

BYLAW 15-001
OF
LAC LA BICHE COUNTY

A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA RESPECTING WATER AND SEWER SERVICES WITHIN THE MUNICIPALITY.

WHEREAS under the authority and pursuant to the Municipal Government Act, Chapter M-26, R.S.A. 2000, and amendments thereto, Lac La Biche County may provide municipal public utility services subject to any terms, costs or charges established by Council;

WHEREAS Lac La Biche County Council has approved the following Bylaws:

Bylaw 12-002 – Sewer Bylaw;
Bylaw 12-003 – Waterworks Bylaw;
Bylaw 14-022 – Utility Fees Bylaw;

AND WHEREAS, it is deemed necessary and expedient to establish connection requirements for water and sewer services;

NOW THEREFORE under the authority and pursuant to the provisions of the said Municipal Government Act, and by virtue of all other enabling powers, the Council of Lac La Biche County, duly assembled, enacts as follows:

1. DEFINITIONS

Whenever in this Bylaw the following words appear they shall mean the following:

- (a) "Authorized Person" shall mean an employee or employees of Lac La Biche County designated by the Chief Administrative Officer of Lac La Biche County ("CAO"), or his or her designate, as an Authorized Person for the purpose of this Bylaw.
- (b) "Commercial Account" shall mean an account for a Commercial Consumer.
- (c) "Commercial Consumer" shall mean a Person who is provided with water or water services by Lac La Biche County who is not a Residential Consumer. Without restricting the generality of the foregoing, persons obtaining water services for apartment buildings, condominiums, or bare land condominiums which contain more than four (4) dwelling units, leasehold interests, condominium units or lots, shall be Commercial Consumers.
- (d) "Council" shall mean the Council of Lac La Biche County as constituted from time to time.
- (e) "County" shall mean Lac La Biche County.

- (f) "General Municipal Servicing Standards" shall mean those servicing standards adopted by the County, or failing the adoption of such standards, those service standards that are generally adopted or applied by municipalities in the Province of Alberta.
- (g) "Owner" shall mean any Person who is registered under the Land Titles Act as the Owner of land, or any other Person who is in lawful possession thereof or who is in lawful possession or occupancy of any building situated thereon.
- (h) "Person" shall mean any person who applies for or obtains municipal service from the County, and without restricting the generality of the foregoing shall mean any firm, partnership, individual, individuals, incorporated company or other body corporate or politic and the heirs, executors, administrators and assigns or other legal representatives of such Person to whom the context may apply.
- (i) "Residential Account" shall mean an account for a Residential Consumer.
- (j) "Residential Consumer" shall mean a Person who is provided with municipal services by Lac La Biche County solely for the domestic purposes of a residence containing no more than four (dwelling units, leasehold interests, condominium units or lots.
- (k) "Sanitary Sewer" shall mean a Sewer that carries Wastewater and to which Storm, surface and groundwaters are not intentionally admitted.
- (l) "Sewer" shall mean a pipe or conduit for carrying Stormwater, Grey-water Waste or Wastewater.
- (m) "Sewer Service Line" shall mean the private sewer line, either gravity or low pressure as the case may be, from the private property to the sanitary sewer main.
- (n) "Sewage System" shall mean a sewer or system of sewers or any plant, structures, equipment, pipes, appurtenance or any other things for or incidental to the Sanitary or Storm Sewer collection, treatment or disposal of Wastewater.
- (o) "Water Service Line" shall mean that private water line from the water supply main to a meter or the meter vault as the case may be on the private property.

2. AUTHORITY

- (a) Except as otherwise provided in this Bylaw and subject to the Environmental Protection and Enhancement Act, no Person shall discharge Wastewater into any Watercourse.
- (b) The provisions of this Bylaw shall apply to all Persons using the County's Water and Sewage Systems.
- (c) The CAO, or his or her designate, is hereby authorized to administer and enforce the provisions of this Bylaw, including the making of contracts with customers for Water and Sanitary Sewer Service in accordance with this Bylaw, and the levying of charges and fines in accordance with this Bylaw.

