43.1 When an application pursuant to Section (43) is approved by the CAO or designate, a separate special service pipe to be utilized for fire protections only shall be constructed at the property owner's expense.

Fire Hydrants

- 44. Unless authorized by the CAO or designate, no person shall:
 - a. open or close any hydrant or hydrant valve; or
 - b. connect any device of any kind to a fire hydrant, including a pipe, hose, fixture, or appliance; or
 - c. paint a hydrant; or

- d. use water from a fire hydrant, regardless of whether that hydrant is located on private or public property, for any purpose other than fire protection.
- 44.1 All fire hydrants, except fire hydrants situated on private property, shall remain the property of the City. Any Person who wishes to have a City owned fire hydrant relocated may request in writing to the CAO or designate that the hydrant be relocated. If approved, the Person making the request shall pay in advance the estimated cost determined by the CAO or designate, subject to a refund or additional payment, depending upon the actual cost when the work has been completed.
- 44.2 Hydrants used for the purposes of flushing shall have the potable water dechlorinated prior to entering the Storm sewer system.

Private Hydrants

- 45. Owners of private hydrants shall be charged an amount specified in Schedule "B" for the annual inspection of such hydrants.
- 45.1 The CAO or designate may require that a fire hydrant be installed on private property at the expense of the Owner of the property. Fire hydrants located on private property must be approved, installed, used and maintained in accordance with the Alberta Fire Code and all municipal bylaws.
- 45.2 Private hydrants are not maintained, serviced or repaired by the City.
- 45.3 No Owner or Occupant of a parcel or premises on which a private fire hydrant is situated shall paint such hydrant or allow such hydrant to be painted any colour except the approved colour as determined by the CAO or designate, and amended from time to time.
- 45.4 The CAO or designate will inspect private hydrants annually and provide the owner with a condition report. The CAO or designate will periodically flow test the hydrants and provide the owner with those results also.
- 45.5 Private hydrant(s) needing repair shall be completed within thirty (30) days, unless otherwise negotiated with the CAO or designate. Failure to repair a private hydrant will result in the water being shut-off to the area of influence, and the CAO or designate shall proceed with the repair at the owner's expense.

Obstruction of Hydrants

- 46. No Owner of a parcel or premises shall allow the access to a fire hydrant located on or adjacent to that parcel or premises to be obstructed in any manner, including the building or erection of anything or the accumulation of any building material, rubbish or other obstruction.
- 46.1 No Owner of a parcel or premises shall allow anything on the parcel or premises to interfere with the operation of a fire hydrant located on or adjacent to that parcel or premises.
- 46.2 All persons who own property on which a fire hydrant is located or own property which is adjacent to City owned property on which a fire hydrant is located:
 - a. shall maintain a one (1) meter clearance on each side of a fire hydrant; and
 - b. shall not permit anything to be constructed, erected, or placed within the clearance provided in paragraph (a) of this subsection; and
 - c. shall not permit anything except grass to be planted within the clearance area set out in subsection (a).

Permission to Use Water from Fire Hydrants

- 47. The CAO or designate may authorize the use of fire hydrants and the use of water from fire hydrants on a temporary basis where no other supply of water can be conveniently obtained.

- 47.1 No person shall access a hydrant without written approval by the CAO or designate to do so. Failure to obtain written permission from the CAO or designate will be subject to fines.
- 47.2 The CAO or designate may, as a condition for the use of fire hydrants and the use of water from fire hydrants, require that the water pass through a Water Meter and Cross Connection Control Device prior to use.

Hydrant Connection

48. The CAO or designate may require that any Person authorized to use a fire hydrant or draw water from a fire hydrant pursuant to Section (47) shall:
- a. enter into a Hydrant Use Agreement with the CAO or designate; and
 - b. have any vehicle to which a Hydrant Connection Unit is attached and its equipment inspected and approved by the CAO or designate, where required pursuant to the agreement, prior to withdrawing water from a fire hydrant; and
 - c. use the Hydrant Connection Unit in the manner required pursuant to the hydrant use agreement at all times while drawing water from a fire hydrant or while connected to a fire hydrant, and ensure that no Backflow, wastewater or other substance can enter the Water System; and
 - d. ensure that a copy of the Hydrant Use Agreement is kept in the vehicle at all times that the Hydrant Connection Unit is attached to such vehicle; and
 - e. produce the Hydrant Use Agreement to an Officer or any City employee for inspection, upon request.
- 48.1 No Person authorized to use a fire hydrant or draw water from a fire hydrant pursuant to Section (48) shall break or allow to be broken a seal placed on a Hydrant Connection Unit.
- 48.2 Any Person who fails to comply with the requirements of Section (47 and 48) may be fined as per Schedule "B".

PART 5 – WASTEWATER SEWER SYSTEM

49. A customer shall pay the amounts specified in this Bylaw and in Schedule "B" for all properties connected to the City's Wastewater Sewer System

Compliance with Other Laws

50. Nothing in this Bylaw relieves any persons from complying with any provision of any Federal or Provincial legislation and Regulations, or any other Bylaw of the City.

Disposal of Sewage

51. The owner of a building shall ensure that sewage from the plumbing system in the building is disposed of into the sanitary sewer collection system or a private sewage treatment and disposal system approved by the CAO or designate.

Use of Wastewater System

52. No person shall place, deposit, or permit to be deposited in any manner upon public or private property within the City or in any area under the jurisdiction of the City, any human or animal excrement, or other waste, or dangerous goods.
- 52.1 No person shall discharge from any natural outlet within the City or to any area under the jurisdiction of the City, any sewage, industrial waste, dangerous goods, or polluted waters.
- 52.2 Except as permitted by this Bylaw or Regulations, no person shall construct or maintain in the City any privy or pit toilet, cesspool, or other facility intended or used for the collection or disposal of sewage.

Wastewater Service Lines – Repair and Maintenance

53. The owner shall be responsible for clearing any blockages including tree roots in the sanitary sewer service line from the building up to and including the connection to the sanitary sewer main; regardless of where the roots are presumed to be coming from.

Sewer Blockage

54. If a blockage occurs the owner or occupant shall firstly contact a plumber to clear the line.
 - 54.1 If the plumber cannot clear the blockage, the CAO or designate may undertake to clear the line using available equipment as may be necessary, at the owner's expense.
 - 54.2 Where a blockage is located on the owner's property and cannot be cleared, the owner shall be responsible for arranging and paying for any work required restoring the operation of the sanitary sewer service line.

Location of Blockage

55. Where a blockage is located between the property line (curb cock) and the sanitary sewer main, the CAO or designate may undertake the repair of the sanitary sewer service line and shall bear the cost of the repairs; only if the blockage was caused by physical damage to the service line due to faulty installation, substandard materials or ground settlement or movement.
 - 55.1 The owner shall be responsible for all costs where the blockage has occurred, due to grease buildup, roots, foreign substance or item, or for any other reason from the building to the sanitary sewer main.
 - 55.2 If an owner believes that the sanitary sewer service is performing poorly or that it repeatedly caused problems, the owner may request the CAO or designate to repair or replace the line from the curb cock to the main.
 - 55.3 If the problems with the line cannot be attributed to the specific causes identified in Section (55) above then the owner shall be responsible for the costs.
 - 55.4 The City will not be responsible for the costs associated with clearing a blockage from a sanitary sewer service line.

Foundation Drainage Sump Pits

56. Foundation sump pits shall not be connected to the sanitary sewer system; ground water entering these pits shall be either connected to the storm system or pumped to surface.

Garage Sump Pits

57. Premises that require a sump pit to be installed in their garage or shop area shall install a 'dry sump' where there is no connection made to the sanitary or storm sewer system.

Storm Drainage

58. Except as otherwise provided in this Bylaw, no person shall direct, allow or suffer any storm drainage to be placed in the sanitary sewer collection system.
 - 58.1 Where storm drainage on any land is directed into or connected to the sanitary sewer collection system, the owner of that land shall forthwith, upon being so directed by the CAO or designate, disconnect the storm drainage from the sanitary sewer collection system and connect it to the storm drainage collection system, if available, or shall dispose of the storm drainage in a manner satisfactory to the CAO or designate.
 - 58.2 Notwithstanding Section (58.1), the CAO or designate may approve connection or direction of storm drainage to the sanitary sewer collection system.

