

TOWN OF HIGH RIVER  
ALBERTA

Amending By-law 3901/97  
Amending By-law 3939/99  
Amending Bylaw 4096/2004  
Amending Bylaw 4308/2011

BYLAW 3810/95

Being a Bylaw of the Town of High River in the Province of Alberta respecting the water system.

WHEREAS

The Town of High River, being a municipal corporation in the Province of Alberta, owns and operates a water system as a public utility for the purpose of supplying and distributing water to residents, industrial and commercial users, for fire protection, and to all other consumers in the Town of High River and subject to Council approval to consumers outside the Town boundaries;

AND  
WHEREAS

pursuant to the Municipal Government Act R.S.A. 1994, Chapter M- 26.1, and amendments thereto, Section 7(g) and Division 3, the Council of the Town of High River has the authority to enact a Bylaw affecting and controlling the public utility known as "Water System";

NOW  
THEREFORE

the Council of the Town of High River enacts as follows:

1. TITLE:

This bylaw may be cited as the "Water Utility Bylaw".

2. In this bylaw:

- |    |                                   |                                                                                                                                                                                                                                                                                                                                     |
|----|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) | C.A.O.                            | means the person appointed to the position and title of Chief Administrative Officer by the Municipal Council of the Town of High River;                                                                                                                                                                                            |
| b) | Combined Water Service Connection | means a water service connection which supplies water for domestic use of a consumer and also for fire protection system in the same premises;                                                                                                                                                                                      |
| c) | Consumer                          | means any person or persons, corporation, any other municipal corporation, the Government of Alberta or the Government of Canada whose property is connected to the water system or any Lessee or occupant of such property or any person who obtains water from any Town owned hydrant or stand pipe;                              |
| d) | Council                           | means the Council of the Town of High River;                                                                                                                                                                                                                                                                                        |
| e) | Cross Connection                  | means any temporary, permanent or potential water connection that may allow backflow of contaminants, pollutants, infectious agents, other materials or substance that will change the water quality in the water system and includes swivel or changeover devices, removable sections, jumper connections and by-pass arrangement; |
| f) | Enforcement Officer               | means a Bylaw Enforcement Officer of the Town of High River;                                                                                                                                                                                                                                                                        |
| g) | Meter Spacer                      | means a length of pipe which can be removed from a water pipe for the purpose of installing a water meter;                                                                                                                                                                                                                          |
| h) | Multi Family Residential          | means a single building comprised of three or more dwelling units separated one from another by party-walls but sharing a single entrance way;                                                                                                                                                                                      |

**Town of High River**  
**Bylaw #3810/95**  
**Page 2**

- i) Occupant means the owner of any premises who resides or carries on any kind of business therein or any person or corporation residing therein or carrying on business therein as a Lessee of the owner or pursuant to a License of Occupation granted by the owner or the owner of any vacant premises connected to the Water System;
- j) Owner means the registered owner of real property as designated on the Certificate of Title for the property;
- k) Point of Delivery means the point of physical connection to a consumer's water system at property line of the street, lane or boundary of an easement granted to the Town for its water system;
- l) Single Family Residence means a single detached residential building containing one dwelling unit only, but does not include any dwelling unit forming part of a multiple unit residential development or which forms part of a building in which any commercial activity or business is carried on;
- m) Town means the municipal corporation of the Town of High River, where the context requires means the area contained within the boundaries of the Town of High River;
- n) Town House means a single building comprised of three or more dwelling units separated one from another by party-walls extending from foundation to roof, with each dwelling unit having a separate, direct entrance from grade and includes all row, linked, patio, garden court or other housing which meet such criteria;
- o) Town Water Main means a water pipe in the street, public thoroughfare or easement area granted to the Town, which forms part of the Town water distribution network and delivers the water supply to the Water Service connections;
- p) Two Family Residence means a single detached residential building containing two separate and distinct dwelling units, one above the other or the one immediately adjacent to the other, but each having a separate entrance but does not include any dwelling unit forming part of a multiple unit residential development or which forms part of a building in which any commercial activity or business is carried on;
- q) Water Meter or Meter means any device approved by the Town and is designed to measure the quantity of water used by the Consumer. A water meter may have attached to it a remote reading device as a component of the meter;
- r) Water Service Connection means that lateral water pipe which connects a Consumer's premises to the Town water main with the consumer owning that portion of the pipe lying within the boundaries of the Consumer's premises, excluding any pipe lying within the boundaries of any easement area granted to the Town for its' water system;
- s) Water Service means the water valve on the Town owned portion of the

