

**BYLAW NO. 2720 OF
THE COUNTY OF GRANDE PRAIRIE NO. 1**

**A Bylaw regulating and providing for the
terms, conditions, rates and charges for the
supply and use of the water and wastewater
utilities provided by the County of Grande Prairie
No. 1**

PART I - ENACTMENT

WHEREAS the County of Grande Prairie No. 1 has the authority to provide services, facilities and other things that are necessary or desirable for all the municipality;

WHEREAS the County of Grande Prairie No. 1 Council may pass Bylaws respecting public utilities;

WHEREAS the County of Grande Prairie No. 1 deems it desirable to provide water and/or wastewater utilities in the County of Grande Prairie No. 1 in areas where the municipality is not in contract with Aquatera Utilities for the provision of water and wastewater utilities;

WHEREAS it is desired to set forth the terms and conditions under which such services will be provided;

NOW THEREFORE THE COUNCIL OF THE COUNTY OF GRANDE PRAIRIE NO. 1, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

1.01 This Bylaw shall be called "The County Utility Bylaw".

PART II - INTERPRETATION

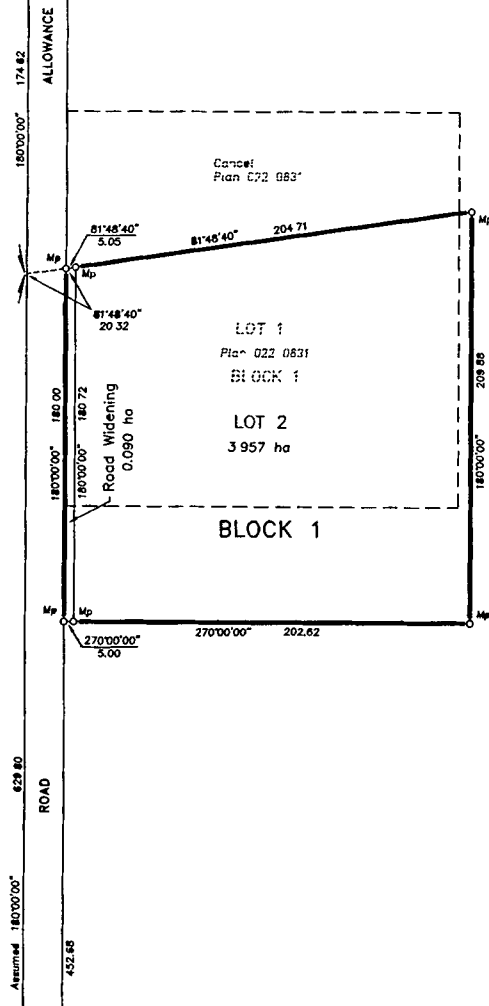
2.01 In this Bylaw unless the context specifically indicates otherwise:

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| 2.01.01 | AGENT means anyone who has been retained, engaged or contracted by the County and authorized by the County to provide utility services. |
| 2.01.02 | APPLICANT means a property owner or occupier or the authorized representative of a property owner or occupier who applies to the County for the supply of utility services. |
| 2.01.03 | APPLICATION means the application made by a Consumer for the supply of utility services and shall constitute an agreement between the Consumer and the County once endorsed by the County, notwithstanding any other agreements between the Consumer and the County. |
| 2.01.04 | APPLICATION CHARGE means the charge required to be paid by a Consumer before the County supplies utility services to such Consumer. |
| 2.01.05 | AQUATERA means Aquatera Utilities Inc. |
| 2.01.06 | AREAWAY DRAIN means a drain installed to collect surface or rain water from an open area outside a building. |
| 2.01.07 | ASHES shall include cinders and ashes from any substance used for fuel. |

- 2.01.08 B.O.D. (denoting STANDARD BIOCHEMICAL OXYGEN DEMAND) means the quantity of oxygen utilized in the biochemical oxidation of the organic matter in wastewater under standard laboratory procedure over a period of five (5) days at a constant temperature of 20°C, expressed in milligrams per litre.
- 2.01.09 BUILDING DRAIN means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes within a building and conveys it to the point of connection with the building sewer.
- 2.01.10 BUILDING PROJECT shall mean the construction, demolition or alteration of any structure anywhere in the County, excepting an Aquatera serviced area, but does not include landscaping or the construction, alteration or demolition of garages, garden sheds and similar structures which are accessory structures to residential premises.
- 2.01.11 BUILDING SEWER means that part of a drainage system outside a building commencing at a point one (1) meter from the outer face of the building wall and connecting the building drain to the public sewer or place of disposal of wastewater.
- 2.01.12 CHARGE or CHARGES shall mean any amount assessed by the County to a Consumer, other than a rate, and including those charges listed in the Schedule of Fees.
- 2.01.13 CLEAN-OUT means a pipe fitting that has a removable cap or plug and is so constructed that it will permit cleaning of a building sewer.
- 2.01.14 C.O.D. (denoting CHEMICAL OXYGEN DEMAND) means a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant,
- 2.01.15 COMBINED SERVICE means the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection.
- 2.01.16 COMMUNICATION WIRE means the wire which connects a water meter to a remote reading device.
- 2.01.17 CONDOMINIUM shall mean a building (not being a duplex or triplex) divided into individually owned residences each of which has a separate entrance from a street or common area.
- 2.01.18 CONSUMER means any person who has entered into a contract with the County for the provision of utility services, or who is the owner or occupant of any property connected to or provided with a utility service by the County.
- 2.01.19 CONTROL MANHOLE means a manhole situated over a building sewer for the purpose of observation, sampling and measurement of wastewater.
- 2.01.20 COUNCIL means the duly elected Council of the County.

- 2.01.21 COUNTY means the municipal corporation of the County of Grande Prairie No. 1, or the area contained within the boundaries thereof, as the context requires.
- 2.01.22 COUNTY ADMINISTRATOR means the Chief Administrative Officer of the County, or the person to whom the COUNTY ADMINISTRATOR has delegated his/her powers, duties or functions.
- 2.01.23 COUNTY SERVICE or COUNTY SERVICE PIPE means that portion of pipes constructed or owned by the County and used or intended to be used for the supply of treated water or collection of wastewater, as the context may require, in the case of a water service, extending from the water main to the property line and, in the case of a sewer service, extending from the sewer main to the property line.
- 2.01.24 COUNTY STANDARDS means the standards, methods, guidelines and specifications for the design, construction and maintenance of municipal improvements as revised from time to time and adopted by the County.
- 2.01.25 DEFAULT NOTICE shall mean a notice, substantially in the form of Schedule "E", issued pursuant to Section 8.06.
- 2.01.26 DEPOSIT shall mean and include, as the context may require, a deposit paid pursuant to the Schedule of Fees.
- 2.01.27 DWELLING UNIT shall mean any building occupied or used as living quarters or an abode by not more than three (3) families, but does not include a condominium, apartment building, mobile home park, institutional premises, lodges or mixed use residential premises.
- 2.01.28 FIRE LINE means a pipe that is intended solely for the purpose of providing a standby supply of water for fire protection purposes,
- 2.01.29 FIXTURE means a receptacle, appliance, apparatus or other device that discharges wastewater or clear water waste and includes a floor drain.
- 2.01.30 FLOOR DRAIN means a fixture used to receive water from the floor of a building,
- 2.01.31 FORCE MAJEURE means events arising from acts of God, strikes, lockout, or other industrial disturbances, acts of public enemy, acts of the Queen's enemies, wars, blockades, insurrections, riots, epidemics, landslides, lightning, floods, earthquakes, explosions, fires, civil disturbance, mechanical breakdowns, intervention of federal, provincial, state or local government or from any of their agencies or boards, the order or direction of any court, and any other causes whether of the kind herein enumerated or otherwise, not within the reasonable control of the County and which by the exercise of reasonable diligence and at a reasonable cost the County is unable to prevent or overcome.
- 2.01.32 FOUNDATION DRAIN or WEEPING TILE means any arrangement or type of pipe placed along the perimeter of a building foundation for the collection of groundwater.

N.E. 1/4 SEC. 16-74-5-6



N.W. 1/4 SEC. 15-74-5-6

- 2.01.33 GARBAGE means solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage and sale of produce.
- 2.01.34 GARBAGE DISPOSAL UNIT means any device, garburator, equipment or machinery designed, used, or intended to be used for the purpose of grinding or otherwise treating garbage to enable the same to be introduced into a public sewer.
- 2.01.35 GRAB SAMPLE means a sample collected over a short period of time by taking and combining one or more samples of wastewater flow.
- 2.01.36 GREASE AND OIL means material recovered from wastewater using the method for grease determination as set out in "Standard Methods".
- 2.01.37 HEALTH OFFICER means the Medical Officer of Health of Regional Health Authority No. 8 (Peace Country Health), or the duly authorized representative of the Health Officer.
- 2.01.38 INTER ALIA means "among other things", "for example" or "including".
- 2.01.39 INTERCEPTOR means a receptacle that is installed to prevent oil, grease, sand or other materials from passing into a drainage system.
- 2.01.40 LIME SLURRY AND RESIDUES means a mixture of lime and water resulting in a pH in excess of 10, or suspended solids in excess of 1000 milligrams per litre.
- 2.01.41 LOT means a lot as defined in the Municipal Government Act (Alberta).
- 2.01.42 MERCAPTANS (THIOLS) means the sulphur analogs of alcohol and phenols with the general chemical formula RSH where R is the organic portion of the molecule.
- 2.01.43 METER means any device supplied, used or authorized by the County for the purpose of measuring the volume of water consumed on a property.
- 2.01.44 NATURAL OUTLET means any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- 2.01.45 NO-CORRODE BUILDING SEWER means a building sewer pipe made of multiple layers of black paper.
- 2.01.46 NON-RESIDENTIAL CONSUMER shall mean any Consumer who is not a residential Consumer.
- 2.01.47 NORMAL BUSINESS HOURS shall mean 8:30 a.m. to 4:30 p.m. Monday to Friday, excluding statutory and civic holidays.
- 2.01.48 OWNER means the person registered as the owner of a property pursuant to the provisions of the Land Titles Act (Alberta) and shall include a person who is purchasing a property under an Agreement for Sale.