- (d) The CAO, or his or her designate, shall have the discretion to discontinue access to Water and Sanitary Sewer from a property:
 - i. Where the property is or appears to be abandoned;
 - ii. Where there is a non-compliance of this Bylaw at the property; or
 - iii. In emergency situations or where necessary to protect the integrity of the Water and Sanitary Sewer or Storm Sewer.
- (e) Any Owner of property connected or required to be connected to the Water and Sewer System shall, upon request of the CAO, or his or her designate, provide such information as to the type, quantity and chemical composition of Restricted and Prohibited Wastes which are or may be handled, stored or used on that property, or discharged into the Sewage System
- (f) An Inspector shall be permitted reasonable access upon all property in the County for the purpose of inspection, measurement, sampling and testing in accordance with this Bylaw:
 - i. If such inspection discloses any act or omission contrary to the provision of this Bylaw or the inspection discloses any defect or insufficiency in the location, construction, design or maintenance of any equipment in connection with the Water distribution or Wastewater discharge, an Inspector may direct the Owner of the premises to correct the act or omission or any defect or insufficiency.
 - ii. No Person shall obstruct or interfere with an Inspector in the discharge of his duties under this Bylaw.

3. REQUIREMENTS TO CONNECT TO MUNICIPAL SERVICING

- (a) All parcels within 400 metres of the main water and sewer service lines, or within the area between the high-water mark of Lac La Biche lake and the main water and sewer service lines, and/or those lots abutting any street, alley, or right of way in which a municipal water main or sanitary sewer is located are included in the Water and Sewer Connection Policy Area. The Water and Sewer Connection Policy Area is defined in the attached Schedule A, forming part of this Bylaw.
- (b) The Water/Sewer Connection Area is the area in which:
 - i. All new subdivisions and development will be required to connect to the municipal water and sewer services; and
 - ii. Existing permanent developments with existing water and sewer infrastructure will be required to connect to the municipal system and disconnect from existing well or lake water source.
- (c) As per section 37, 38, 39 and 553 of the Municipal Government Act (MGA), existing subdivisions and all dwellings within the Water and Sewer Connection Policy Area which are within 400 metres of the main water and sewer service lines, or within the area between the high-water mark of Lac La Biche lake and the main water and sewer service lines, and/or those abutting any street, alley, or right of way in which a municipal water main or sanitary sewer is located are required to connect directly to presently available municipal system at his/her expense in

accordance with the provisions of this Bylaw, the Safety Code Act, all federal, provincial and municipal legislation governing connections to municipal waterworks and sanitary sewage works within thirty-six (36) months of the date of the passage of this Bylaw, with the exception of properties unable to get easement agreements to cross private property in order to connect to the municipal system.

(d) In the event that water and/or sanitary sewer services become available after the date of passage of this Bylaw, persons described in Section 3 (c) shall connect their premises directly to the services in accordance with Section 3 (c) within thirty-six (36) months of the date of such service being available for public use.

(e) Notwithstanding sections 3 (c) and 3 (d) in the event that:

- i. The source of potable water for a premises described in sections 3(c) and 3(d) is or may be contaminated or otherwise unsuitable for drinking water as determined by the Public Health Inspector as authorized by the Regional Alberta Health Services; or
- ii. The private sanitary sewage septic system servicing a premises described in sections 3(c) and 3(d) is or may contravene the Environmental Protection and Enhancement Act

the owner of the premises shall connect the premises to the services immediately upon such services being available.

(f) For the purpose of Section 3, any house, building or structure accessed by a right of way which abuts any watermain or sanitary sewer described in Section 3 shall be deemed to abut the said watermain or sanitary sewer.

(g) The landowner is responsible for the installation of Water and Sewer services to General Municipal Servicing Standards. If the installation does not meet County standards, the County may designate an individual firm to enter on the land, building, erection, or structure to complete the installation and charge the cost thereof against the land, building, erection or structure in question, in the same manner as taxes and with the same priority as to lien and to payment thereof, as in the case of ordinary municipal taxes.

(h) Owners of properties with municipal Water and Sewer installed at the property line shall pay the idle service fee as established in the Utility Fee Bylaw 14-022 as amended from time to time, until such time as the connection is completed.