Unlawful, Unauthorized and Accidental Releases

59. Any person who releases or discharges, or causes or permits the release or discharge of any waste into the sanitary sewer collection system or the storm sewer collection system in contravention of this Bylaw shall immediately notify:
- a. the 9-1-1 emergency telephone number if there is any immediate danger to human health and/or safety; or
 - b. if there is no immediate danger:
 - (i) the *CAO or designate* by contacting the City of Lacombe, 24 Hour emergency number at 403-782-3880; and
 - (ii) the owner of the premises where the release occurred; and
 - (iii) any other person whom the person reporting knows or ought to know may be directly affected by the release.
- 59.1 The person reporting the release or discharge pursuant to Subsection (b) (above), shall supply the CAO or designate with the following information:
- a. location where the release occurred; and
 - b. their name and a telephone number where they may be reached; and
 - c. time of the release; and
 - d. type of material released and any known associated hazards; and
 - e. volume of the material released; and
 - f. corrective action being taken, or anticipated to be taken, to control the release.

Interference with Wastewater System

60. No person shall turn, lift, remove, raise or tamper with the cover of any manhole, or other appurtenance of any City wastewater system, except where authorized by the CAO or designate.
- 60.1 No person shall cut, break, pierce, or tap any wastewater pipe or appurtenance into any City wastewater systems.
- 60.2 No person shall interfere with the free discharge of any City wastewater, or do any act which may impede or obstruct the flow and clog up any City wastewater or appurtenance.

Backflow Valves

61. Where premises are subject to backflow, all plumbing fixtures and floor drains set below the level of the ground surface of the adjoining street or property shall be protected from backflow by an approved backflow valve.

Trees and Roots

62. No new planting of deep rooting trees (without limiting the generality of the foregoing, including willow, poplar and elm) shall be planted over sanitary sewer service lines on private property. If it is determined that roots are entering the sanitary sewer system from trees upon private property, the trees may be removed by the CAO or designate at the owner's expense.

Interceptors

63. An owner or occupier of any premises upon which an industrial or commercial activity is carried on and which discharges into the sanitary sewer collection system sewage containing oil, grit, grease, sand, wood chips, or inflammable material shall provide an interceptor on the premises in the location directed by the CAO or designate.

- 63.1 All interceptors shall be of a type and capacity approved by the CAO or designate and shall be located as to be readily and easily accessible for cleaning and inspection and shall be maintained by the owner at the owner's expense.
- 63.2 The owner or occupier of the premises described in Section (63) shall:
 - a. keep the interceptor in good working condition at all times; and
 - b. service the interceptor often enough so that it does not become overloaded.
- 63.3 No person shall deposit, or cause or allow, any interceptor residue to be deposited into the wastewater collection system.
- 63.4 Should any blockage, either wholly or in part, of the sanitary sewer collection system be caused by reason of failure, omission, or neglect of a customer, or owner of property, to comply strictly with the provisions of this bylaw, the customer or owner shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay the City for all costs of clearing such blockage as determined pursuant to Schedule "B" and for any other amount for which the City may be held legally liable because of such blockage.
- 63.5 Any person who contravenes any of the provisions of Section (72 and 73) shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay to the City all costs of cleaning up and removing any of the materials listed in Section (72 and 73) and removing and cleaning up a contamination resulting from the discharging of any such materials into a wastewater sewer, and for any other amount for which the City may be held legally liable because of such contamination.

Food Service Establishments

- 64. An owner of a restaurant or premises that is connected to the sanitary sewer collection system, and where food is cooked, processed, prepared, or where FOG is released, must do all of the following:
 - a. Install a FOG interceptor to prevent FOG from entering the sanitary sewer collection system;
 - b. Monitor, operate, properly maintain, and clean each FOG interceptor installed in or on the premises in accordance with current Canadian Standards, and manufacturers specifications;
- 64.1 A person must not use emulsifiers, enzymes, bacteria, solvents, hot water or any other agent to facilitate the passage of FOG or hydrocarbons through an interceptor.
- 64.2 Any person who contravenes any of the provisions of Section (72 and 73) shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay to the City all costs of cleaning up a contamination resulting from the discharging of FOG materials into a sanitary sewer, and for any other amount for which the City may be held legally liable because of such contamination.

Carpet Cleaning Contractors

- 65. An owner of a carpet cleaning business shall only deposit their liquid waste into the sanitary sewer system and where large amounts of lint, hair and other material can be released, must use a filtering device to prevent the fibrous and foreign material from entering the sanitary sewer collection system.
- 65.1 Any person who contravenes any of the provisions of Section (65) shall, in addition to any penalty for infraction of this bylaw, be liable to and shall on demand pay to the City all costs of cleaning up a blockage resulting from the discharging of carpet cleaning materials into a sanitary sewer, and for any other amount for which the City may be held legally liable because of such blockage.

Provision of Wastewater Pretreatment

- 66. Where sewage discharged into the sanitary sewer collection system has concentrations of BOD, TSS or FOG in concentrations in excess of those listed in

Section (73), and then the owner or occupier shall forthwith apply pre-treatment of the sewage before entering the City's sanitary sewer collection system.

- 66.1 Where sewage is discharged into the sanitary sewer collection system in volumes which in the opinion of the CAO or designate are highly variable or unusual, the owner or occupier thereof shall take such steps as are required by the CAO or designate to equalize the discharge into the sanitary sewer collection system.
- 66.2 Such pre-treatment or flow equalization equipment shall be maintained continuously by the owner or occupier of such premises in a manner satisfactory to the CAO or designate.
- 66.3 The pretreatment process shall contain acceptable wastewater screening and dissolved air floatation, or equivalent, processes.

Test Manholes

- 67. Owners of an industrial or commercial activity on a premise which is connected, or which is to be connected, to the Wastewater collection system shall provide to the City, at no cost to the City, test manholes, or suitable holding tank, for the testing of Wastewater sewers from the premises at locations satisfactory to the CAO or designate. City personnel shall be permitted access for grab samples upon request.
 - 67.1 Notwithstanding the above, when required by the CAO or designate, the installation of a manhole in a sanitary sewer service connection to an industrial, commercial, or other development will be required:
 - a. to facilitate the clearing of blockages where, in the opinion of the CAO or designate, the risk of sanitary sewer blockage is high; and
 - b. for observation, sampling, and measurement of the sewage served by a sanitary sewer service connection carrying industrial sewage.
 - 67.2 Without limiting the generality of the foregoing, manholes will be required, but not limited to:
 - a. Industrial - Oil related industries, dairies, breweries, packing plants, processing plants, feed mills, manufacturing plants, and fabricating plants, painting shops.
 - b. Commercial - Shopping centers, heavy machine repair, welding shops, automobile repair, service stations, car washes, restaurants, paint stores, hotels, motels, dry cleaners, laundries.
 - c. Other - Residential dwellings over 6 units, apartment over 6 units, institutions, hospitals, dentist , funeral homes, churches, schools.
 - 67.3 If a test manhole has not been provided for a premises on which an industrial or commercial activity is occurring or if the test manhole provided for such premises is for any reason not accessible to the CAO or designate, the CAO or designate by notice may require the owner of the premises to pay to the City, that amount of money which the CAO or designate deems necessary to cover the cost of constructing and installing a test manhole and upon receipt of such notice, the owner of the premises , shall pay such amount to the City.