- 2.01.49 PERSON includes any individual, partnership, firm, corporation, municipality, association, society, political or other group, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.
- 2.01.50 PH means the logarithm of the reciprocal of the concentration of hydrogen ions in moles per litre of solution and denotes the relative alkalinity or acidity.
- 2.01.51 PHOSPHATES means a chemical salt classified as orthophosphates, condensed phosphates and organically bound phosphates.
- 2.01.52 POLLUTED WASTES and POLLUTED WATER means materials or water that are contaminated with wastes in excess of that permitted in this Bylaw.
- 2.01.53 PRIVATE PROPERTY means any property which is not owned or controlled by the County.
- 2.01.54 PRIVATE SERVICE or PRIVATE SERVICE PIPE means that portion of pipes constructed by an owner and used or intended to be used for the supply of water or the collection of wastewater, as the context may require, in the case of a water service, extending from the property line to the meter and, in the case of a sewer service, extending from the property line to the main clean-out.
- 2.01.55 PROPERLY GROUND GARBAGE means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle large enough to be retained on a six (6) millimeter sieve.
- 2.01.56 PROPERTY means a lot or combination of contiguous lots upon which is constructed a single development.
- 2.01.57 PUBLIC SEWER or SANITARY SEWER means a sewer owned by the County and used for the collection and disposal of wastewater and to which storm, surface and groundwater are not intentionally admitted.
- 2.01.58 RATE or RATES shall mean any rate assessed by the County to a Consumer pursuant to the Schedule of Fees.
- 2.01.59 RAW WATER means untreated, non-potable water.
- 2.01.60 REGULATIONS means regulations promulgated pursuant to the Canadian Plumbing Code and other applicable provincial legislation (Alberta).
- 2.01.61 REMOTE READING DEVICE means the device attached to the outside of a building or elsewhere which enables the County, by its employees or agents, to determine water consumption registered by a meter, without entering the building in which the meter is installed.
- 2.01.62 RESIDENTIAL CONSUMER shall mean the occupier of a single family dwelling unit used exclusively for residential purposes which has a separate meter.

- 2.01.63 SCHEDULE OF FEES means the Approved Schedule of Fees, as amended from time to time, pursuant to the County Bylaw(s) duly enacted to establish rates and charges for County supplied services.
- 2.01.64 SEAL means a sealed wire loop that passes through one end connection and the body of a water meter to prevent tampering.
- 2.01.65 SERVICE OR SERVICE PIPE means the pipes used or intended to be used for the supply of water or the collection of wastewater, as the context may require, and in the case of a water service, extends from the water main to the meter and in the case of a sewer service, extends from the sewer main to the main clean-out.
- 2.01.66 SERVICE BOX means the operating rod, easing, and extension used for the operation of a service valve from ground level.
- 2.01.67 SERVICE KILL means the physical disconnection of a water service pipe from a water main.
- 2.01.68 SERVICE VALVE means the valve on a County service pipe.
- 2.01.69 SEWER means a pipe or conduit for carrying wastewater.
- 2.01.70 SHUT-OFF means an interruption in or discontinuation of the supply of water.
- 2.01.71 SLUG means any discharge of water, wastewater, or industrial waste which in concentrations of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times average twenty-four (24) hour concentration or flows during normal operation.
- 2.01.72 SOLID WASTE means any refuse, trash or garbage produced by a residential or commercial property.
- 2.01.73 SPECIFIED PENALTY means a specified penalty as defined in the Provincial Offences Procedures Act (Alberta).
- 2.01.74 SPRINKLERING means the distribution of water to the surface or sub-surface of lawns, gardens, or other areas situated outside buildings by pipes, hoses, sprinklers or any other method, and shall include all uses of water other than human and commercial consumption and fire fighting.
- 2.01.75 STANDARD METHODS means the latest edition of "Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association.
- 2.01.76 STORM DRAIN or STORM SEWER means a sewer which carries storm and surface waters and drainage, but not wastewater and industrial wastes, other than unpolluted cooling water.
- 2.01.77 STREET means all those lands situated within a road plan registered pursuant to the Land Titles Act (Alberta) and, where the context permits, include a highway.

- 2.01.78 SUSPENDED SOLIDS means solids that either float on the surface of, or are in suspension in, water, wastewater or other liquid, and which are removable by laboratory filtering.
- 2.01.79 TERMS AND CONDITIONS means the manner in which the County is to provide utility services as contemplated in Schedules "A", "B", and "C" of this Bylaw.
- 2.01.80 TOTAL DISSOLVED SOLIDS means solids that dissolve in water, wastewater or other liquid, and which are not removable by laboratory filtering.
- 2.01.81 UTILITY ACCOUNT shall mean an account created pursuant to Schedule "A".
- 2.01.82 UTILITY INVOICE shall mean an invoice rendered to a Consumer for rates and charges payable pursuant to this Bylaw.
- 2.01.83 UTILITY SERVICE and UTILITY SERVICES shall mean and include, as the context may require:
- a) the supply of treated and/or potable water;
 - b) and/or the provision of waste water collection and disposal; and
 - c) the provision of such other Utility Services as Council may determine.
- 2.01.84 VIOLATION TICKET means a violation ticket as defined in the Provincial Offenses Procedures Act (Alberta).
- 2.01.85 VOLUNTARY PENALTY means a voluntary penalty as defined in the Provincial Offenses Procedures Act (Alberta).
- 2.01.86 WASTEWATER mean a combination of water-carried wastes from residences, business buildings, institutions, industries and other establishments, together with such ground, surface, and storm waters as may be present.
- 2.01.87 WASTEWATER FACILITIES means the land, buildings, equipment and other facilities used by the County for the collection, treatment and disposal of wastewater.
- 2.01.88 WASTEWATER TREATMENT PLANT means any Wastewater Treatment Plant owned or operated by the County.
- 2.01.89 WATER means water that is potable water, unless described to the contrary (for example, as Wastewater).
- 2.01.90 WATER TREATMENT PLANT means any Water Treatment Plant owned or operated by the County.
- 2.01.91 WATER FACILITIES means the land, buildings, equipment and other facilities used by the County for treatment and supply of water.
- 2.01.92 WATER MAIN means those pipes installed or owned by the County for the conveyance of water throughout the County to which service pipes may be connected.

- 2.01.93 WATERCOURSE means a river, creek or other natural channel in which a flow of water occurs either continuously or intermittently.
- 2.01.94 WORKS means any structures required for the County's provision of water and wastewater services, including but not limited to water and wastewater facilities, water and wastewater treatment plants, sewers, and water mains.
- 2.01.95 WYE FITTING means a pipe fitting used in drainage systems for connecting branch lines to horizontal drainage lines; also provides clean-outs.

PART III - TERMS AND CONDITIONS - GENERAL

- 3.01 The general terms and conditions for the provision of the utility services are as set out in Schedule "A".

PART IV - TERMS AND CONDITIONS - WASTEWATER SERVICES

- 4.01 The terms and conditions for the provision of wastewater services are set out in Schedule "B".

PART V - TERMS AND CONDITIONS - WATER SUPPLY

- 5.01 The terms and conditions for the provision of water services are set out in Schedule "C".

PART VI - CHARGES AND RATES

- 6.01 The County may impose:
 - a) charges as set out in Schedule "D";
 - b) general rates for the provision of utility services as set out in the Schedule of Fees;
 - c) rates for the provision of wastewater services as set out in the Schedule of Fees;
 - d) rates for the provision of water services as set out in the Schedule of Fees;

PART VII - PENALTIES

- 7.01 Any Person who violates, contravenes or breaches any provision of this Bylaw is guilty of an offence.
- 7.02 A summons may be issued with respect to any breach of this Bylaw by means of a violation ticket which shall be in a form prescribed by the Provincial Offences Procedures Act (Alberta) or the regulations thereunder.
- 7.03 A summons shall state the specified penalty for the offence as provided in this Bylaw.
- 7.04 A summons shall be served as provided in the Provincial Offences Procedures Act (Alberta).
- 7.05 If a Person wishes to plead guilty to an offence, such person may do so by a voluntary payment by delivering the summons and an amount equal to the specified penalty for the offence to the office of the Provincial Court.