(i) In accordance with Section 650(1) of the Municipal Government Act, and requirements included in the County's Land Use Bylaw, all persons seeking a development permit for a development within the Water and Sewer Connection Policy Area, as illustrated in the attached Schedule A, will be required as a condition of issuing the development permit, and at the applicants cost, to connect their development to Lac La Biche County's water and sewer systems.

(j) No services will be provided to a property unless a development permit and all other necessary permits have been issued. Additionally, if the property is outside the hamlet areas, no services will be connected unless a rural address has been assigned to the property.

- (k) In accordance with section 655(1) of the Municipal Government Act, all persons seeking to subdivide lands within the Water and Sewer Connection Policy Area, as illustrated in the attached Schedule A, will be required as a condition of subdivision, and at the applicant's cost, to connect the lands subdivided to Lac La Biche County water and sewer systems.

(Rescinded by Bylaw 17-024)

- (l) In cases where Lac La Biche County constructs on-site water and sewer infrastructure in existing subdivisions (e.g. retrofits in subdivisions with no existing water and sewer infrastructure), property owners shall be directly responsible for construction and payment for service connections connecting their properties (and dwellings or businesses) to the on-site water and sewer infrastructure.
- (m) County Administration and Council shall be responsible for an annual review of this policy to ensure that it remains effective and addresses subdivision and development issues in a proactive manner.

4. LIABILITY AND ENFORCEMENT

- (a) Any Person who fails to comply with the provisions of this Bylaw or who fails or neglects to comply with any lawful order given by Lac La Biche County or the CAO, or his or her designate, may have their water/sewer service terminated and shut off, and may be required to pay such amounts, fees or charges as are provided by this Bylaw and the Utility Fee Bylaw 14-022, as amended from time to time.
- (b) Any Person who by themselves or others, their servants or agents, by act of default, neglect or omission occasions any loss, damage or injury to the County's municipal system, or any part thereof, is liable to the County for or in respect thereof.
- (c) Any Community Peace Officer is authorized to issue a violation ticket pursuant to the Provincial Offences Procedure Act in regard to any possible offence, infraction, breach or non-compliance with this Bylaw, or issue a notice, order or municipal violation tag in regard thereto.
- (d) Any person convicted of a contravention of this Bylaw, in addition to the payment of the fine imposed, shall also remedy such contravention within 30 days of the date of conviction and in default of this being done, the County may carry out necessary work and recover the costs of such remedial work in accordance with section 3 of this Bylaw.
- (e) The County may shut off, with or without notice, the water supply to any premises where there is contravention of any of the provisions of this Bylaw.

- (f) Unless otherwise specifically provided in this Bylaw any, person who contravenes any part of this Bylaw is guilty of an offence and is liable to pay a fine of not more than \$5000.00 exclusive of costs. In addition to fine, the County may designate an individual firm to enter on the land, building, erection, or structure to complete the installation and charge the cost thereof against the land, building, erection or structure in question, in the same manner as taxes and with the same priority as to lien and to payment thereof, as in the case of ordinary municipal taxes.

5. IMPLEMENTATION

- (a) Each provision of this Bylaw is independent of all other provisions. If any such provision is declared invalid by a court of competent jurisdiction, all other provisions of this Bylaw will remain valid and enforceable.

6. DISCLAIMER

- (a) Lac La Biche County is not able to and does not guarantee an uninterrupted supply of domestic water or a sufficient source of water at a pressure or flow sufficient for any particular purpose, including that which would enable fire hydrants within the municipal distribution systems to operate at normally accepted fire flows. Anyone who requires an uninterrupted supply of water is advised to make other arrangements.

This Bylaw shall be referred to as the "Waterworks Connection Bylaw", and shall become effective on the date it receives third reading.