**Town of High River**  
**Bylaw #3810/95**  
**Page 3**

- |    |                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|    | Valve                         | water service connection, located between the Town water main and the property line, installed for the purpose of enabling the Town to turn on or off the water supply to a consumer's premises;                                                                                                                                                                                                                                               |
| t) | Water Shut-off Valve          | means the water valve within a building on a consumer's premises, usually located near the water meter or point of entry of water service connection, which when closed, does not allow the flow of any water into the building or premises;                                                                                                                                                                                                   |
| u) | Water System or Water Utility | means the system of water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, backflow prevention devices and all other equipment and machinery of whatever kind owned by the Town and which is required to supply and distribute water to all Consumers and which is deemed to be a Public Utility within the meaning of the Municipal Government Act; |
| v) | Waterworks Division           | means that division of the Town Public Works Department charged with the responsibility of constructing, operating and maintaining the water system.                                                                                                                                                                                                                                                                                           |

3. GENERAL
  - a) The Town having constructed, operated and maintained a water system as a Public Utility shall continue, in so far as there is sufficient plant capacity and supply of water, to supply water, upon such terms as Council considers advisable, to any resident or industry or other consumer within the municipality situated along any watermain, upon being so requested in writing by the owner. The Town undertakes to supply water to the owner's or consumer's water system at the property line of the street, lane or boundary of an easement granted to the Town for its' water system.
  - b) A consumer is responsible for providing such facilities as the consumer considers necessary in order to have a continuous and uninterrupted supply of water for the consumer's specific needs provided such facilities are approved by the Director of Operational Services and also provided that such facilities do not interfere with the operation of the water system.
  - c) No person shall use a source of water supply other than the water system without consent of the Town.
  - d) The Town Director of Operational Services may give his consent for a person to use an alternate source of water subject to such terms and conditions as deemed necessary and notwithstanding the generality of the foregoing may set a limit on the period of time for which an alternate supply of water may be used.
  - e) No person who has been granted permission to use an alternate source of water supply shall allow that alternate source of water supply to be connected to the water system.
4. MUNICIPAL OFFICIAL
  - a) The C.A.O. is hereby deemed to be a municipal official as defined in the Municipal Government Act.
  - b) The Director of Operational Services may establish standards, guidelines and specifications for the design, construction and maintenance of the water system.
5. For the purpose of administering or enforcing the provisions of this authority bylaw the C.A.O. may delegate his powers to one or more employees of the Waterworks Division and the said employees shall be deemed to be authorized agents of the C.A.O. In that regard, employees of the Finance Department engaged in water, billing and collection functions, on behalf of the C.A.O. shall be deemed to be employees of the Waterworks Division.

**Town of High River**  
**Bylaw #3810/95**  
**Page 5**

6. RATES

Amended  
4308/2011

- a) The water rates to be charged by and that shall be payable to the Town under terms of this Bylaw for water supplied to or made available for use by a consumer, shall be those set forth in the current rate bylaw.
- b) Where water is supplied by the Town through a meter for residential, commercial or industrial use to a consumer in a dwelling unit that is individually metered the consumer shall pay to the Town a monthly charge of the aggregate of:

Amended  
4308/2011

- i) The monthly basic charge, and
- ii) The value of the volume of water shown by the meter as supplied for the applicable bi-monthly period at the rate specified in the current rate bylaw as it exceeds minimum usage included in 6(b)(i).

Amended  
4308/2011

- c) Where water is supplied through a meter to any consumer outside the Town of High River, that consumer shall pay to the Town a monthly charge of the aggregate of:
  - i) the monthly service charge, and
  - ii) the value of the volume of water shown by the meter as supplied for the applicable bi-monthly period at the rate specified in the current rate bylaw as it exceeds minimum usage included in 6(b)(i) plus 15% or;
  - iii) where the Town Council enter into a written agreement to supply water to a consumer at the rate approved in the agreement,

Amended  
4308/2011

as set out in the current rate bylaw.