Testing of Wastewater

- 68. The CAO or designate shall make available for inspection by the public copies of those analytical and examination procedures.
 - 68.1 The CAO or designate may take sanitary sewer grab samples for analysis, where any person has discharged, caused, or permitted to be discharged into any sanitary sewer any:
 - a. Total Suspended solids which exceed 400 mg/L; or
 - b. B.O.D. which exceed 400 mg/L; or
 - c. Fat, oil and grease that exceed 150 mg/L; or

- d. Concentrations exceeding those referenced in Section (73).
- 68.2 Should testing of the sewage being discharged into the sanitary sewer collection system be required for the purpose of determining the sanitary sewer service surcharge, such testing shall be conducted by the CAO or designate using automated sampling devices or in accordance with the following manual sampling protocol:
- a. samples from the effluent produced at a location will be collected each day for a minimum of two days; and
 - b. a minimum of four grab samples of equal volume shall be taken each day, such samples to be taken at least one hour apart; and
 - c. the analysis shall be conducted on a composite sample made of each day's grab samples; and
 - d. the respective results of these tests shall be averaged to determine the characteristics and concentration of the effluent being discharged into the City sanitary sewer collection system.
- 68.3 Where a common sanitary sewer service pipe connects different industrial and commercial premises served by separate water meters to the sanitary sewer collection system and only one test manhole is maintained pursuant to this Bylaw, the results of tests performed on samples collected from such test manholes shall be used to determine a sanitary sewer service surcharge which shall be used for all premises connected to the common sanitary sewer service.
- 68.4 Any single grab sample may be used to determine compliance with any provision of this Bylaw.
- 68.5 The CAO or designate may from time to time conduct tests at the test manhole, or, where there is not a test manhole located at a place satisfactory to test the sewage being discharged, the CAO or designate may enter upon the premises from which the sewage originates and conduct the tests deemed necessary.
- 68.6 For the purpose of determining compliance with Section (68.5), the CAO or designate may test discrete sanitary sewer streams within premises.
- 68.7 Where there is more than one test manhole servicing a site, the CAO or designate may estimate proportions of samples collected from each test manhole for the purpose of determining a sanitary sewer service surcharge.
- 68.8 All measurements, tests, and analysis of the characteristics of, sanitary sewer or water to which reference is made in this bylaw shall be determined in accordance with the current edition of the "Standard Methods and Practices for the Examination of Water and Sewage" of the American Public Health Association, and shall be determined from suitable samples taken at the control manhole provided for in Section (67). In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the sanitary sewer to the point at which the sewage connection enters the sanitary sewer main.

Monitoring Equipment

69. Where in the opinion of the CAO or designate any source of sewage connected to the sanitary sewer collection system may produce sewage not in compliance with this Bylaw, the CAO or designate may order the testing of the characteristics and concentrations of the sewage being discharged.
- 69.1 Should any testing undertaken pursuant to section (69) disclose that the sewage is not in compliance with this Bylaw, the CAO or designate may direct the owner of the premises from which the sewage originates to comply with this Bylaw, and the owner shall take all action necessary to ensure that the sewage complies with the requirements of this Bylaw.
- 69.2 In addition, the CAO or designate may direct the owner described in section (69) to install and utilize such monitoring equipment as the CAO or designate deems necessary and the owner shall, at the expense of such owner, install and utilize

all such equipment. The results of such monitoring shall be supplied to the CAO or designate.

Right of Entry

- 70. If a condition is found to exist which is contrary to Section (72 and 73), the CAO or designate may issue such order or orders to the owner of the property as may be required to obtain compliance with Section (72 and 73).
- 70.1 No person shall connect, cause to be connected, or allow to remain connected to the sanitary sewer collection system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow rain water, surface water, or any other liquid, chemical or deleterious substance to enter the wastewater treatment system that, in the sole opinion of the CAO or designate, will be detrimental to the operation of the system.
- 70.2 No person shall connect, cause to be connected, or allow to remain connected to the storm sewer collection system any piping, fixture, fittings, container or appliance, in a manner which under any circumstances, may allow contaminated or polluted water, sewage, or any other liquid, chemical or deleterious substance to enter the storm system that, in the sole opinion of the CAO or designate, will be detrimental to the operation of the system.
- 70.3 If a condition is found to exist which is contrary to Section (70), the CAO or designate may issue such order or orders to the owner of the property as may be required to obtain compliance with the appropriate Section. Any and all costs associated with obtaining compliance with Section (70) are the responsibility of the property owner in contravention.
- 70.4 Where, in the opinion of the CAO or designate, the configuration of any water connection on a premises or property creates a risk of contamination to the waterworks system, the owner of the premises or property, shall, upon being given notice, install on a cross connection control device.

Cross Connection between Sanitary and Storm Sewer Services

- 71. The owner of the premises or property required to install cross connection control devices, shall be responsible for the costs of the device and its installation.

All cross connection control devices shall be inspected and tested at the expense of the owner, both upon installation, and thereafter annually, or more often if required by the CAO or designate, by personnel approved by the CAO or designate to carry out such tests to demonstrate that the device is in good working condition. The owner shall submit a report to the City on any or all tests performed on cross connection control devices within thirty (30) days of a test.

When the results of a test referred to in Section (71) show that a cross connection device is not in good working condition, the owner shall undertake to make repairs or replace the device within ninety-six (96) hours of becoming aware of the results of the test.

- 71.1 No person shall turn on a water service valve to provide water to the occupants of any newly renovated, constructed, or reconstructed premises until the plumbing system in such premises has been inspected for cross connections and approved in accordance with this bylaw.
- 71.2 Where an owner fails to install, repair or replace a cross connection control device where required or where an owner to whom the CAO or designate has issued an order, fails to comply with that order, the CAO or designate may:
 - a. Give further notice to the owner to correct the fault within a specified time period and, if the notice is not complied with, may then shut off the water service or services;
 - b. Shut off the water service or services without prior notice.
- 71.3 Water services shut off under Section (71) will not be reconnected until such time as:
 - a. the deficiency is remedied or the order complied with; and

- b. the provisions of Section (71) are met.

Prohibited Substances in the Wastewater System

- 72. Except as otherwise provided in this Bylaw, no person shall release or discharge, or permit the releasing or the discharge, of any waste described in Schedule "C" into the Wastewater sewer collection systems.
- 72.1 Section (72) does not apply to prevent the discharge of human excrement and urine.
- 72.2 Where the CAO or designate is satisfied that sewage which does not meet the requirements of section (72) and will not damage the sanitary sewer collection system, the CAO or designate may, notwithstanding section (72), by approval given in writing allow such sewage to be deposited into the sanitary sewer collection system upon such terms and conditions as the CAO or designate may specify including but not limited to periodic testing of the sewage and the payment of surcharges in accordance with the requirements of this Bylaw.
- 72.3 No person shall, for the sole purpose of meeting any concentration limits set out in this Bylaw, dilute any sewage intended to be deposited in the sanitary sewer collection system.

Prohibited Material

- 73. No Person shall discharge or permit to be discharged into any Wastewater Sewer (Sanitary and Storm):
 - a. any solid or viscous substance capable of causing obstruction, or other interference with the operation of the Sanitary system, including Dangerous Goods, Hazardous Waste, Biological Waste, Combustible Waste, Biomedical Waste, Reactive Waste, elemental mercury, prescription or illegal drugs, soil, PCBs, Pesticides, Radioactive Materials, hair, grease, oil, cigarettes, ashes, cinders, sand, potters clay, resin, mud, straw, metal, glass, rags, flushable wipes, feathers, tar, plastics, wood, grass clippings, insoluble shavings, asphalt, creosote, bone, hide, eggshells, meat and fat trimmings or Waste, baking dough, chemical residues, spent grain and hops, whole food, garbage, paint residues, cat box litter, animal tissues, manure, blood, or Sharps; and
 - b. Wastewater having a pH lower than 6.0 or higher than 9.5, or having any other corrosive property capable of causing damage or hazard to infrastructure, equipment, Wastewater treatment processes, or personnel of the City; and
 - c. Wastewater containing substances in concentrations exceeding the following:
 - (i) Antimony - 1.0 mg/L
 - (ii) Arsenic - 1.0 mg/L
 - (iii) Barium - 3.0 mg/L
 - (iv) Boron - 1.0 mg/L
 - (v) Cadmium - 0.05 mg/L
 - (vi) Chromium - 1.0 mg/L
 - (vii) Chlorinated Hydrocarbons - 0.02 mg/L
 - (viii) Copper - 0.5 mg/L
 - (ix) Cyanide - 1.0 mg/L
 - (x) Lead - 1.0 mg/L
 - (xi) Manganese - 1.0 mg/L
 - (xii) Mercury - 0.1 mg/L
 - (xiii) Nickel - 0.5 mg/L
 - (xiv) Phenolic Compounds - 0.1 mg/L
 - (xv) Selenium - 1.0 mg/L
 - (xvi) Silver - 1.0 mg/L