- 7.06 A person who violates Section 25 of Schedule "B" or Section 6 of Schedule "C" or Section 7 of Schedule "C" or Section 11 of Schedule "C" shall be liable to pay:
- a) a specified penalty of \$500.00; or
 - b) upon summary conviction, a fine of not less than \$500.00 and not more than \$2,500.00.
- 7.07 A person who violates any provision other than Section 25 of Schedule "B" or Section 6 of Schedule "C" or Section 7 of Schedule "C" or Section 11 of Schedule "C" of this Bylaw shall be liable to pay:
- a) For a first offence, a specified penalty in the sum of \$50.00, or upon summary conviction, a fine of not less than \$50.00 and not more than \$2,500.00;
 - b) For a second offence, a specified penalty in the sum of \$100.00, or upon summary conviction, a fine of not less than \$100.00 and not more than \$2,500.00;
 - c) For a third or subsequent offence, a specified penalty in the sum of \$200.00, or upon summary conviction, a fine of not less than \$200.00 and not more than \$2,500.00.

PART VIII – SEVERABILITY

- 8.01 Should any clause or part of this Bylaw be found to have been improperly enacted, for any reason, then such clause or part shall be regarded as being severable from the rest of this Bylaw and the Bylaw remaining after such severance shall be effective and enforceable as if the clause or part found to be improperly enacted had not been enacted as part of this Bylaw.

PART IX - EFFECTIVE DATE

- 9.01 This Bylaw shall come into effect on the day of it finally being passed.
- 9.02 Bylaws numbered 498, 510, 846, 852, 932-A, 948-A, 1408 and 1582 are hereby repealed.

READ A FIRST, SECOND AND BY UNANIMOUS CONSENT OF ALL COUNCILLORS PRESENT A THIRD AND FINAL TIME AND FINALLY PASSED THIS 14th DAY OF June A.D. 2004.


REEVE


COUNTY ADMINISTRATOR

COUNTY OF GRANDE PRAIRIE

BYLAW NO. 2720

SCHEDULE "A"

TERMS AND CONDITIONS GENERAL

Management

1. The County shall, in accordance with the terms and conditions prescribed in this Bylaw, be responsible for the operation and management of all of the County's facilities and equipment utilized for:
 - 1.01 wastewater collection, treatment and disposal; and
 - 1.02 the treatment, supply and distribution of water.
2. The County Administrator may establish standards, guidelines and specifications for the design, construction and maintenance of all works required for the County's Utility Services.
3. The County Administrator shall exercise the powers and perform the duties with respect to the County's Utility Services given or assigned to him by this and any other Bylaw of the County.

Inspections

4. Any duly authorized employee or agent of the County, bearing proper credentials and identification, may enter upon any property for the purpose of inspection, observation, measurement, sampling or testing in accordance with the provisions of this Bylaw. If such an inspection discloses any failure, omission, or neglect respecting any water or wastewater services upon the property, or discloses any defect in the location, construction, design or maintenance of any facility or connection, the person making such inspection may, in writing, notify the Consumer, owner, proprietor or occupier to rectify the cause of complaint within a reasonable time as determined by the County Administrator. Such person shall, within the time specified in the notice, rectify the complaint stated in the notice.
5. Whilst acting under the authority of Section 4 of this Schedule, the employee or agent, as the case may be, shall observe all safety rules applicable to the property established by the occupier.
6. Any duly authorized employee or agent of the County, bearing proper credentials and identification may enter upon any property which is subject to an easement in favour of the County for the purpose of, but not limited to, the inspection, observation, measurement, repair or maintenance of any portion of works lying within such easement.

Engineering

7. In any case under this Bylaw in which a person is required to pay the cost of work to be done by the County, or an agent of the County, the charge shall include an engineering expense consisting of all the County's direct and indirect expenses arising out of such work.

Rates and Charges

8. Unless otherwise provided, all rates and charges payable to the County for or in respect of the issuance of permits and other services provided by the County pursuant to this Bylaw shall be levied and paid in accordance with the provisions

of this Bylaw, including the Schedule "D" attached to this Bylaw, the Schedule of Fees, and other applicable Bylaws as amended from time to time.

9. The Consumer shall:

- 9.01 pay all charges and rates for utility services performed by the County or its agents in accordance with this Bylaw;
- 9.02 adhere to the requirements of these terms and conditions;
- 9.03 be responsible for the condition and protection of all facilities on the Consumer's property. The Consumer shall be liable for any destruction of or damage to the County's water facilities or wastewater facilities located on the Consumers property unless the destruction or damage is caused by the act of an agent or employee of the County;
- 9.04 not extend a private service from one lot to another without the prior written consent of the County;
- 9.05 at the request of the County, grant, or cause to be granted to the County, at the Consumer's expense, such easements or rights-of-way over, upon or under the property owned or controlled by the Consumer as the County reasonably requires for the construction, installation, maintenance, repair, inspection and operation of the facilities required for a service to the Consumer, and for the performance of all other obligations required to be performed by the County to maintain the utility services.

10. No person shall:

- 10.01 remove, operate or alter any portion of the utility services owned by the County, unless (s)he is an agent or employee of the County. A Consumer shall be responsible for all damage to or loss of such property;
- 10.02 use a service or the utility services in any manner that causes any interference or disturbance to any other Consumer's use of the utility services;
- 10.03 obstruct or impede free and direct access to any service, water main, sanitary sewer, or any other aspect of the utility services;
- 10.04 install or allow to be installed any temporary or permanent structures that could interfere with the proper and safe maintenance and operation of the utility services or result in any damage to the utility service.

New Services

- 11. Each private service pipe shall be constructed and maintained by the owner of the property on which it is located in accordance with the requirements of this Bylaw and the Regulations.
- 12. At the discretion of the County Administrator a County service may be constructed by the owner of the property, and shall comply with County Standards. A County service constructed by the County or an agent of the County shall be at the expense of the owner of the property benefited by the service.
- 13. Application for connection of water or sewer service to a property shall be made by the owner on the form prescribed by the County and it shall be accompanied

by a site plan showing the size and location of the service and any other information required to appropriately design and install the service.

14. The cost of installation of a County service as estimated by the County Administrator shall be paid by the owner to the County prior to installation of the service.

General

15. The County shall remain the owner of all County services and County service pipes unless the County and the Consumer have expressly agreed in writing otherwise. Any payment made by the Consumer does not entitle the Consumer to ownership, unless agreed in writing otherwise.
16. The County and the Consumer are subject to and shall comply with all applicable federal, provincial and municipal legislation, regulations, Bylaws, orders and requirements.
17. The terms and conditions contained in this Bylaw are governed by the laws of the Province of Alberta and the Federal laws of Canada applicable in the Province of Alberta. Any lawsuit arising in connection with the terms and conditions shall be brought in the courts of the Province of Alberta.
18. The terms and conditions of utility services contained in this Bylaw apply to the County and to every Consumer, and to the relationship between the County and a Consumer.
19. A Consumer is deemed to have accepted the terms and conditions upon one of the following:
 - 19.01 The Consumer's application for the supply of utility services;
 - 19.02 The payment by or on behalf of a Consumer of an account by the County for rates or charges;
 - 19.03 Receipt by the Consumer of utility services supplied by the County.
20. A Consumer and the County may enter an agreement that provides for the waiver, alteration or amendment of any part of the terms and conditions provided that the agreement is in writing and executed by both parties.
21. Upon request the County shall provide to the Consumer information on the method and manner of installing services.
22. The County shall reasonably respond to a Consumer's request to attend a property, in order to minimize or rectify an actual or potential interruption to utility services. A Consumer shall pay the charges for a Consumer's requested service call unless the source of the problem is caused by the County.
23. The County may without limitation act in response to governmental or civil authority directives, which may affect utility services. The Consumer agrees to cooperate with the County in order to comply with directives.
24. County Liability and Responsibility:
 - 24.01 The County shall not be liable for any loss, injury, damage, expense, charge, cost or liability of any kind, whether of direct, indirect, special or consequential nature (except only as specifically provided for in this Section) arising out of or in any way connected with any failure, defect,

fluctuation, reduction or interruptions in the provision of utility services by the County to its Consumers howsoever caused;

- 24.02 The County shall be liable only for direct physical loss, injury or damage to a Consumer or Consumer's property resulting from the willful act of the County, its employees or agents in relation to the provision of utility services to a Consumer;
- 24.03 For the purpose of defining County liability and restricting the generality thereof, "direct physical loss, injury or damage" shall not include loss of revenue, loss of profits, loss of earnings, loss of production, loss of contract cost of capital and loss of use of any facilities or property or any other similar damage or loss whatsoever arising out of or in any way connected with the failure, defect, fluctuation, reduction or interruption in the provision of utility services to a Consumer;
- 24.04 Any claim filed by a Consumer for direct losses, damages, expenses, charges, costs or other liabilities must be filed with the County within 180 days from the date of the occurrence of the incident that is the subject of the claim, failing which the claim is deemed to be settled by continuation of service;
- 24.05 The County shall not be liable for damages:
- a) caused by the break or failure of any portion of the wastewater facilities or water facilities;
 - b) caused by the interference or cessation of utility services in connection with the repair or proper maintenance of the utility services; or
 - c) generally for any accident or incident due to the operation of the utility services unless such costs or damages have been shown to be directly due to the willful act of the County, its employees, or agents;

Without limiting the generality of the foregoing the County is not responsible or liable for costs or damages that are based on nuisance. All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be applicable to and shall benefit the County in respect of any action brought or contemplated in respect of the provision of the utility services or anything else associated to these terms and conditions;

- 24.06 The County shall endeavor to provide regular and uninterrupted operations of the utility services as provided in the terms and conditions. However, breaks to public sewers, water mains and other facilities are inherent to the normal operation of the utility services. The right to discontinue utility services for any reason with or without notice is fundamental to these terms and conditions;
- 24.07 The County shall have the right to disconnect, interrupt or reduce utility services at any time:
- a) for making repairs or improvements necessary to facilitate construction, installation, maintenance, repair, replacement or inspection of any part of the utility services;
 - b) to restrict and regulate the use of water for the purpose of conserving water;
 - c) to maintain the safety and reliability of the utility services;

- d) due to any other reason, including non-payment of rates and/or charges, emergencies, forced outages, force majeure or potential shortage or interference with the normal delivery of the utility service;

24.08 The County will use reasonable efforts to:

- a) provide notice of any utility service reduction or interruption;
- b) minimize such interruption duration and occurrences;
- c) schedule planned interruptions as much as possible at times convenient to Consumers.