7. FIRE HYDRANTS

Amended  
4308/2011

Water dispensed through hydrants for construction, will be charged in accordance with the rates set out in the current rate bylaw.

8. NO REDUCTION

No reduction in rates will be made in the bi-monthly charge for water supplied to or made available for use by any consumer because of any interruption due to any cause whatsoever of water supply.

9. GENERAL PAYMENTS OF WATER BILLS

Amending By-law  
3901/97

Amending By-law  
3939/99

Amending Bylaw  
4096/2004

Amended  
4308/2011

The rates and rents set out in the current rate bylaw are hereby imposed for water supplied to the Town. All such rates become due and are to be paid to the Town of High River on the date identified as “due date” on the bill. All rates not paid on or before the due date shall have a penalty of one and one-half percent (1.5%) of the outstanding balance added to the bill.

1.5 These penalties may be reversed as allowed by Policy Number POL-16-105-00 Water Utility Billing Anomalies.

**Town of High River**  
**Bylaw #3810/95**  
**Page 6**

10. NON-PAYMENT
- Amending By-law  
3901/97  
  
Amended  
4308/2011
- a) In default of payment of the rate set out in the current rate bylaw or any amount due ten (10) days after the expiration of the day upon which payment is due or payable, the C.A.O. shall cause the delinquent customer to be served with a written notice that the water supply will be shut off unless the account is paid within ten (10) days after the date of mailing of a notice delivered by mail to the customer, and enforce payment by all or any of the following methods, namely:
- i) by shutting off the water supplied to the consumer, or
- ii) by action in any court of competent jurisdiction, or
- Amended  
4308/2011
- iii) outstanding water charges will be transferred to taxes pursuant to the Municipal Government Act, R.S.A. 1994, Chapter 26.1, Section 553(1)(b); plus a fee for transfer as set out in the current rate bylaw.
- Amending By-law  
3901/97
- b) Where the water supply has been shut off because of default of payment, the water supply shall not be turned on and disconnect fee has been received by the Town.
- Amending By-law  
3901/97  
  
Amended  
4308/2011
- c) In addition to the condition in Subsection 10(b) there shall be an additional charge as set out in the current rate bylaw for disconnection from the water utility.
- d) Where the occupant is the owner or purchaser under an agreement for sale in possession of the premises to which water is supplied or is available for the use of the occupant, all sums payable by the occupant pursuant to this Bylaw, are a debt due and owing to the Town and shall constitute a preferential lien and charge on the premises and the personal property of the occupant and may be levied and collected in a like manner as municipal rates and taxes are recoverable.
- Amended  
4308/2011
- e) Where the occupant is other than the owner or the purchaser under an agreement for sale all sums payable by the occupant pursuant to this Bylaw including rates set out in the current rate bylaw are a debt due and owing to the Town and shall constitute a lien and charge on the occupant's personal property and may be levied and collected with costs by distress.
11. SERVICES PROVIDED TO RENTERS
- a) Services being provided to renters as of December 31, 1994 will remain in effect until one of the following conditions are met:
- i) there has been a disconnection of water supply for account arrears; or
- ii) a tenant is in arrears and there are not separate shut off valves in a multi-occupied building; or
- iii) when the existing renter vacates.
- b) If one of the above conditions occurs, then the responsibility for all utilities, (water, sewer and garbage) will thereafter be the responsibility of the registered owner of the property.