- (xvii) Sulphide - 1.0 mg/L
 - (xviii) Zinc - 1.0 mg/L
 - (xix) Total Suspended Solids (TSS) - 400 mg/L
 - (xx) Biochemical Oxygen Demand (BOD) - 400 mg/L
 - (xxi) Chemical Oxygen Demand (COD) - 400 mg/L
 - (xxii) Total Phosphorus - 150 mg/L
 - (xxiii) Total Kjeldahl Nitrogen - 400 mg/L
 - (xxiv) Oil and Grease - animal, vegetable - 150 mg/L
 - (xxv) Oil and Grease - synthetic hydrocarbon - 50 mg/L
 - (xxvi) Phosphates - 100 mg/L
- d. Wastewater containing hydrogen sulphide, carbon disulphide, reduced sulphur compounds, amines or ammonia; and
- e. any substance which:
- (i) is or may become harmful to any recipient water course or collection system or part thereof or will cause a violation or noncompliance event in the Operating Approval for the Wastewater Treatment facility; and
 - (ii) may interfere with the proper operation or maintenance of the Wastewater system, disposal of biosolids, or any Wastewater treatment process or cause damage to the Wastewater Collection system or Wastewater treatment facility; and
 - (iii) grit removed from commercial or industrial premises including but not limited to grit removed from car washing establishments, automobile garages and restaurant Sumps or from Interceptors.

Discharge of Prohibited Substances

74. Any Person responsible for or aware of the discharge of prohibited substances in the Wastewater system shall immediately report to The City in order that the necessary precautions can be taken to minimize the deleterious effects of the discharge. Such Person must also make other required reports to Alberta Environment and any other governing body.
- 74.1 If testing of Wastewater shows that it is noncompliant with this Bylaw, The City may direct the Customer to comply with the Bylaw and may, in addition, direct the Customer at its expense to install such monitoring and recording equipment as The City deems necessary and to provide to The City the results of said monitoring as required.
- 74.2 Any Person who contravenes any of the provisions of Sections (74 to 74.1) shall, in addition to any penalty for infraction of this Bylaw, be liable to and shall on demand pay to The City all costs of monitoring, sampling, testing, and removing any contamination resulting from the discharging of any such substances into a Wastewater Sewer, and for any other amount for which The City may be held liable because of such contamination.

Overstrength Surcharge

75. A person who has discharged, caused, or permitted wastewater to be discharged into any Wastewater Sewer containing constituents exceeding the concentrations outlined in Schedule B, shall pay the volume and treatment charges set forth in Schedule B.
- a. Should testing of the Wastewater being discharged into the Wastewater collection system be required for the purpose of determining the Wastewater surcharge rate, such sampling and testing shall be conducted by the CAO or designate, or by the Customer to the satisfaction of the CAO or designate, using either an automated sampling device(s) or in accordance with the following manual sampling protocol:

- (i) sample(s) from the effluent produced at a location will be collected for a minimum frequency of once per week; and
 - (ii) if the test results determine the effluent is overstrength, a second test will be taken and if the results still show the wastewater to be overstrength the Overstrength Surcharge will be applied to the Customer; and
 - (iii) Overstrength Surcharge will be applied for the entire month once discovered.
- b. The results of the foregoing tests shall be averaged to determine the characteristics and concentration of the effluent being discharged into the City wastewater collection system.
 - c. No Person shall, for the purpose of meeting any concentration limits set out in this Bylaw, dilute any Sanitary sewer intended to be deposited in the Sanitary sewer collection system.
 - d. Overstrength Surcharge will be applied to the monthly utility invoice until the Customer remedies the situation or monthly testing determines that the wastewater strength has returned to acceptable strength level.

Sanitary Sewer Service Levy and Billing Rates

- 76. All Owners of a property or premises connected with the City's sanitary sewer system shall be required to pay a levy for services as prescribed in the Rates, Billing and Collection section (7) of this Bylaw.
- 76.1 Should the information upon which any sanitary sewer service charges prove to be in error, the CAO or designate may estimate sanitary sewer service charges for the affected period and make appropriate billing.

Sanitary Sewer Service Surcharge

- 77. When tests carried out pursuant to this Bylaw show that the sewage from an industrial or commercial premises discharged to the sanitary sewer collection system has a biochemical oxygen demand greater than four hundred milligrams per liter (400mg/L) or total suspended solids in excess of four hundred milligrams per liter (400mg/L), then the owner or occupier shall be subject to a surcharge in addition to the sanitary sewer service charge set out in Section (75).
- 77.1 The surcharge for sanitary sewer service shall be determined in cents per kilogram as set out in Schedule "C".
- 77.2 For the purpose of establishing the surcharge on a monthly basis the rate established pursuant to Schedule "C" shall be multiplied by the number of volume of water consumed by the industrial or commercial premises and the concentration of the industrial load as tested in the grab samples.

Billing and Payment

- 78. Where a surcharge rate has been established pursuant to Section (77), it shall remain in effect until the source of the surcharge has been rectified to the satisfaction of the CAO or designate.
- 78.1 Where as provided in Section (77) the concentration of the sewage discharged into the sanitary sewer collection system is determined from a common test manhole where the sewage is a combination of that discharged from more than one premises served by separate water meters then the surcharge rate so determined shall be applied to the utility bill of each separate premises.
- 78.2 Where the sanitary sewer surcharge is levied, the City shall show the surcharge as a separate item on the utility bill issued under Section (7) and the surcharge shall form part of and be payable to the City at the same time as the utility bill.
- 78.3 Notwithstanding section (78), when the CAO or designate has been provided with satisfactory evidence indicating a significant permanent change in effluent strength has occurred. The CAO or designate may order testing and a new surcharge rate prior to the expiration period referred to in section (78).

Exemptions

79. Notwithstanding the provisions of this bylaw, the CAO or designate shall have the right to make special agreements on terms fixed by the CAO or designate with certain industries or others to whom large quantities of water are sold but whose uses of such water do not involve the return of comparable amounts of wastewater to the City's sanitary sewer system.

Part 6 – Solid Waste Services

80. The City Solid Waste Services shall provide for the collection, removal and disposal of Solid Waste within the City as specified in this Bylaw.

Solid Waste Classification

81. For the purposes of this bylaw the following classifications of premises shall be used:
 - a. Dwellings - any building or place, including the land upon which the premises is located, which is occupied or used as a place of abode other than a hotel, restaurant or apartment building containing more than four dwelling units;
 - b. Other premises - any building or place, including the land upon which the premises are located, which is occupied or used for
 - (i) commercial or industrial purposes;
 - (ii) Government or institutional purposes;
 - (iii) an apartment building containing more than four dwellings.
- 81.1 For the purposes of this bylaw the following collection bin classifications will be used:
- 81.2 Individual black rollout bin;
- 81.3 Alley bin or Dumpster.

Customer Responsibilities

82. The owner or occupant of a dwelling or other premises shall be responsible to:
 - a. Prevent the accumulation of solid waste at or adjacent to, a dwelling or other premises to the point where an unsanitary, unsafe or unsightly condition develops;
 - b. Store all solid waste in compliance with the requirements of this Bylaw;
 - c. Adhere to the disposal of Solid Waste as per, Schedules "B, C and D"
- 82.1 Store all solid waste in such a manner as to prevent any material from being scattered, blown, spilled or otherwise dispersed, to prevent any odors from escaping or any nuisance from being caused.
- 82.2 Any person other than:
 - a. an employee or agent of the City; and
 - b. an owner or employee of a building or premises; and
 - c. the owner or occupant of a dwelling.is prohibited from the handling of, interfering with or the removal of any General Waste, or any container or receptacle thereof.
- 82.3 All owners or Occupants of land shall remove and dispose of all Solid Waste originating on their lands or premises which are not collected, removed and disposed of pursuant to this Bylaw, and in default of doing so, the City may