25. Should the County be rendered unable (wholly or in part) by force majeure to carry out its obligation to supply utility services, the County's obligations so far as they are affected by force majeure shall be suspended. The County shall where practicable give notice of the occurrence of force majeure to Consumers affected.

Provision of Utility Services

26.

26.01 The County will provide all utility services listed in this Bylaw in accordance with these terms and conditions. All additional supplementary or commercial services provided by the County to a Consumer will be charged in accordance with the agreement between the parties. Payment for all utility services shall be in accordance with the provisions of these terms and conditions;

26.02 The County will restore extended service interruptions due to breaks of water mains or sanitary sewers, plugged or collapsed, water mains or sanitary sewers or other reasons as soon as practically possible;

26.03 The County will maintain the utility services and make repairs of a routine nature at no direct charge to the Consumer unless the damage is due to Consumer negligence or intentional damage;

26.04 When the County performs a repair on the utility services that affects a Consumer's property, the County will return the property to original or similar to original condition;

26.05 The County, its employees or agents, will own, install and maintain all water meters and measuring devices, unless such meters and measuring devices were installed by the Consumer for his own purposes;

26.06 The County will provide for construction and testing of all utility services and connection and disconnection in accordance with these terms and conditions and at rates and charges provided for in this Bylaw;

26.07 The County will endeavor to provide a continuous supply of utility services. However a continuous supply of utility services is not guaranteed;

26.08 In the case of extended service interruptions, the County will make reasonable efforts to supply utility services to Consumers or groups of Consumers through alternative means;

26.09 The County is not responsible for the effects of force majeure events;

- 26.10 The County is not responsible for changes to the characteristics or properties of the water as a result of complying with Provincial or Federal standards. The County is not responsible for any resulting changes to any facility, process or production or cost impacts upon Consumers or their business as a result of such measures;
- 26.11 The County shall not be responsible for any damage (on property), loss or injury of any nature or resulting directly or indirectly from the installation of a private service, unless such costs, losses or damages have been shown to be directly due to a willful act of the County, its employees, or agents;
- 26.12 The Consumer shall take all necessary measures to prevent damage to a private service due to any cause, including settlement of the structure or ground through which the pipe passes;
- 26.13 Where a service passes through disturbed ground, the obligation of the County to construct does not include the incremental construction costs required to stabilize the service, and bring the disturbed ground to a stable state. The Consumer may be required to pay all additional construction costs including the costs of any required support system.
27. Any person who requires utility services shall make application to the County on such form as shall be utilized by the County from time to time and shall pay to the County the application charge referenced in the Schedule of Fees.
28. Upon the acceptance of the application, a utility account shall be set up in the name of the applicant, provided that the applicant is:
- a) the owner of the property;
 - b) the tenant of the property, provided that the County is able to shut off or discontinue any utility being supplied;
 - c) in any other instance, approved by the County Administrator.
29. There shall be a separate utility account with respect to each meter.
30. The application shall be supported by such evidence of the identity of the applicant and status of the applicant to make the application as the County Administrator may require.

Deposits

31. Subject to agreement otherwise, a Consumer, who is a tenant of the property, shall at the time of application pay a deposit as set forth in the Schedule of Fees;
32. Notwithstanding Section 31 of this Schedule:
- 32.01 A Consumer, who is a tenant of the property, opening a new utility account who is indebted to the County for utility services previously supplied will not be allowed to complete his application, or be entitled to receive utility services, until payment of the outstanding account and any deposit required in accordance with Section 31 of this Schedule;
- 32.02 A Consumer, who is a tenant of the property, opening a new utility account due to a change of residence within the County shall be charged a deposit as set forth in the Schedule of Fees.

Interest on Deposits

33. Interest shall be paid on a deposit at the rate set forth in the Schedule of Fees calculated from the date of payment of the deposit to the date that the deposit is refunded to the Consumer or applied towards payment of utility charges.

Refund of Deposits

34. If refundable pursuant to this Section, or upon termination of the supply of utility services, a deposit shall be returned to a Consumer together with interest as provided in Section 33 of this Schedule, after deducting therefrom all outstanding charges for the supply of utility services, including the cost of shutting off or discontinuing any utility service for non-payment of utility accounts.

Water

- 36.
- 36.01 The County may levy and Consumers shall pay for water supplied by the County at the rates set forth in the Schedule of Fees;
- 36.02 In case of a dispute, the County Administrator shall determine the rate in the Schedule of Fees which is applicable to a particular Consumer;
- 36.03 If a meter has been supplied, the charge payable by a Consumer shall be determined by reference to the reading of the meter supplied to such Consumer. If for any reason a meter cannot be read, the County Administrator may estimate the flow of water upon such basis as he considers to be fair and equitable and render a utility invoice in accordance with such estimate. If a meter has not been supplied the charge payable shall be determined according to the Schedule of Fees and a utility invoice rendered in accordance with the Schedule of Fees.
- 36.04 Unoccupied or vacant property connected to County water services shall be levied the rates set forth in the Schedule of Fees.

Sewer Service

- 37.
- 37.01 The County may levy and Consumers shall pay for wastewater collected and disposed of by the County at the rates set forth in the Schedule of Fees.
- 37.02 Unoccupied or vacant property connected to County wastewater services shall be levied at the rates set forth in the Schedule of Fees.

Effective Date

38. The rates and charges provided in this Bylaw for the provision of utility services shall come into effect on the date this Bylaw comes into force.

Utility Accounts

39. All rates and charges payable hereunder shall be paid to the County within the time prescribed by this Bylaw.

40. A utility invoice is due and payable when rendered and, if not paid on the due date stated on the invoice, is deemed to be in arrears. Failure to receive a utility invoice does not relieve a Consumer of liability for payment.
41. If a Consumer shall only partially pay a utility invoice, all monies paid shall, notwithstanding any contrary direction by the Consumer, be applied towards the oldest outstanding invoice.
42. If a Consumer pays a utility invoice after the due date stated therein, or such later due date as may be approved by the County Administrator, such Consumer shall pay a percentage charge, as set forth in the Schedule of Fees, of the current charges invoiced. Payments made by mail or at a financial institution must be received by the County on or before the due date in order for a Consumer to avoid such percentage charge.
43. If any rate or charge for the provision of utility services is designated by reference to a specific period of time, the charge for a lesser period of time shall be calculated on a proportionate basis.
44. If a Consumer shall be in arrears in payment of any rates or charges hereby levied, the County Administrator may enforce payment by all or any of the following procedures:
 - a) transfer to the Consumer's tax roll;
 - b) action in any court of competent jurisdiction;
 - c) shutting off or discontinuing any utility being supplied to such Consumer without notice; or
 - d) by contracting a collection agency to secure payment.

Waiver

45. The Council may waive any penalty rate or charge imposed or levied under this Bylaw if, in the circumstances, the Council is of the view that this is just and equitable.

Extension of Service Area

46. Subject to the provisions of this Bylaw. The County shall provide utility services within the boundaries of the County as follows:
 - a) The County may provide utility services to those areas of the County not serviced by Aquatera;
 - b) When the County authorizes new development or subdivision for premises that requires Utility Service(s), the County will ordinarily require the Developer, as a condition of subdivision or development approval, to construct at the Developer's expense, water and/or sewer mains, services and related appurtenances, such construction shall comply with standards established by the County. Upon issuance of the Construction Completion Certificates for the water and/or sewer mains, services and appurtenances, the County shall provide water and/or sewer services to adjacent premises according to the terms and conditions of this Bylaw and upon payment of the applicable rates and charges;
 - c) The County may agree to supply utility services to premises that have not previously been serviced by utility services, in the absence of new development or subdivision, upon the Consumer constructing or paying for water and sewer mains, services and related appurtenances;
 - d) The County may reserve the right to refuse the supply of utility services in unique situations such as:

- i) concerns respecting the capacity of the utility services;
- ii) concerns respecting the safe operation of utility services;
- iii) concerns respecting damage to the utility services, or compliance with this Bylaw or applicable federal, provincial or municipal legislation or regulations.

COUNTY OF GRANDE PRAIRIE

BYLAW NO. 2720

SCHEDULE "B"

TERMS AND CONDITIONS - WASTEWATER SERVICES

Use of Public Sewer

1. Restricted Discharge

1.01 No person shall discharge into any storm sewer or natural outlet within the County or in any area under the jurisdiction of the County any wastewater or other polluted waters;

1.02 No person shall discharge any water, wastewater or other polluted wastes into the Wastewater Facilities unless through an approved connection complying with the provisions of this Bylaw and the Regulations.

2. Installation and Connection of Toilet Facilities

The owner of each house or other building used for human occupancy, employment, recreation or other purpose located on property lying along a sanitary sewer line may upon installing suitable toilet facilities therein, request that such facilities be connected directly with the public sewer.