Amended  
4308/2011

12. CONNECTIONS
- a) The Town shall install that portion of the water service connection that is on Town property and which runs from the Town water main to the property line of the street, lane, or boundary of an easement granted to the Town for its' water system. The owner shall be charged connection fees and pay in advance before installation can take place, as set out in the current rate bylaw.
- b) Private Property
- Water service connections on private property shall be installed, maintained, repaired and replaced by the owner at his expense and without limiting the generality of the foregoing, as a condition of receiving water from water utility, the owner shall maintain in a state of good repair, with sufficient protection from freezing, free of leakage or other water loss all to the satisfaction of the Water Utility Department, any water service connection, pipe line or water system on private property or at the boundary of private property and any street or easement containing a Town watermain and through which the supply of water is conveyed from water utility.
13. MAINTENANCE
- If the owner of the property neglects, fails or refuses to maintain, repair or replace a water service connection, pipe, or water system as required by the Town pursuant to Subsection (a) and (b) of this section, the Town may:
- a) Turn off the water supply until the repairs have been made to stop the water loss; and
- b) Estimate the volume of water loss and require payment from the owner for the amount of water estimated to have been lost and such payment shall become due and payable upon demand being made.
14. WASTE, LEAKS AND DEFECTS
- Where water has been shut off to a consumer's premises for water wastage, or leaks or defects in the consumer's portion of the water service connection or in other water pipes on private property or in the interior plumbing system within the consumer's premises, the Town may refuse to turn the water on again until the consumer has delivered proof that the necessary repairs have been made and has paid the fee as set out in the current rate bylaw.
15. OWNERSHIP OF WATER SERVICE CONNECTION BY THE TOWN
- The Town is the owner of the water service connection within any street, lane, easement or Town property.

Amended  
4308/2011

16. REPLACEMENTS AND RELOCATION

Any owner who desires to have an existing water service connection within any street, lane, easement or Town property replaced with a connection of a different size or relocated to a different location, shall apply to the Town in writing for approval and the Town may authorize the work to be carried out by the Town or its' agents, subject to payment in advance, of the cost of the project as determined by the Town.

17. FROZEN CONNECTION

If a water service connection is frozen on private property, it shall be the consumer's responsibility to have it thawed at the consumer's expense.

18. INTERFERENCE WITH WATER SYSTEM

No person shall, in any way, damage, destroy, or cause any interference with the use of the water utility by another consumer and without limiting the generality of the foregoing, no person shall attach any device to any water pipe which may cause noise, a pressure surge, contamination, or cause or permit water contaminants to enter the water utility.

19. BOOSTING DEVICES

No person shall use any devices for the purpose of increasing water pressure on any water service connection on the upstream side of a water meter or water shut-off valve.

20. BRANCH, SUPPLY LINES, OUTLETS OR FIXTURES

No person shall install branch supply lines, outlets or fixtures on the upstream side of a water meter or shut-off valve, except for fire protection purposes. Any branch supply line, outlet or fixture installed on the upstream side of the water meter or water shut-off valve for fire protection shall only be installed with written permission from the Town.

21. SEALS

No person shall tamper with, break or remove any seal installed by the Town on any valve or flagged outlet on water service connections or water metering facilities except in the case of an emergency.

22. BROKEN SEALS

In the event a person breaks a seal on a valve in order to obtain a supply of water from emergency purposes, that person shall notify the Town within Twenty-Four (24) hours.

23. VALVES

- a) No person, except someone authorized by the Town, shall turn on or off a water service valve or any other valve or valves in the water utility.
- b) No person, except someone authorized by the Town, shall turn on water service valve which has been turned off by the Town.

Amended  
4308/2011

24. NUMBER OF SERVICE PIPES

Each building shall be serviced by a maximum of one service pipe of a size sufficient, in the opinion of the C.A.O. to deliver an adequate supply of water. Where the owner or occupant requires more than one service pipe, such additional pipe or pipes shall be paid for by the owner or occupant in advance. Where pipes are required over one (1) inch in diameter, the extra expense shall be charged to the owner or occupant. Where an application is made for a larger service pipe, or change in the location of an existing pipe, or capping existing service pipe, a new service pipe will be installed only upon the cost thereof being paid in advance by the applicant. Costs set out in the current rate bylaw.

25. SHUT OFF VALVES

All water service connections shall be provided with a water shut off valve placed immediately inside the outer wall of the premises and on the inlet side of the water meter to enable a consumer to shut off the supply of water in case of any emergency, or for protection of the building, pipes, or fixtures, or to prevent flooding of the premises or in the event the premises are permanently or temporarily vacated. The water shut-off valve shall be maintained in good mechanical condition by the owner and easily accessible at all times to ensure that it is operable in case of emergency.