- remove and dispose of such Solid Waste at the expense of the owner, shall pay such expenses to The City.
- 82.4 For dwellings in areas designated for collection, the owner or occupant shall place all general waste only within the container or receptacle provided.
- 82.5 Dwellings or other premises shall separate materials to divert through the appropriate waste diversion stream as described in Schedule "D".
- 82.6 Dwellings or other premises shall be responsible to dispose of waste that the City does not collect.
- 82.7 Any owner, occupant or employee may deliver solid wastes to the Lacombe Regional Waste Services Commission (LRWSC) at such locations and subject to such regulations as the Commission may determine.
- 82.8 The City and any owner, occupant or employee thereof of a dwelling or other premises may deliver any designated solid waste to a location designated by the CAO or designate or LRWSC for disposal.
- 82.9 It is unlawful for an individual not living or working in the City to dispose of an amount of General Waste exceeding 0.5 kilograms (1 pound) at a dwelling or other premises within the City of Lacombe without prior approval from the CAO or designate.
- 82.10 Public Receptacles shall only be used for the disposal of incidental Solid Waste and shall not be used for the disposal of Solid Waste generated by residences, businesses or other commercial activities.
- 82.11 Any vehicle, conveyance or container used for the transportation of solid wastes shall be outfitted or covered to prevent any material from dropping, spilling or blowing from the vehicle during transit.
- 82.12 No person shall burn or be responsible for the burning of any General Waste except in an incinerator, the emissions from which meet the standards and regulations of the Provincial and Federal Governments.
- 82.13 No person shall modify or relocate a dumpster, or modify a roll-out bin without written approval to do so from the CAO or designate.

City Responsibilities

83. The City shall provide for the collection of all General Waste from each dwelling (other premises not included) within the City, once per week at a time and day determined by the City. The City shall have the ability to change the time and day of collection at any given point, to fulfill operational requirements.
- 83.1 The City shall provide for the collection of all General Waste from other premises (dwellings not included) at least once per two weeks at a frequency, time and day determined by the City in consultation with the occupant. The City shall have the ability to change the time and day of collection at any given point, to fulfill operational requirements.
- 83.2 The City shall have the ability to modify collection schedules to accommodate statutory holidays, mechanical breakdowns or loss of resources as directed by the CAO or designate.
- 83.3 Except during designated periods (spring/fall cleanup, trash to treasure week, toxic roundup) throughout the year, the dates of which shall be determined in each year by the CAO or designate and communicated to the public. The City shall not be responsible for the removal of prohibited waste from premises, other than General Waste collection.
- 83.4 Notwithstanding anything in this Bylaw, the CAO or designate may refuse to collect any material defined as prohibited waste as specified in the attached Schedule "D", or additionally that which is not accepted for disposal by the LRWSC, or additionally that which otherwise in the opinion of the collector may create a danger to the health or safety of those collecting such solid wastes.

- 83.5 An owner, occupant or employee will be responsible for disposing of the prohibited material at their expense. The CAO or designate will not collect a rollout bin or dumpster until the prohibited material has been removed.
- 83.6 For such cases for Businesses and Commercial properties, where the CAO or designate is unable to provide General Waste collection or the owner has chosen to contract General Waste collection to a private contractor to a premises; the CAO or designate shall make available a list of qualified contractors to provide such services within the City of Lacombe. This qualified list of solid waste contractors is available through the Operations and Planning Department.
- 83.7 The City shall deliver all General Waste to the LRWSC at such locations and subject to such regulations as the Commission may determine.
- 83.8 The CAO or designate, City employees, and agents have the right to refuse or remove collection for the following reasons:
 - a. Overloaded bin (dumpster or rollout); and
 - b. Bin lids not closed on a rollout bin; and
 - c. Prohibited materials in a bin; and
 - d. Improper placement of a rollout bin; and
 - e. Non-payment for service.

The above conditions apply to:

- a. Rollout bins and dumpsters; and
- b. Recycle bins (blue box and cardboard); and
- c. Grass Bins; and
- d. The Recycle Depot.

Dumpster Location

- 84. The area designated by the CAO or designate in which the General Waste collection system will operate (either alley or business) shall be the area prescribed by and located within the defined boundaries of the City of Lacombe. The CAO or designate may designate areas of the City in which dwellings and other premises may be provided with collection and may designate the type and location of receptacle or container that must be used by owners or occupants.
- 84.1 The CAO or designate shall provide dumpsters to other premises and to dwellings in those areas designated for General Waste collection.

The CAO or designate shall determine the location of dumpsters or roll-out bins, which minimize the impact to health and safety of the public.

Alley Dumpsters

- 85. Where a dwelling or other premises are located adjacent to an alley, the owner or occupant shall place all General Waste only within the alley bins (3 cubic yard bins) supplied by the City which allows for collection and shall have unobstructed and convenient access for collection.
- 85.1 A 3 cubic yard (dumpster) shall not be filled to a point where the weight of the bin exceeds 550 kilograms (1213 pounds). A bin that is continually filled in excess of this will be removed and garbage collection will be discontinued.

Individual Rollout Bins

- 86. Where a dwelling is not served by a lane, the owner or occupant shall store all General Waste only within the individual rollout bins supplied by the City.
- 86.1 Provisions governing the use of individual roll out bins:

- a. Such rollout bins shall be stored within the property in such a manner as to not be unsightly in appearance; and
 - b. The bin shall be placed on the street for collection by 7:00 AM on the day designated by the City; and
 - c. At a location adjacent to the curb or edge of the street fronting the property where the City shall have unobstructed and convenient access for collection; and
 - d. The bin requires a minimum of six (6) feet clearance on all sides for collection by the City's automated solid waste collection system, and where pedestrian and vehicular traffic is not otherwise impeded; and
 - e. The two lids on the bin shall be fully closed to ensure collection; and
 - f. All General Waste deposited in the black bin shall be bagged.
- 86.2 An individual rollout bin shall not be:
- a. filled to a point where the weight of the bin exceeds 40 kilograms (88 pounds); and
 - b. the bin shall not be filled to a level that restricts the complete closure of the lids; and
 - c. Place prohibited waste into the bin; and
 - d. Improper placement of the bin.

Failure to comply with the above conditions will result in the bin not being collected and leaving disposal to the customer.

Part 7 – Recycling Services

Residential Blue Box

87. For dwellings in those areas designated for residential blue box recycling collection, the owner or occupant shall place all recyclable material (Schedule "D") within the container, receptacle provided or identified solid waste stream.
- 87.1 The recycle box shall be placed out for collection by 7:00 AM on the day designated by the City. Place blue boxes out:
- a. At the front of property on the street or by the curb for premises that have front street rollout garbage collection; and
 - b. By the alley for premises that have alley dumpsters for General waste collection.

Failure to comply with the above collection location will result in the blue bin not being collected and leaving disposal to the customer.

- 87.2 Residential blue box recycling is collected once per week on the designated day for that area.
- 87.3 Additional blue boxes can be purchased at City Hall.
- 87.4 A premises that has additional recyclable material than cannot fit in one blue box may:
- a. Place additional recycling under or beside the blue box; and
 - b. Place recycling material in a clear or blue see through bag; and
 - c. Place material in an additional cardboard box; and
 - d. Place an additional blue box out; and

- e. Take additional recycling material to the Recycle Depot.

All material placed in a black 'garbage' bag will be left for the owner or occupant to dispose of.

Grass Recycling

- 87.5 Grass recycling dumpsters have been painted 'Green' to differentiate them from the Tan or black General Waste bins, and blue box recycling bins. See Schedule "D" for accepted items in these bins.
- 87.6 The grass dumpsters are collected once every two weeks as operational resources permit.

Recycle Depot

- 87.7 The City provides residents, businesses and Lacombe County residents an area to dispose of recyclable material within the City of Lacombe. See Schedule "D" for accepted materials at the Recycle Depot site.

Cardboard Recycling Dumpsters

- 87.8 Owners of a Commercial or Industrial business can request the addition of a 'Brown' cardboard recycling dumpster to be used solely for cardboard at their expense. These dumpsters are collected at least once per two (2) week period. Refer to Schedule "B" for associated fees.

This Bylaw shall take effect on the day of the final passing thereof.