3. Restricted Facilities

Except as permitted by this Bylaw or the Regulations, no person shall construct or maintain any privy, privy vault, septic tank, cesspool, or other facility intended or used for the collection or disposal of wastewater.

Private Wastewater Disposal

4. Public Sewer Not Available

If a property is not connected to a sanitary sewer line the toilet facilities and fixtures in any house or other building on such property shall be connected to a private wastewater disposal system complying with the provisions of this Bylaw and the Regulations.

5. Requirements for Private Waste Disposal

5.01 The type, capacity, location, and layout of a private wastewater disposal system shall comply with all requirements of the Alberta Private Sewage Disposal Regulations;

5.02 No private waste disposal system shall discharge to any storm sewer or natural outlet.

6. Availability of Public Sewer

6.01 If a sanitary sewer shall be constructed adjacent to a property on which a private waste disposal system is installed, the County, upon motion of Council, may give the Owner of the property notice to install suitable toilet facilities thereon and connect such facilities directly with the sanitary sewer within sixty (60) days of such notice being given;

6.02 If such notice is given, the private waste disposal system shall be abandoned, cleaned of sludge and filled with dirt or pit-run gravel, or

removed and at the owner's expense replaced with fill material approved by the County.

7. Operation of Private Waste Disposal

The owner of a property shall at all times operate and maintain in a sanitary manner any private waste system located on such property.

8. Hauling Wastewater for Treatment

Every person delivering wastewater to the wastewater treatment plant for treatment shall:

8.01 ensure that the wastewater delivered does not include any polluted wastes as described in Section 25 of this Schedule;

8.02 prior to disposal of the wastewater:

- a) provide for the weighing or other measuring of material being disposed of in a manner as the County may require;
- b) provide such information with respect to the wastewater as the County may require; and
- c) permit samples of the wastewater to be taken and analyzed

8.03 comply with all of the rules and regulations of the County with respect to the disposition of the wastewater;

8.04 pay the rates prescribed in the Schedule of Fees, Schedule "D", and charges as set by the County from time to time; and

8.05 discharge the wastewater only at the designated locations at the Wastewater Treatment Plant.

Building Sewers and Connections

9. Approval

Unless authorized by the County Administrator, no person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenance thereof.

10. Maintenance of Building Sewers

10.01 The County shall maintain a building sewer from the sewer main to the property line at the County's expense;

10.02 The owner of a property shall maintain the building sewer from the property line to the building at the owner's expense.

11. Abandonment of Building Sewers

If any sewer connection is abandoned, the County shall, at the owner's expense, effectively block up such connection at a suitable location within the owner's property so as to prevent wastewater backing up into the soil, or dirt being washed into the sewer.

12. Separate Building Sewer Required

A separate building sewer shall be provided for every building requiring a sewer under the Alberta Building Code and the Regulations, except that, if a new building is constructed at the rear of an existing building and, in the opinion of the County Administrator, it is not practicable to construct a separate sewer to the new building, the building sewer to the existing building may be extended to the new building.

13. Re-use of Building Sewers

13.01 An existing County service pipe may only be used to provide service to a new building with the County Administrator's approval;

13.02 Under no circumstances will any person be allowed to re-use a no-corrode County service pipe to provide service to a new building;

13.03 The County shall be responsible for all costs incurred in constructing a new County service pipe if the old pipe is deemed unacceptable for reuse, and no upsizing of the pipe is required;

13.04 The property owner shall be responsible for all costs incurred by the County in constructing a new County service pipe where upsizing of the old pipe is required;

13.05 The property owner shall be responsible for all costs incurred by the County in constructing a new County service pipe to properties that were not previously serviced or where additional County service pipes are required.

14. Requirements for Building Sewer

14.01 The size, slope, alignment and materials used in construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the Regulations in the case of the private service pipe and County Standards in the case of the County service pipe;

14.02 In the absence of applicable provisions in the Regulations, the materials and procedures set forth in standards published by the American Society of Testing and Materials, the Canadian Standards Association and American Water Works Association shall apply;

14.03 A building sewer from the main clean-out to the sewer main shall have a minimum diameter of 100mm.

15. Wastewater Lifting Required

15.01 Whenever practicable, a building sewer shall be brought to a building at an elevation at least 1.8 meters below finished grade level;

15.02 In any buildings in which a building drain is too low to permit gravity flow to the public sewer, wastewater carried by such building drain shall, at the owner's expense, be lifted by means approved by the County and discharged to the building sewer.

16. Restricted Connections to Building Sewer or Drain

Unless permitted by the County Administrator pursuant to Section 23 of this Schedule, no person shall connect any roof downspout, exterior foundation drain or areaway drain, or collect or direct other sources of surface runoff or ground

the angular sum of all bends installed shall not exceed 135 degrees and it shall not contain a 90-degree elbow;

22.02 Generally, the main clean-out shall be located inside the foundation of a building. If sufficient clearance cannot be provided inside the building, the main clean-out shall be installed outside the building and as close as practicable to the foundation;

22.03 All main clean-outs shall be a wye fitting and shall be usable and accessible;

22.04 No person shall enclose the main clean-out in or under partitions, walls or flooring or in any way restrict access to same;

22.05 Main clean-outs installed in a horizontal position below floor level shall be enclosed in an access box.

23. Discharge of Uncontaminated Water

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial water to any sanitary sewer, except with the approval of the County Administrator which may be given in a situation where exceptional conditions prevent compliance with this Section, in which case a rate shall be levied at the rate specified in the Schedule of Fees for amounts applied to the volume of water measured or as estimated by the County Administrator to have been discharged into the sanitary sewer.

24. Discharge of Storm Water

Storm water and all other unpolluted drainage shall not be discharged into the wastewater facilities.

25. Polluted Wastes

No person shall discharge, or cause or permit to be discharged, any of the following described wastewater's or wastes into any public sewer:

25.01 Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;

25.02 Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any wastewater treatment process or constitute a hazard in the receiving waters or the Plant;

25.03 Any waters or wastes having a pH in excess of 9.5 or lower than 5.5, or having any other corrosive property capable of causing damage or presenting a hazard to structures, equipment, and personnel of the County;

25.04 Any ashes, cinders, wood, wood-shavings, sawdust, rags, sand, mud, straw, metal, glass, fiberglass, plastics, eggshells, feathers, paper other than toilet paper, or other solids;

25.05 Animal parts or wastes including, but not limited to:

- a) any manure or intestinal contents from horses, cattle, sheep, swine or poultry;
- b) hooves or toenails;

- c) intestines or stomach casings or animal body parts;
- d) bones;
- e) bristles and hair;
- f) hides or parts thereof;
- g) fat or flesh in particles larger than will pass through a 6mm screen;
- h) fleshings and hair resulting from tanning operations;

25.06 Any liquid or vapour having a temperature higher than sixty five degrees Celsius (65°C):

25.07 Any water or waste containing fats, wax, grease, or oils, either singly or in combination, whether emulsified or not, in excess of one hundred (100) parts per million by weight or containing substances which may solidify or become viscous at temperatures between zero (00) and sixty five (65) degrees Celsius;

25.08 Any garbage that has not been shredded so as to pass through a 6mm sieve and is not specifically prohibited in this Section;

25.09 Any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not;

25.10 Wastewater containing substances in concentrations exceeding any of the following:

Antimony	1.0 mg/L	Manganese	1.0 mg/L
Arsenic	1.0 mg/L	Mercury	0.1 mg/L
Barium	3.0 mg/L	Nickel	0.5 mg/L
Boron	1.0 mg/L	Total Pesticides	0.1 mg/L
Cadmium	0.05 mg/L	Phenolic Compounds	0.1 mg/L
Chromium	1.0 mg/L	Selenium	1.0 mg/L
Chlorinated Hydrocarbons	0.02 mg/L	Silver	1.0 mg/L
Copper	0.5 mg/L	Sulphide	1.0 mg/L
Cyanide	1.0 mg/L	Zinc	1.0 mg/L
Lead	1.0 mg/L		

25.11 Pollutants other than those listed in Section 25.10 prohibited from being discharged under any Federal or Provincial legislation;

25.12 Any waters or wastes containing phenols or other taste or odour producing substance, in such concentration as to exceed limits which may be established by the County Administrator as necessary, after treatment of the composite wastewater, to meet the requirements of any Provincial, Federal, or other public agencies having jurisdiction;

25.13 Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the County Administrator in compliance with applicable Provincial or Federal regulations;

25.14 Any waters or wastes containing more than five hundred (500) milligrams per litre B.O.D.;

25.15 Any waters or wastes containing more than five hundred (500) milligrams per litre of suspended solids or one thousand (1,000) milligrams per litre of total dissolved solids;

25.16 Wastes which contain, exert, or cause:

- a) unusual concentration of inert suspended solids, including but not limited to Fullers earth, lime slurries, and lime residue, or of dissolved solids, including but not limited to sodium chloride and sodium sulphate;
- b) excessive discoloration, including but not limited to dye, wastes and vegetable tanning solutions;
- c) unusual B.O.D., chemical oxygen demand, or chlorine requirements in such quantities as to constitute, in the opinion of the County Administrator, a significant load on the Plant; and
- d) unusual volume of flow or concentration of wastes constituting a slug;

25.17 Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed by the County, or are amenable to treatment only to such degree that the Plant effluent cannot meet the requirements of other agencies having jurisdiction;

25.18 Any noxious or malodorous gas or substance capable of creating a public nuisance including, but not limited to, hydrogen sulphide, mercaptans (thiols), carbon disulphides, other reduced sulphur compounds, amines and ammonia.