MOTION BY COUNCILLOR RICK OLSON THAT BYLAW 15-001 BE GIVEN FIRST READING THIS 14TH DAY OF FEBRUARY, 2017.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

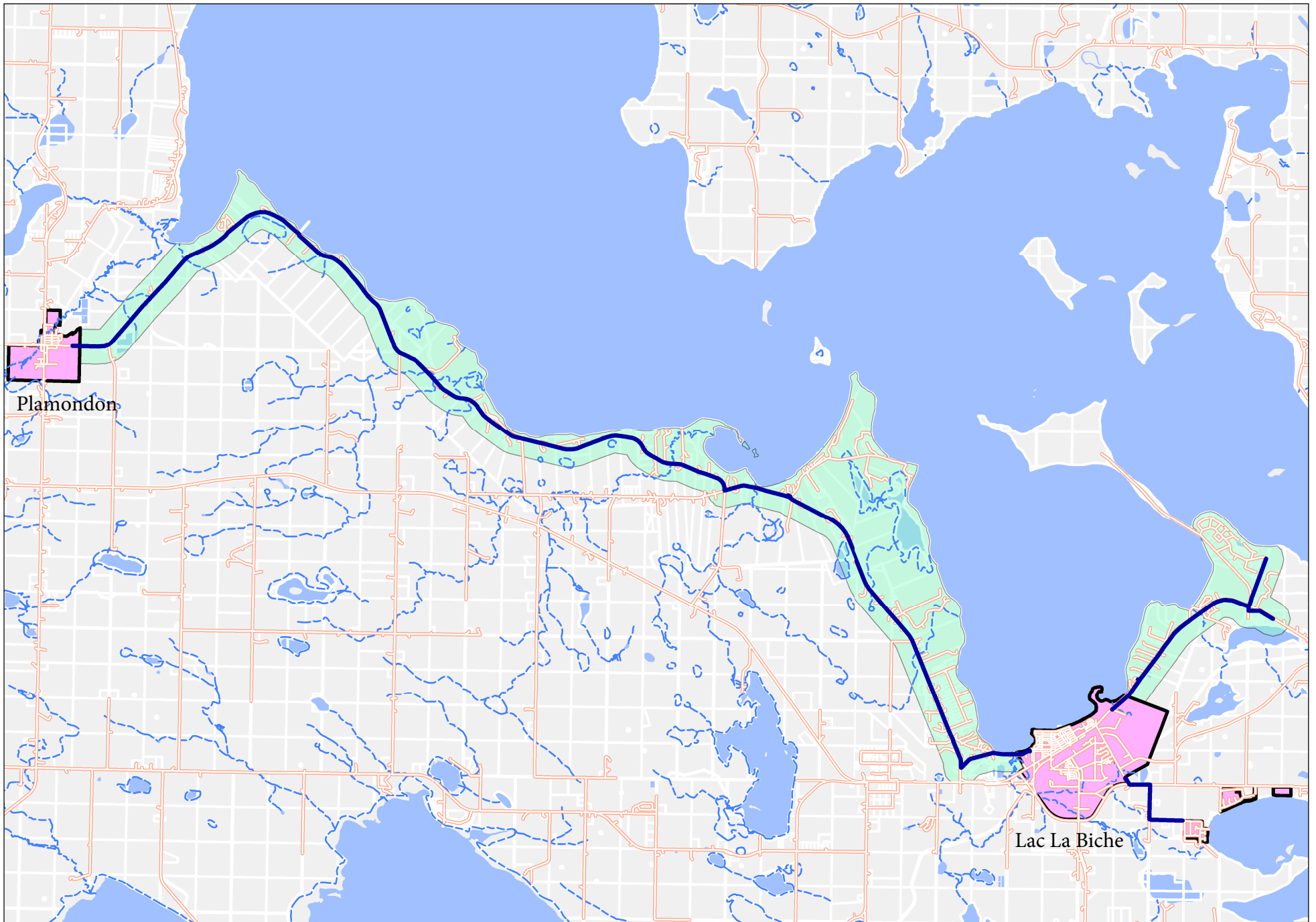
MOTION BY COUNCILLOR SIEBOLD THAT BYLAW NO. 15-001, AS AMENDED, BE GIVEN SECOND READING THIS 23RD DAY OF MAY, 2017.

MOTION BY COUNCILLOR NOWAK THAT BYLAW NO. 15-001, AS AMENDED, BE GIVEN THIRD AND FINAL READING THIS 23RD DAY OF MAY, 2017.

"Original Signed"
Mayor

"Original Signed"
Chief Administrative Officer

Schedule "A" Water and Sewer Connection Policy Area



Plamondon

Lac La Biche



Waterworks Service Areas with Connection Fees



Hamlets Areas with Water Works Services



Main Water/Sewer Line