INTRODUCED AND given first reading THIS 11th day of October, 2016

Given Second Reading THIS 12th day of December, 2016

Given Third Reading THIS 12th day of December, 2016

Original Signed
Mayor

Original Signed
Chief Administrative Officer

Seal

Schedule "A" – Utility Bylaw 393 Definitions

- a) "Agent" shall mean a contractor acting on behalf of the City;
- b) "Agricultural Waste" means manure, offal, carcasses, hides, straw, hay, spoiled or treated grain, screenings, or like material which would result from agricultural or agricultural processing activities;
- c) "Apartment" means a residential building consisting of at least 3 dwelling units, but shall not include buildings containing units with separate exterior entrance way(s);
- d) "Automotive Waste" includes all components of a vehicle including engines, parts, bodies, metal, and fluids;
- e) "AWWA" means American Water Works Association;
- f) "Backflow" is the undesirable reversal of non-potable (untreated) water (or other substances) through an unprotected cross connection and into the piping of a public water system or a citizen's drinking water system. Examples of backflow are backsiphonage and backpressure;
- g) "Backpressure" is the reversal of normal flow in a system due to pressure higher than the supply pressure. This happens when there is an increase in downstream pressure caused by pumps, temperature increases in boilers, elevated tanks or other pressure-producing systems;
- h) "Backsiphonage" is the reversal of normal flow in a system caused by a vacuum in the supply piping. This can also happen if there is an interruption of the water supply due to nearby fire-fighting, repairs or breaks in the water supply mains;
- i) "Bin, dumpster or receptacle" refers to solid waste containers;
- j) "Blue Box" shall mean the approved receptacle used to collect recycling material;
- k) "Building" includes anything constructed or placed on, in, over or under land (e.g. house, shed, fence, sign, parking lot, etc.) but does not include a highway or public roadway or a bridge forming part of a highway or public roadway;
- l) "Bylaw" includes this Bylaw and all regulations made by the administration pursuant to the authority of this Bylaw;
- m) "CAO or Designate" means the Chief Administrative Officer appointed by Council pursuant to City of Lacombe Bylaw 58, or a designated officer where such has been designated and appointed by Council;
- n) "Car wash" means a building or structure containing facilities for a self-service car wash or washing motor vehicles by production line methods which may include a conveyor system or similar mechanical devices;
- o) "Chief Administrative Officer" means the Chief Administrative Officer of the City of Lacombe appointed by Council under Bylaw No. 58;
- p) "City" shall, depending on its context, mean either:
 - i) the Municipal Corporation of the City of Lacombe, its administration and staff, agents or representatives; or
 - ii) the territory contained within the corporate boundaries of the City of Lacombe.
- q) "Collector" means an employee or agent of the City whose duty shall be to collect general and specified solid waste from dwellings, apartments and other premises;
- r) "Commercial" means those activities that are principally for either the sale of goods or the provision of services, or both. Types can include office, warehouses, or retail buildings;

- s) "Commission" means the Lacombe Regional Waste Services Commission (LRWSC) <http://www.lacombecounty.com/index.php/recycling-a-waste/lacombe-regional-solid-waste-authority> ;
- t) "Construction, Renovation and Demolition Waste (CRD)" includes materials such as concrete, brick, painted wood, rubble, drywall, metal, roofing, metal, ceramics (including toilets), gravel, asphalt, packaging, containers, or other material, which may result from the construction, renovation or demolition of any building or other work;
- u) "Council" shall mean the Municipal Council of the City of Lacombe;
- v) "Cross Connection" is a temporary or permanent link between a potable (drinking) water system and any source containing non-potable water or other substances from which backflow may occur;
- w) "Cross Connection Control Device" is a mechanical device that prohibits backflow of water into the public drinking water. The main testable types of cross connection control devices are the reduced-pressure principle assembly, the pressure vacuum breaker assembly, the double-check valve assembly and registered Air Gaps. Examples of secondary types of devices are the hose connection vacuum breakers, atmospheric vacuum breakers and residential dual check valves;
- x) "Curb Cock" shall mean the water shutoff located at the property line, that operates a valve buried below the frost line;
- y) "Customer" means an person or persons that receive a Utility invoice from the City;
- z) " Dwelling" means any building or place, including the land upon which the premises is located, which is occupied or used as a place of abode other than a hotel, restaurant or apartment building containing more than four dwelling units;
- aa) "Dwelling unit" means a complete building or self-contained portion of a building for the use of one or more individuals living as a single housekeeping unit, containing sleeping areas, one cooking facility and separate toilet facilities intended as a permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms;
- bb) "Electronic or E-Waste" means TV's, DVD players, computers that are not accepted in the General or Recycle waste collection systems;
- cc) "Environment" means the components of the earth and includes air, land and water, all organic and inorganic matter and living organisms, and the interacting natural systems that include these components;
- a) "Garbage Receptacle or Dumpster" means a container approved and supplied by the City for the placement, storage and collection of general waste and to be of such specified designs, dimensions and volumes that will allow for the City's automated solid waste collection system, namely:
 - a. 3 cubic yard - rectangular steel bins measuring approximately 153 centimetres in length, 127 centimetres in width and 153 centimetres in height, with sloped and hinged covers and a capacity of approximately 2.28 cubic metres; for placement and use in areas of the City where dwellings or other premises are adjacent to lanes;
 - b. 0.5 cubic yard - rollout bins measuring approximately 127 centimetres in length, 74 centimetres in width and 86 centimetres in height, with a capacity of approximately 500 litres and equipped with wheels and handles which enable them to be moved by the property owner or occupant to facilitate collection; for use in areas of the City where dwellings or other premises are not adjacent to lanes and general waste is collected from a point along the boundary of such properties, or as designated by the City for collection.
- a) "Garden Waste" means any plants or vegetables that are grown in a garden, also referred to as Garden Tops;

- b) "General Waste" can include food scraps, clothing, rags, food containers, small toys, Styrofoam, etc. and items that can't be diverted through other available diversion systems;
- c) "Grass Bin" means a dumpster that accepts only grass clippings, leaves and garden tops;
- d) "Hazardous Substance" means:
 - a. any substance or mixture of substances, other than a pesticide, that exhibits characteristics of flammability, corrosively, reactivity or toxicity; and
 - b. any substance that is designated as a hazardous substance within the regulations of the Environmental Protection and Enhancement Act and the Waste Control Regulation of the Province of Alberta;
- e) "Hazardous Waste" means waste defined as hazardous waste under the Environmental Protection and Enhancement Act and the Waste Control Regulations of the Province of Alberta;
- dd) "Industrial" means those activities that are principally for the processing of materials or the manufacturing, assembling, servicing, repairing, storing or transporting of materials, goods or equipment;
- ee) "Institutional" means those activities that are principally for the provision of community, educational, religious, cultural or recreational services;
- ff) "Lane or Alley" means a public thoroughfare which provides a secondary means of access to a parcel or parcels and which is registered in a land titles office;
- gg) "Liquid Waste" means any waste in a liquid state, which may include petroleum products, industrial residue or sewage;
- hh) "Loading Dock Area" means the outdoors loading dock of a building used for loading and unloading trucks, trailers and rail cars, and the area within one (1) meter in front of the loading dock;
- ii) "Matter" means any solid, liquid or gas;
- jj) "MGA or Act" shall mean the *Municipal Government Act*, RSA. 2000, c. M-26;
- kk) "Offal" refers to the internal organs and entrails of a butchered animal;
- ll) "Officer or Community Peace Officer" means a member of the Lacombe Police Service, or City of Lacombe Community Peace Officer (CPO);
- f) "Other Premises" means any building or place, including the land upon which the premises are located, which is occupied or used for
 - a. commercial or industrial purposes;
 - b. Government or institutional purposes;
 - c. an apartment building containing more than four dwellings.
- mm) "Oversize Waste" means large refuse items i.e. couches, fridges, freezers, mattresses;
- nn) "Owner" means the person who is registered under the Land Titles Act as the owner of the fee simple estate in the land, or in respect of any property other than land, the person in lawful possession of it;
- oo) "Parcel" means the aggregate of the one or more areas of land described in a certificate of title or described in a certificate of title by reference to a plan filed or registered in a land titles office;
- pp) "Person" means any individual, partnership or corporation and includes heirs, executors, administrators or legal representative of a person;
- qq) "Premise" means any land or building or both, or any part thereof;