26. Rejection of Polluted Wastes

If any waters or wastes are proposed to be discharged from a property to a public sewer, which contain any substance or possess the characteristics of any substance enumerated in Section 25 or any other substance which, in the opinion of the County Administrator, would have a deleterious effect upon the wastewater facilities or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the County Administrator may:

26.01 Reject the waters or wastes;

26.02 Require pre-treatment to an acceptable condition for discharge to the public sewers;

26.03 Require control over the quantities and rates of discharge; and/or

26.04 Require payment by the owner or occupant to cover the added cost of handling and treating the wastes not covered by existing wastewater service charges under the provisions of this Bylaw. If the County Administrator permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the County Administrator, and to the requirements of all applicable codes, statutes, Bylaws and regulations;

26.05 If preliminary treatment of wastewater or flow-equalizing equipment is required by the County, the necessary Facilities shall be provided by and maintained in satisfactory and effective operation by the owner at the owner's expense.

27. Interceptors

27.01 Grease, oil and mud interceptors shall be provided for all commercial garages, restaurants, automotive service stations and vehicle and equipment washing establishments and for other types of business when required by the Regulations or, in the opinion of the County Administrator, such interceptors are necessary for the proper handling of liquid wastes

containing grease in excessive amounts, or any flammable wastes, sand, mud or other harmful ingredients;

27.02 All interceptors shall be of a type and capacity which conform to the Regulations and shall be located so as to be readily and easily accessible for cleaning and inspection;

27.03 All interceptors shall be maintained at all times in satisfactory and effective operation by the owners of the properties on which they are installed at the owner's expense;

27.04 All interceptors shall be connected to the sanitary sewer unless the County Administrator shall otherwise stipulate;

27.05 If the drainage system in any new commercial or industrial building includes an interceptor, then a control manhole is required;

27.06 Residential parking garages with floor drains connected to the sanitary sewer must have a mud interceptor of sufficient size and design to effectively trap solids.

28. Control Manhole

28.01 If required by the County Administrator, the owner of any property serviced by a building sewer shall, at the owner's expense, install and maintain a suitable control manhole and other necessary appurtenances to facilitate observation, sampling, and measurement of the wastewater quality, temperature, rate of flow and other characteristics;

28.02 Any such manhole shall be located wholly on private property and constructed in accordance with County Standards and maintained so that it is accessible and in good condition at all times;

28.03 If a control manhole does not exist on a property, the control manhole for that property shall be deemed to be the manhole in the public sewer which is downstream of and nearest to the point at which the building sewer servicing the property is connected to the public sewer.

29. Standards for Sampling and Analysis of Wastes

29.01 All sampling, measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this Bylaw shall be determined in accordance with Standard Methods and the Methods Manual for Chemical Analysis of Water and Wastes published by the Alberta Environmental Centre, Vegreville, Alberta, 1996, AECV96-M1, as amended;

29.02 Sampling shall be carried out using customarily accepted methods to determine the effect of constituents upon the wastewater facilities and whether there exists a hazard to persons or property. The initial analysis of the discharge from a property will determine whether a twenty-four (24) hour composite of all discharge from such property is sufficient. If practicable, the B.O.D. and suspended solids analysis will be obtained from 24 hour composites of all discharges whereas the pH will be determined from periodic grab samples.

30. Protection from Damage

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the utility.

General

31. Authority to Sample

The County Administrator may from time to time determine by sampling and analysis the characteristics of the wastewater being discharged into the wastewater facilities from any property which by reason of the type of industry or business being conducted or operated thereon, or for any other reason is, in the County Administrator's opinion, likely to produce wastewater with concentrations of harmful or deleterious substances which exceed those permitted under this Bylaw or other applicable legislation, and shall maintain a record of each such analysis.

32. Duration of Sampling and Analysis

The County Administrator may take and analyze samples over a period which, in the County Administrator's opinion, is sufficient to permit determination of the quality of the average effluent from a property under normal conditions.

33. Request for Additional Sampling

If the occupant of a property to which a wastewater surcharge is applicable is of the opinion that the degree of concentration of the wastewater discharge from the property has been reduced from that shown in a test made by the County Administrator, such occupant may ask the County Administrator to make a further test at the occupants expense.

34. Special Agreements

This Bylaw shall not be construed so as to prevent any agreement or arrangement between the County and any person whereunder the County may accept an industrial waste of unusual strength or character for treatment.

35. Garbage Grinders

The installation of any garbage grinder equipped with a motor of 560 watts or greater shall require the approval of the County Administrator.

COUNTY OF GRANDE PRAIRIE

BYLAW NO. 2720

SCHEDULE "C"

TERMS AND CONDITIONS - WATER SERVICES

Administration of Water Supply

1. Authority to Shut Off

For any reason which the County Administrator considers appropriate, the County Administrator may shut off the supply of water to any Consumer or Consumers for such length of time as the County Administrator deems necessary, provided that the County Administrator shall use reasonable efforts to give notice of such shutting off to the Consumer or Consumers affected.

2. Supply of Water

2.01 The County does not guarantee the pressure nor the continuous supply of water and the County may at any time, without notice, change the operating water pressure and shut off water;

2.02 Any person requiring a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particularly clear or pure water shall provide such facilities as that person considers necessary to ensure a continuous and uninterrupted supply, pressure or quality of water;

2.03 The County may inspect the property of a Consumer in order to do any tests on water piping or fixtures to determine compliance with this Bylaw. If the Consumer denies access to the Consumer's property for that purpose, the supply of water to the Consumer may be shut off;

2.04 The owner of any house or building not in existence at the time this Bylaw becomes effective and used for human occupancy, employment, recreation or other purpose located on property lying along the line of any water main shall connect such house or building directly with the water main;

2.05 If a water main shall be constructed adjacent to a property on which a private water system is installed, the County, upon Council motion, may give the Owner of the property notice to connect building(s) located on his property directly with the water main within sixty (60) days of such notice being given. Without restricting the generality of the foregoing, it is the intent of the County to require such connection, *inter alia*, upon an intensification of use or development. If such notice is given, the private water system shall be disconnected from the building(s) located on the property;

2.06 In no case shall a private water system be connected to a County water service pipe.

3. Bulk Water Sales

3.01 Bulk water may be purchased at Bulk Water Outlets designated by the County;

3.02 Rates for bulk water shall be as provided in the Schedule of Fees.

4. Sprinklering

- 4.01 The County Administrator may at such times and for such length of time as he considers necessary or advisable, regulate, restrict or prohibit sprinklering;
- 4.02 In exercising the authority conferred by Section 4.01 above, the County Administrator:
- a) shall cause to be published in a daily newspaper circulated in the County a public notice giving reasonable detail of the regulation, restriction or prohibition of sprinklering being imposed which may be limited to certain times or which may be unlimited as to time in which latter case, a similar public notice shall be published giving notice of the time of cessation of such regulation, restriction or prohibition;
 - b) may regulate, restrict or prohibit sprinklering in all or any part or parts of the County and in so doing the Administrator may provide different times during which different Consumers may sprinkle by reference to compass direction, streets, odd and even street addresses, or in such other manner as the County Administrator in his absolute discretion considers appropriate.
- 4.03 The County Administrator may cause the water supply to any Consumer who causes, permits or allows sprinklering in contravention of any such regulation, restriction or prohibition to be shut off until such Consumer undertakes to abide by and comply with such regulation, restriction or prohibition in a form acceptable to the County Administrator.

Restriction of Water Supply

5. General

- 5.01 No Consumer shall operate, use, interfere with, obstruct or impede access to water facilities or any portion which is on, or in the vicinity of, the Consumer's property in any manner not expressly permitted by this Bylaw, or in a manner contrary to the provisions of this Bylaw;
- 5.02 If a Consumer shall be in breach of Section 5.01, the County Administrator may cause the water being supplied to such Consumer to be shut off until the County Administrator is satisfied that such Consumer has remedied the breach and is otherwise complying with all of the provisions of this Bylaw.

6. Wastage

- 6.01 No Consumer shall cause, permit or allow the discharge of water so that it runs to waste, whether by reason of leakage from underground piping, a faulty plumbing system or otherwise;
- 6.02 The County Administrator may cause the water supply to any Consumer who violates Section 6.01 to be shut off until such time as such Consumer establishes to the satisfaction of the County Administrator that he has taken such steps as may be necessary to ensure that any water supplied to him by the County will not run to waste;
- 6.03 The County Administrator shall, if he considers it practicable to do so, give notice to such Consumer prior to causing the water supply to such Consumer to be shut off;

6.04 Notwithstanding the foregoing, the County Administrator may under such conditions as he considers reasonable allow a Consumer to discharge water so that it runs to waste if such Consumer's water service would otherwise be susceptible to freezing;

6.05 Water permitted to run to waste as described in Section 6.04 shall be metered and charged for where the potential for freezing is the result of a shallow or unprotected private service pipe.

7. Use of Water

7.01 No Consumer shall:

- a) lend or sell water, unless such water has been incorporated into a manufactured Consumer product, which the manufacturer is licensed to manufacture, such as but not limited to ice and soft drinks;
- b) give away or permit water to be taken;
- c) use or apply any water to the use or benefit of others;
- d) increase the usage of water beyond limits agreed upon with the County; or
- e) wrongfully waste water.