**Town of High River**  
**Bylaw #3810/95**  
**Page 10**

26. WATER METERS SYSTEM

- a) All buildings (commercial, industrial, residential or other) utilizing Town water must have a water meter placed on the premises and attached to the water supply line. The meter must be accessible to any Water Department employee with the remote touch pad read out to be located at the front of the development.
- b) Any new principle building (commercial, industrial, residential or other) utilizing Town water must have a water meter placed on the premises, as required by the Town pursuant to Subsection a) of this section of this bylaw.
- c) The water meter will be provided by the Town, but costs of a dual check valve backflow prevention device, if required and meter installation will be the responsibility of the contractor and/or the owner of the property. The meter and the backflow device shall be installed to the Town standards.
- d) Upon completion of the meter and remote read out installation the contractor and/or the owner of the property shall apply to the Town for an inspection of the installation before the water can be turned on.
- e) Any owner refusing to have a water meter placed on their premises during the water meter installation process, will be charged a water rate of not less than three (3) times the present flat water rate, as per the current rate bylaw.
- f) If the owner of the property who refused to have the meter installed during the meter installation program of 1995 desires to have water meter installed after the metering program is completed the owner will bear all the costs for meter installation.
- g) During water meter installation where a stop and waste shut off water valve is defective in the interior plumbing system within the consumer's premises, the Town will replace the shut off valve and charge the owner as set out in the current rate bylaw.
- h) All water service connections shall be connected to the water meter as supplied by the Town; however upon either a general or a specific recommendation of the Fire Chief, the Town may permit one or more pipelines or classes of pipelines used for private fire protection to operate unmetered provided that in event of a fire:
  - i) The Fire Chief shall estimate the amount is in excess of ten thousand (10,000) gallons and shall delivery his estimate to the Town; and
  - ii) The Town shall establish the charge based upon the current rate bylaw and the Fire Chief's estimate as if the use of water were a commercial water sale and the owner shall be liable for and shall pay such charges upon demand.

Amended  
4308/2011

Amended  
4308/2011

Amended  
4308/2011

27. TOWN-OWNED METERS

- a) All water meters supplied by the Town shall at all times be the property of the Town.
- b) All water meters and remote read outs shall be supplied, maintained, repaired, tested and replaced by the Town. The Town may from time to time or at any time authorize an individual, firm or corporation to install, maintain, repair and replace water meters.
- c) The owner shall pay the additional cost for supplying and installing water meters, where installation as approved by the Town requires a fire service type water meter or other special type of water meter. Notwithstanding the payment of such additional costs, the water meter shall remain the property of the Town.

28. ACCESS TO PREMISES

For the purpose of conducting water use surveys, or sampling, leakage, flows and pressure tests, or reading water meters, or installing, inspecting, repairing, replacing and removing water meters, backflow prevention devices and related equipment upon any water service connection within or without any house or building as may be required, employees of the Town employed for that purpose, shall have free access at reasonable hours of the day and upon reasonable notice given and request made, or in case of written authority of the C.A.O. given in respect of a special case, without notice, to all parts of every building or other premises in which water is delivered and consumed.

29. PROTECTION AND MAINTENANCE OF METERS AND SERVICE PIPES

An owner is responsible for the safe-keeping of the water meter and any remote reading devices that may be installed with the water meter on the owner's property. Any owners shall protect the water meter and connecting valves and pipes from freezing, excessive heat, overheating of water, external and internal damage of any kind or any other thing which may effect the operation or reading of the water meter and shall pay the cost of repairing or replacing any water meter facilities supplied and installed by the Town that may be damaged from the foregoing cause or any other causes within the owner's control.

30. EQUIPMENT MAINTENANCE

For the purposes set out in Section 28 of this bylaw or for the purpose of protecting, testing or regulating the use of any water meter, backflow protection device, or other equipment forming part of the water utility, Water Department Employees for the purpose, may set or alter the position of water meter, remove readout or backflow prevention device, or any pipe, valve or fitting forming part of the water utility.