- rr) "Private Sanitary Sewer Disposal System" means a privately owned system for the treatment and disposal of sewage and may include septic tank with an absorption field or other approved means of disposal;
- ss) "Prohibited Waste" means solid waste not collected by the City for disposal through the General Waste system. i.e. Agricultural waste, Automotive waste, CRD waste, E-waste, Recyclable waste, Toxic & Hazardous waste, and Yard waste;
- tt) "Public Property" means property owned by the government, or one of its agencies, or entities;
- uu) "Putrescible and Non-Putrescible" means something that is liable to decay. Non-putrescible means something that does not decay;
- vv) "Recyclable Waste" means waste that is accepted in the City's Residential blue box program or at the Recycle Depot. See Schedule "C" for accepted waste;
- ww) "Release" means to directly or indirectly conduct matter to the sanitary sewer system, sanitary sewer treatment facility or watercourse by spilling, discharging, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means;
- g) "Road" means land:
 - a) Shown as a road on a plan of survey that has been filed or registered in a Land Titles Office, or
 - b) Used as a public road and includes a bridge forming part of a public road and any structure incidental to a public road, but does not include a highway;
- xx) "Sanitary Sewer" shall mean a sewer main located on public property which is designated by the CAO to carry sewage only;
- yy) "Sanitary Sewer Collection System" means a system of sanitary sewer mains, valves, fittings, lift stations and appurtenances used to collect sewage but does not include plumbing or service connections in buildings;
- zz) "Sanitary Sewer Service" shall mean a sewer service located on private property which is designated to carry sewage to a sanitary sewer main;
- aaa) "Sanitary Sewer Service Charge" means a charge made pursuant to the provisions of this Bylaw, but does not include a sewer service surcharge;
- bbb) "Sanitary Sewer Service Surcharge" means the additional charge levied on sanitary sewers in accordance with this Bylaw;
- ccc) "Sanitary Sewer Treatment Plant" shall mean any facility used for the physical, chemical, biological treatment of sewage, and without restricting the generality of the foregoing shall include sludge treatment, biosolids storage, disposal facilities, and a sewage disposal system;
- ddd) "Solid Waste" includes Agricultural waste, Automotive waste, CRD waste, E-waste, General waste, Recyclable waste, Toxic & Hazardous waste, and Yard waste;
- eee) "Standard Methods" means the analytical and examination procedures
 - (a) set out in the current edition of "Standard Methods for the Examination of Water and Wastewater" published jointly from time to time by the American Public Health Association and the American Water Works Association and the Water Environment Federation;
- fff) "Street" means any category of public roadway except a lane;
- ggg) "Toxic and Hazardous Waste" means ashes generated by an incinerator and any other solid, liquid or gaseous substance defined by the Province of Alberta as toxic or hazardous;
- hhh) "Utility Service" means either Waterworks, Sanitary Sewer, Storm Sewer, or Solid Waste;

- iii) "Wastewater" means sanitary and storm sewer systems;
- jjj) "Waterworks System" means all components in the City water distribution system, consisting of reservoirs, pipes, valves, etc. that collects, stores and distributes water to customers;
- h) "Yard Waste" consists of grass clippings, garden tops and leaves.

**SCHEDULE "B" – UTILITY BYLAW 393
RATES AND FEES**

(b. 393.1, 01/22/2018) (b. 393.2, 01/14/2019)
(b. 393.3, 01/27/2020) (b. 393.4, 12/07/2020)

WATER SERVICE RATES:

1. Residential and Commercial shall be charged as follows:
 - i. Monthly service charge: \$27.82 plus;
 - ii. \$2.56 per cubic meter of water consumed each month.
2. PRIVATE FIRE HYDRANTS:
 - a. Where a premise has a private hydrant for fire protection purposes there shall be levied a charge of \$49.00 per year for each hydrant.
3. BULK WATER STATION:
 - a. Bulk Water Dispenser: \$4.79 per cubic meter
4. UN-METERED RATES FOR BUILDING CONSTRUCTION:
 - a. Monthly Service Charge: \$49.90

WASTEWATER SEWER SERVICE RATES:

5. Where a property receives both water and wastewater sewer services the charge shall be set as follows:
 - a. Residential and Non-Residential Wastewater services shall be charged as follows:
 - Monthly service charge: \$20.79 plus; and
 - \$2.75 per cubic meter of wastewater effluent discharged each month.
 - b. For all properties, effluent discharged as identified above, will be charged 100% of the water consumed each month as determined through the use of a water meter, or such other means, the quality and installation of which, will provide a degree of accuracy acceptable to the CAO or designate.
 - c. Where a premises receives only sanitary sewer services from the City the following rates shall apply:
 - I. \$66.68 per month for any premises that would characteristically use up to 85 cubic meters per month if it was connected to the City Waterworks System.
 - II. 32% of the monthly water charges that would characteristically apply if the premises were to use a volume greater than 85 cubic meters per month if connected to the City Waterworks System.
 - d. Lacombe Research Station as per agreement with the City dated July 4, 1954 and amended most recently on November 24, 1980.
6. Wastewater Overstrength Surcharge:

- a. Where the CAO or designate has tested the discharge of wastewater into the sanitary wastewater system pursuant to provisions in this Bylaw and found that the sampled wastewater exceeds the limits of Biochemical Oxygen Demand (BOD), Total Suspended Solids (TSS), or Fats, Oil and grease (FOG) set out therein, then that Customer shall pay for wastewater service at the following rates:
- I. A usage charge at the rate identified in Section 6 of this Schedule; and
 - II. A fixed monthly charge at the rate identified in Section 6 of this Schedule; and
 - III. An Overstrength Surcharge based on the amount of BOD, TSS, and FOG at the following rates:

Level 1				Surcharge
	Concentration above	Concentration below		2017 Rates
BOD	400	1,000	mg/L	\$0.3866 per kg
TSS	400	1,000	mg/L	\$0.3866 per kg
FOG	100	400	mg/L	\$0.3866 per kg
Level 2				Surcharge
	Concentration above	Concentration below		
BOD	1,000	2,000	mg/L	\$0.5799 per kg
TSS	1,000	2,000	mg/L	\$0.5799 per kg
FOG	400	800	mg/L	\$0.5799 per kg
Level 3				Surcharge
	Concentration above			
BOD	2,000		mg/L	\$0.7732 per kg
TSS	2,000		mg/L	\$0.7732 per kg
FOG	800		mg/L	\$0.7732 per kg

Table 7.1

Example calculation for wastewater containing a BOD concentration of 850 mg/L (0.85 kg/m³) with water use of 30 m³/day (80% wastewater charge equals 24 m³/day):

Level 1 is used for calculating -

▪ 0.85 kg/m ³ of BOD	0.85 x \$0.3866	=	\$0.3286
▪ 24 m ³ /day water use	24 x \$0.3286	=	\$7.89
▪ 30 days in the month of occurrence	30 x \$7.89	=	\$236.70

The total BOD overstrength surcharge is \$7.89 and when applied daily for the month, becomes a total surcharge of \$236.70 which would be added in addition to the monthly utility invoice along with the flat service rates and variable rates for water, wastewater, and solid waste.

SOLID WASTE SERVICES

The following fees shall be charged for solid waste collection services provided by the City of Lacombe; and for disposal services provided by the City of Lacombe through the Lacombe Regional Solid Waste Commission.

Dwellings - For each separate dwelling within a property there shall be charged the following monthly fee for solid waste collection, recycling and disposal of waste:

Dwelling Unit	\$31.76 per month
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Apartment - For each apartment premises (greater than 4 separate dwelling units) the following monthly fee shall be charged for solid waste collection and disposal of waste:

Apartment per dwelling unit	\$19.97 per month
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Modular Home Park - For each premises within a park will be charged the following monthly fee for solid waste collection and disposal of waste:

Cost per dwelling unit	\$24.49 per month
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Other Premises - For each other premises a fee for collection, and disposal of general waste or cardboard material shall be levied on the basis of pickup volume and frequency in accordance with the following rate table:

General Waste or cardboard using a three (3) cubic yard dumpster supplied and collected by the City of Lacombe:

Scheduled weekly pickup per bin	\$116.79 per month (Cardboard \$106.79)
Scheduled weekly pickup per shared bin	\$58.39 per month (Cardboard \$53.39)
Scheduled biweekly pickup per bin	\$58.39 per month (Cardboard \$53.39)
Non-scheduled extra pickup per bin	\$58.39 per pickup (Cardboard \$53.39)

Additional scheduled weekly pickups or additional dumpsters shall also be charged in addition to the above listed rates.