7.02 Sections 7.01a), b), c) and d) do not apply to water purchased from Bulk Water Outlet(s) designated by the County.

8. Investigation into Water Supply Service Failure

8.01 If a Consumer shall complain of a failure or interruption of water supply, and investigation of the complaint necessitates excavation, at the discretion of the County Administrator, the Consumer shall, prior to the excavating being done, deposit with the County the charge as estimated by the County Administrator;

8.02 If the failure or interruption was caused by the County service, such deposit shall be refunded;

8.03 If the failure or interruption was caused by the private service, the actual cost of such excavating shall be paid by the Consumer and the deposit paid pursuant to Section 8.01 shall be applied towards payment of such cost.

9. Service Calls

If a Consumer shall request a service call and the County's employee responding to the call is for any reason unable to enter the Consumer's property, the Consumer shall pay a charge as established pursuant to the Schedule of Fees.

10. Noise and Pressure Surges

10.01 No Consumer shall cause, permit, or allow any apparatus, fitting or fixtures to be or to remain connected to the Consumers water supply or allow such water supply to be operated in such a manner as to cause noise, pressure surges or other disturbance which may in the opinion of the County Administrator result in annoyance or damage to other Consumers of the water facilities;

10.02 The County Administrator may shut off the water supply to any Consumer who shall breach Section 10.01, provided that the County Administrator shall, if he considers it practicable to do so, give notice to the Consumer prior to the water supply being shut off;

10.03 Any water supply shut off pursuant to Section 10.02 shall not be restored until the Consumer has ceased to be in breach of Section 10.01.

11. Operation of Valves

11.01 Unless authorized by the County Administrator, no person shall turn on or off a water service valve or any other valve or valves in the water facilities;

11.02 Unless authorized by the County Administrator, no person shall turn on a water service valve which has been turned off on the instructions of the County Administrator.

12. Trespassing

No person shall trespass on any property which is utilized or operated by the County.

13. Operation of Fire Hydrants

13.01 No person other than authorized County employees or Fire Department employees shall operate or tamper with a fire hydrant under any circumstances;

13.02 Fire hydrants shall not be used for any purpose other than fire protection;

13.03 No person shall allow anything to be constructed, placed, erected or planted adjacent to a fire hydrant, which may in any way interfere with access to, use, maintenance or visibility of the hydrant;

13.04 If requested by any person for any reason which the County Administrator deems appropriate, the County Administrator may, at such person's expense, permit the relocation, raising or lowering of a fire hydrant situated on County property providing pre-approval has been obtained from the County;

13.05 Prior to a fire hydrant being relocated, raised or lowered pursuant to Section 13.04, the person requesting the same shall pay to the County the charge for the work as estimated by the County Administrator;

13.06 The County may require that a fire hydrant be installed on private property at the expense of the owner of the property;

13.07 No person shall use water from a fire hydrant located on private property for any purpose other than fire protection;

13.08 Any person owning or occupying a property with a fire hydrant adjacent to such property shall be responsible for clearing snow and cutting weeds or grass around the fire hydrant in a manner that allows the fire hydrant to be clearly visible and accessible from the point on the street closest to the fire hydrant;

13.09 If a fire hydrant is equidistant from two properties:

- a) the owner and occupant of the property immediately to the north or west of the fire hydrant shall comply with the provisions of Section 13.08 in even numbered years; and
- b) the owner and occupant of the property immediately to the south or east of the fire hydrant shall comply with the provisions of Section 13.08 in odd numbered years.

Contamination

14. Back Flow Prevention

- 14.01 No Consumer shall cause, permit or allow to remain connected to his water supply system any piping, fixture, fitting, container or other apparatus which may cause water from a source other than the water facilities or any other actual or potentially harmful or deleterious liquid or substance to enter the water facilities;
- 14.02 If a condition is found to exist which is contrary to Section 14.01, the County Administrator shall, depending on the nature of the hazard:
 - a) carry out an inspection and issue such order or orders to the owner, Consumer or other person as may be required to obtain compliance with Section 14.01; or
 - b) without prior notice shut off the water service or services;
- 14.03 If the owner, Consumer or other person to whom the County Administrator has issued an order fails to comply with that order, the County Administrator in his discretion may:
 - a) give notice to the person to whom the order was directed to correct the fault at the expense of such person within a specified time period and if the notice is not complied with the County Administrator may then shut off the water service or services; or
 - b) without prior notice shut off the water service or services;
- 14.04 Any water supply so shut off shall not be restored until the breach of Section 14.01 has been remedied.

Meters

15. General

- 15.01 All water supplied by the County through a private service shall be measured by a meter owned, installed and maintained by the County unless otherwise provided under this Bylaw or a special agreement is entered into between the County and a Consumer;
- 15.02 All meters except subsidiary meters as described in Section 17 shall be supplied, owned and maintained by the County unless otherwise provided by this Bylaw or a special agreement is entered into between the County and a Consumer.

16. Installation Responsibility

- 16.01 All meters and their reading devices, regardless of size shall be supplied and installed by the County at the expense of the Consumer and shall thereafter be maintained by the County at the County's expense;

16.02 All meters supplied to replace obsolete meters shall be supplied and installed by the County at the expense of the County;

16.03 Notwithstanding Section 16.03, any re-sizing during the replacement of obsolete meters shall be subject to Section 23 of this Section and conditions contained therein, except where re-sizing is a requirement of the County.

17. Subsidiary Meter

A Consumer may, for his own benefit, and at his own cost, install a meter between the meter supplied by the County and the point of use of the water supply, provided that the County shall under no circumstances be required to maintain or read such meter. A subsidiary meter shall remain the property of the Consumer.

18. Provision of a Meter Setting

18.01 If constructing a new building, or reconstructing an existing building, a Consumer shall make provision acceptable to the County Administrator for the installation of a water meter;

18.02 In so doing, the Consumer shall ensure that the meter is installed in accordance with County Standards;

18.03 Any Consumer:

- a) whose water supply is not metered, or
- b) whose meter is not positioned to the satisfaction of the County Administrator, shall, at the Consumer's expense, arrange for installation of a new meter or for the meter to be moved, as the case may be.

19. Special Meter Readings

A Consumer who asks the County for a special meter reading shall pay the charge referenced in the Schedule of Fees.

20. Testing or Calibration on Disputed Meter Reading

20.01 If a meter reading is disputed by either the County or a Consumer, the party disputing the reading shall give written notice to the other party. Following such notice, the meter in question shall be tested or calibrated by a person appointed by the County;

20.02 If the meter is found to be accurate within 97% to 103% of the water passing through it, the charge for the test or calibration shall be borne by the party disputing the reading;

20.03 If the meter is found not to be accurate within those limits:

- a) it shall be forthwith repaired or replaced and the cost, as well as the expense of the test or calibration, shall be borne by the County;
- b) the accounts based upon the readings of that meter during the period of six (6) months immediately preceding the date of the test or calibration shall be corrected to reflect the error in the meter and the Consumer shall pay, or be refunded, as the case may be, the amount so determined, which payment or refund shall be accepted

by both the County and the owner in full settlement of any claim arising out of the error in the meter.

21. Meter Chamber

If, in the opinion of the County Administrator, a building or other location to be supplied with water does not have an acceptable site for the installation of a meter, the Consumer shall, at the Consumer's expense, construct on the property line a container for a meter, such container to be satisfactory to the County Administrator in all respects, including location, construction, size and access. The Consumer shall, at the Consumer's expense, thereafter maintain such container to the satisfaction of the County Administrator.

22. Meters and Services

22.01 The County shall not be obligated to supply more than one meter for each water service to any one building;

22.02 For each additional meter supplied by the County to a single building, the owner shall provide, at his expense, a separate water service;

22.03 If a building other than a single family residence is to be constructed over more than one lot, a separate water and sewer service and meter is required for each portion of such building situated on a separate lot, unless the County Administrator otherwise permits;

22.04 If an existing building is to be subdivided into separate lots, a separate water and sewer service connection and one meter is required for each additional lot;

22.05 A condominium may have one water and sewer connection and one meter with the utility account in the name of the condominium association.

23. Meter Size

The size of a water meter shall be determined as follows:

23.01 The maximum size of the meter shall not exceed the size of the private service;

23.02 If the private service is a combined service, the internal diameter of the private service branch off the fire line shall determine the meter size for the purpose of Sections 23.01 and 23.02;

23.03 If a Consumer requires that an existing meter be replaced with one of a different size, the Consumer will be directly responsible for all necessary plumbing modifications;

23.04 If considered appropriate by the County Administrator, a request to re-size a meter may be withheld pending a review of consumption history, usage patterns and maximum flow requirements. Where the review does not support the Consumer's request, a charge for the review may be charged to the Consumer pursuant to Schedule "D";

23.05 Where required by the County for its purposes, appropriate size verification shall be performed by the County at no cost to the Consumer.

24. Non-Registering Meter

24.01 If it is determined, otherwise than pursuant to Section 20, that a meter has failed to properly record the flow of water, the County Administrator shall estimate the flow based upon such method as he considers to be fair and equitable and render a utility invoice;

24.02 A Consumer shall immediately notify the County Administrator of any breakage or stoppage of a meter or any irregularity in its operation.

25. Protection of Meter

25.01 A Consumer shall adequately protect the meter on the Consumer's property against freezing, heat and any other internal or external damage failing which such Consumer shall pay to the County the cost of repairing the meter;

25.02 No Consumer shall obstruct, interfere with, or impede direct, safe and convenient access to any meter for the purpose of the installation, inspection, removal, replacement, repair and reading of such meter;

25.03 No Consumer shall break or tamper with any meter, remote reading device, communication wire or seal;

25.04 A Consumer may only relocate, alter or change an existing meter with the written approval of the County Administrator and at the Consumer's expense;

25.05 If a meter is removed or stolen, the owner of the property on which it was located shall pay the cost of acquiring and installing a replacement meter.

26. Reading

26.01 If practicable, all meters shall be read at least once every two months. If any meter cannot be read within such period, the County Administrator may estimate the flow of water upon such basis as he considers to be fair and equitable and render an utility invoice;

26.02 In any event, every meter must be read at least once in each twelve (12) month period and if in any case a reading cannot be so made, the County Administrator may shut off the water supply to the meter in question until such time as the County is able to obtain a reading;

27. By-passes

27.01 Any Consumer having a meter 50mm in size or larger may apply to the County for a bypass. If approved, a bypass is to be constructed and maintained in accordance with the County Standards, at the Consumer's expense. All by-passes are to be sealed or locked by the County and shall be opened by authorized County employees only in the case of an emergency;

27.02 A Consumer shall be responsible for payment for water supplied through a bypass, but not recorded on the meter on such Consumer's property, and the utility invoice for such water shall be based on the volume of water estimated by the County Administrator:

- a) no Consumer shall tamper with or open a bypass;

- b) if a Consumer shall breach Section 27.02(a), the County Administrator may shut off the water supply to such Consumer until arrangements acceptable to the County Administrator have been made for estimating the volume of, and payment for, water supplied through a bypass, but not recorded on the meter.

28. Meter Valves

28.01 All Consumers shall, at the Consumer's expense, supply and maintain valves on both sides of and within 300mm of the meter, regardless of size;

28.02 The main shut-off valve shall be located immediately inside a building at the point where the water service enters through the floor.

29. Remote Reading Devices

29.01 The location of a remote reading device shall be on the portion of the building most easily accessible from the front of the property;

29.02 Subject to the County Administrator's approval, a remote reading device may be relocated at any time at the Consumer's expense;

29.03 In the case of new construction, the builder shall, at the builders expense, install conduit for a remote reading device for each meter. Any such conduit shall meet County Standards specifications;

29.04 All remote reading devices shall be owned and maintained by the County or the County's agents;

29.05 If at any time there shall be a conflict between the reading recorded on a remote reading device and the main meter, the reading recorded by the main meter shall be deemed to be accurate. When an adjustment is required, the same procedure as described in 20.03 of this Schedule will be applied.

30. Construction Meters

30.01 For the purpose of providing temporary water services during construction, the County may install a construction meter;

30.02 Construction meters shall have a maximum size of 19mm.

Services and Servicing

31. Plumbers and Plumbing Contractors

All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the Regulations, and the County Standards.

32. Re-use of Water Services

32.01 An existing County service pipe may only be used to provide service to a new building with the County Administrator's approval;

32.02 Under no circumstances will any person be allowed to re-use a lead County water service pipe to provide service to a new building;

32.03 The County shall be responsible for all costs incurred by the County in constructing a new County service pipe if the old pipe is deemed unacceptable for reuse, and no upsizing of the pipe is required;

32.04 The property owner shall be responsible for all costs incurred by the County in constructing a new County service pipe where upsizing of the old pipe is required;

32.05 Existing 19mm diameter water services may be re-used in conjunction with the development of single detached dwelling units, except where fire sprinklering is required. Re-use of a single 19mm diameter service in conjunction with the development of duplex or semi detached dwelling will be permitted if the Consumer can demonstrate that the necessary capacity exists to meet the fixture-unit water demand and no subdivision of the property is intended or required.

33. Fire Protection Service

33.01 A combined service or fire line shall not be installed without the prior approval of the County Administrator;

33.02 A fire line shall be used only for fire protection purposes;

33.03 If the County Administrator shall determine that a meter should be affixed to a fire line, a meter shall be supplied and installed in a manner satisfactory to the County Administrator at the Consumer's expense.

34. Temporary Water Service

34.01 If for any reason a temporary water service is required, the applicant shall pay to the County in advance the cost of its construction and abandonment as estimated by the County Administrator;

34.02 Application for a temporary water service shall be made in accordance with Schedule "A";

34.03 A meter shall be installed on a temporary water service at a location approved by the County Administrator.

35. Discontinuation of Service

35.01 No person shall cause, permit or allow to be demolished or removed, a building connected to a water main until application has been made to the County for the discontinuation of water service;

35.02 If the potential for re-use of the water service exists, or for any other reason the County Administrator deems acceptable, the water service may be temporarily disconnected at the property line at the cost of the owner. If a temporary discontinuation is allowed and thereafter, for any reason the County Administrator deems it necessary to do a service kill, a charge will be made to the Consumer pursuant to the Schedule of Fees;

35.03 If, in the County Administrator's opinion, a temporary disconnection is inappropriate, a service kill shall be performed at the water main at the owner's expense;

35.04 If the water is to be shut off and the meter removed for the purpose of demolition, the property owner shall be responsible for all costs associated with such. If the water cannot be shut off due to a damaged

service box or service valve, the County shall excavate to the water service pipe and disconnect the services at the expense of the property owner.

36. Thawing Service

36.01 If, in the opinion of the County Administrator, a private service or the plumbing system connected thereto is frozen, the cost of thawing by the County shall be borne by the Consumer;

36.02 If a County service is frozen and, in the opinion of the County Administrator, such freezing is a result of a Consumer's negligence, the cost of thawing by the County shall be borne by such Consumer. Otherwise, the cost of thawing shall be borne by the County.

37. Boilers and the Like

In any case where a steam boiler or equipment of a like nature is supplied directly from a water service, such boiler or other equipment shall be equipped with at least one safety valve, vacuum valve or other device sufficient to prevent collapse or explosion in the event that the water supply is shut off.

38. Request for Water Turn Off and/or On

If a Consumer requires the supply of water to be turned on and/or shut off for his own purposes, such Consumer shall pay a charge pursuant to the Schedule of Fees.

39. Maintenance of the Water Service

39.01 The County shall, at its expense, maintain the water service from the County main up to the connection with the private service pipe, including the service valve;

39.02 An owner shall, at the owner's expense, maintain the water service from the owner's building up to and including the connection with the County service pipe.

40. Protection of Service Boxes

40.01 Service boxes to buildings under construction shall be protected from damage by the owner from the time the building permit is issued to the time of occupancy;

40.02 At all times during construction, the owner shall keep the service box exposed at final grade level and clearly marked with a blue wooden stake;

40.03 If the service box is damaged prior to the owner occupying the site the County shall be notified by the owner prior to application for a building permit being made.

41. Replacement of Service Boxes

If the installation of a water and sewer service or the repair of a water and sewer service necessitates excavation at the service box, the County may require replacement of the service box by the person doing the installation or repairs. The County will provide a replacement service box at no charge if damage to the service box is not the fault of the owner of the property or the person performing the work. The owner will pay the cost of installing the replacement service box.

42. Verification of Water Service Pressure

Any person installing a new private service pipe is responsible for verifying that adequate water pressure exists at the service valve. If the County is notified at any time after the connection is made that there is a lack of pressure, and upon inspection it is ascertained that the pressure is inadequate, the person who installed the service shall be responsible for the cost of re-excavating the service valve for the purposes of such inspection.

COUNTY OF GRANDE PRAIRIE

BYLAW NO. 2720

SCHEDULE "D"

CHARGES AND RATES

Where rates have not been established for a particular service, in the Schedule of Fees or otherwise, the County may establish charges for services provided, all on a cost recovery basis. Without limiting the generality of the foregoing, the County may establish charges for, but not limited to, the following:

- temporary water supply and construction meters;
- temporary disconnection of service;
- clearing of blocked sewer, which charges may include: labour, vehicles and equipment
- water meter re-sizing;
- herbicidal root foaming of private sewer services;
- electronic location of utility services on private property;
- thawing of private service lines;
- repairs or work related to County property where damage is caused as a result of a person or persons action, including thawing of frozen County services or mains, and clearing of blocked County services or mains;
- video inspection of services;
- application charges for commencement of a utility account;
- review for resizing meter;
- disconnection of service for non-contract;
- collection charge;
- meter installation fee;
- AMR connection fee;
- Discharge of wastewater at the wastewater treatment plant;
- Utility capital charge.

COUNTY OF GRANDE PRAIRIE

BYLAW NO. 2720

SCHEDULE "E"

DEFAULT NOTICE

TO: _____

According to the records of the County of Grande Prairie No.1, you are the Owner or Contractor of a Building Project as defined in the County of Grande Prairie No.1 County Utility Bylaw on:

LOT _____BLOCK _____PLAN _____, municipally known as _____.

It has been reported that the Utility Bylaw has been breached and you are hereby ordered and directed to:

Failure to comply with this Default Notice within twenty-four (24) hours of service upon you makes you liable to a fine of not less than \$500.00 and not more than \$2,500.00.

DATED at the County of Grande Prairie No.1, Alberta, this ____day of _____, 20____.

COUNTY ADMINISTRATOR