Specialized Collection

The City of Lacombe retains the right to deny collection or provide customers with an approved list of qualified solid waste contractors for use when deemed suitable by the CAO or designate.

BILLING AND ADMINISTRATION FEES

Regular hours: Monday to Friday 7:00am–4:00pm

After hours: Anytime outside of regular hours as indicated above

- | | |
|---|--------------------------------|
| 1) New Account Application Fee | \$35.00 |
| 2) Water Disconnection Fee as a result of non-payment | \$35.00 |
| 3) <u>Water service turn on or turn off charge:</u>
Applicable to all customers requesting a water service be turned on or off (includes turn-on related to non-payment on account): | |
| • During regular hours | \$ 35.00 |
| • After hours Calls | \$120.00 |
| 4) Account transfer to Taxes for non payment | \$ 35.00 |
| 5) Utility account deposit
\$350.00 | |
| 6) Water and Wastewater servicing winter installation charge (October 31 st to May 1 st)

\$726.00 | |
| 7) Missed appointment Charge:
• To all customers who do not keep a scheduled appointment with a City representative or agent contracted by the City without giving four (4) hours notice.

\$35.00 | |
| 8) After Hours Call-out Charge | \$120.00 |
| 9) Non-Radio frequency water meter reading charge:
• Cost to manually read the Non- RF water meter. | \$25.00/month
Or \$300/year |
| 10) Fire Hydrant Flow Test | \$135.00 |
| 11) Sanitary sewer service flush (clear blockage in owners service line)
• During regular hours | \$150.00 |
| 12) After hours sanitary sewer service flush
To be billed on a cost recovery basis as per work order | TBD |
| 13) Camera sanitary sewer service line
• During regular hours | \$200.00 |

**SCHEDULE "C" – UTILITY BYLAW 393
PENALTIES**

#	Offence	Section	Penalty	Subsequent Offence(s)
<u>Administration</u>				
1.	Provide false information	All	\$250	\$500
2.	Hindrance, or refusing right of entry to a parcel or premises by a City representative or agent contracted by the City.	All	\$250	\$500
3.	Failure to comply with a remedial order.	All	\$250	\$500
4.	Failure to comply with a requirement or condition of Bylaw 393.	All	\$250	\$500
<u>Waterworks</u>				
5.	Damage, destroy, remove, or interfere with the water system.	All	\$200	\$300
6.	Use of a non-authorized boosting device to increase water pressure without City approval; residential, commercial, or institutional.	29.3	\$750	\$2000
7.	Failure to repair a cross connection control device.	70.4	\$200	\$300
8.	Unauthorized operation of a water service curb cock valve (CC) or water main valve.	36.4, 38.3	\$250	\$500
9.	Unauthorized use of an alternate source of water, or connection of water source to the water system.	24.2	\$1000	\$3000
<u>Water Meters</u>				
10.	Prohibited installation upstream of water meter, or prohibited connection to the water system.	29.1	\$200	\$300
11.	Tamper, break, or remove the seal on a water meter.	40.7	\$200	\$300
12.	Failure to notify the City of a damaged water meter.	42.1	\$200	\$300
13.	Prohibited opening of a water meter bypass valve, or operation of a bypass system to bypass the water meter.	29.1 29.4	\$200	\$300
14.	Failure to provide a water meter reading when requested to do so by the CAO or designate.	42.1	\$50	\$50
15.	Obstructed access to a water meter for inspection, maintenance, or replacement.	42.1	\$75	\$150
16.	<u>Water Emergency and Restrictions:</u>			
	a. In contravention of watering restrictions and water bans implemented under the authority of this bylaw.	36 to 38	\$250	\$500
	b. Outside water used when a complete watering ban has been implemented under the authority of this bylaw.			
	c. Emergency measures that are in place have been violated.			
<u>Fire Hydrants</u>				
17.	Unauthorized use of or connection to a hydrant.	44	\$250	\$500
18.	Unauthorized painting or allow the painting of a hydrant.	44 45.3	\$100	\$200
19.	Unauthorized opening or closing of a hydrant or hydrant valve.	44	\$500	\$750

20.	Allow obstruction of a hydrant.	46	\$150	\$300
21.	Allow anything to interfere with the operation of a hydrant.	46	\$150	\$250
22.	Failure to comply with authorized hydrant connection requirements.	48	\$200	\$300
Wastewater				
23.	Failure to remedy a leaking septic system	24.4	\$200	\$300
24.	Failure to install a wastewater interceptor as required.	63 64	\$200	\$300
25.	Failure to monitor, properly maintain and clean a wastewater interceptor.	63 64	\$250	\$500
26.	Depositing a prohibited substance into the wastewater system.	72 73	\$200	\$300
27.	Failure to repair a cross connection between Sanitary & Storm system.	71	\$200	\$300
28.	Carpet Cleaning Contractors failure to filter the solids from their liquid waste	65	\$100	\$200
Solid Waste				
29.	Moving alley bins without permission from the CAO or designate.	82.13	\$100	\$200
30.	Not complying with regulations to separate waste into the appropriate waste stream	82	\$100	\$200

Schedule 'D' – Solid Waste Diversion Charts

Chart 1:

Accepted Waste ✓✓
 Prohibited Waste

	Blue Box	Recycle Depot	General Waste (garbage)	Grass Bins	Community Cleanup	Toxic & E-Waste Roundup
Agricultural waste						
Automotive waste						
CRD waste						
E-waste					✓✓	✓✓
General waste			✓✓			
Recyclable waste	✓✓	✓✓				
Toxic and Hazardous waste						✓✓
Yard waste		✓✓		✓✓	✓✓	
Tree Branches		✓✓			✓✓	
Christmas Trees		✓✓			✓✓	
Sod & Black Dirt		✓✓				
Appliances					✓✓	
Wood					✓✓	
Metal					✓✓	

Chart 2:

	Accepted Waste	Prohibited Waste
Blue Box	Aluminum Foil Beverage Containers Bubble Wrap Cans Cardboard Paper Glass Jars Plastic containers & Bags	Agricultural Waste Automotive Waste CRD Waste E-Waste General Waste Toxic Waste Yard Waste
Recycle Depot	Aluminum Foil Beverage Containers Bubble Wrap Cans Cardboard Paper	Agricultural Waste Automotive Waste CRD Waste E-Waste General Waste Toxic Waste

	<p>Glass Jars Plastic containers & Bags Yard Waste Tree Branches Christmas Trees Sod & Black Dirt</p>	
Grass Bins	<p>Grass Clippings Garden Tops Leaves</p>	<p>Trees & Branches Agricultural Waste Automotive Waste CRD Waste E-Waste General Waste Toxic Waste Recycle Waste</p>
General Waste (Alley Dumpsters & Individual Rollout Bins)	<p>All items that cannot be diverted through the other solid waste diversion streams Eg: Clothing, contaminated containers, Styrofoam, food scraps, small toys.</p>	<p>Agricultural Waste Automotive Waste CRD Waste E-Waste Toxic Waste Recycle Waste Yard Waste</p>
Community Cleanup	<p>Appliances Tree branches, Brush & Wood E-Waste Furniture Metal (incl. BBQ's) Yard Waste</p>	<p>Agricultural Waste Automotive Waste CRD Waste General Waste Toxic Waste Recycle Waste</p>
Trash to Treasure Week	<p>Reusable, gently used items that still may have a use by the general public to collect</p>	<p>Agricultural Waste Automotive Waste CRD Waste General Waste Toxic Waste Yard Waste</p>
Toxic Waste Roundup	<p>Toxic Waste Hazardous Waste E-Waste</p>	<p>Agricultural Waste Automotive Waste (Excluding Fluids) CRD Waste General Waste Recycle Waste Trees, Brush & Wood Furniture Metal Yard Waste</p>