31. COST RECOVERY

The Town may charge for and recover from the owner, the cost of supply, installation, altering, repairing, relocating or removing a water meter or remote read out. Any such charges may be collected in the same manner as water rates.

32. INSTALLATION OF WATER METERS

The owner shall make provisions for installation of water meters in a horizontal position, in accordance with the Town of High River standard specifications for watermains and services. If an owner wishes to have installed, other metering, piping or valving arrangements, prior to installation he shall apply to the Town for approval in writing. If an inspection indicates the installations as shown on the standard drawings or any modified drawings approved by the Town, have not been carried out, the owner shall correct or modify the installation at their expense, in order to comply with the drawings approved. If the owner does not make the installation in the manner approved by the Town, the Town shall have the right to refuse to supply water to the premises. Any such installation shall be at the owner's sole responsibility and expense. The Town shall accept no responsibility for such installation and the approval by the Town shall not be an acceptance of responsibility. The Town may in sole judgement, require the owner to indemnify the Town prior to installation of other metering, piping, or valve arrangement.

33. RELOCATION OF WATER METER PIPING

No person shall relocate, alter or change any existing water meter piping without the written approval of the Town. The owner or his authorized agent may submit plans and specifications for any proposed relocation of water meter piping and, if approved by the Town, the owner shall pay the entire cost, including any costs incurred by the Town, in making such relocation, alteration or change.

34. SIZE, TYPE AND NUMBER

The Town shall determine the size, type and number of water meters to be supplied by the Town and installed by the owner of the property. Where the water supplied through a water meter is for fire protection purposes or for combined fire protection and other uses, then subject to Section 27(c) of this bylaw, the water meter shall be of a fire service type, approved by the Town.

35. MULTIPLE METERS

Where the Town agrees to supply and allow an owner to install two or more water meters for a single water service connection, all water meters shall be installed adjacent to each other as close as possible to the place where the water service connection enters the building.

36. BUILDING ALTERATIONS AND RELOCATIONS

If the Town is dissatisfied with the location of any water meter due to alterations to a building, the Town may require that the water meter be relocated to a more suitable or convenient location near the point of entry of the water service connection. All costs associated with relocating the water meter, including Town costs shall be paid for by the owner.

37. METER BUILDINGS

Where a water meter cannot be installed in a building, it is the owner's responsibility to provide a building, or vault to house the water meter on the owner's property at the owner's expense and in accordance with the Town of High River Standard Specifications for water mains and services. The owner shall maintain and repair the meter building and/or vault at his expense. If the owner, after receiving written notice from the Town, neglects to repair or improve his meter building or vault, the Town may either authorize the necessary repairs be carried out, and the owner will be charged for the costs incurred, or to shut off the supply of water until the repairs are carried out to the Town's satisfaction.

38. LOCATION OF REMOTE READOUT DEVICE

The remote readouts shall be located to the front of the dwelling.

39. RELOCATION OF WATER METER REMOTE READOUT

If the Town is dissatisfied with the location of any remote readout due to alterations to the building, the Town may require that the remote readout be relocated to a more suitable or convenient location. All costs associated with relocating the remote readout including Town costs shall be paid by the owner.

40. NOTIFICATION OF MALFUNCTION

A consumer shall notify the Town immediately whenever a water meter is not operating or if any part of it becomes damaged or broken.

41. REMOVED OR STOLEN METER

If a water meter or remote readout is removed or stolen, the owner of the premises shall pay the cost of replacing the water meter including installation. If not paid, the cost may be added to the taxes levied on the property and collected in the same manner as municipal taxes.

42. METER SPACERS

Where the use of a water meter is mandatory under this bylaw, no person shall use a meter spacer in place thereof except for testing, as approved by the Town, of a new plumbing system or a water meter.

43. TEMPORARY AND SEASONAL WATER SERVICE CONNECTIONS

Unless otherwise approved by the Town, all water supplied through temporary and seasonal water service connections shall pass through a water meter. The owner shall pay the cost of each installation and each removal of the water meter for such connections, in addition to the charge for the water supplied to the premises and for the cost of any damage to the water meter and related metering facilities from causes within the owner's control.

44. METER READING

- a) Each water meter shall be read at such times or intervals as the Town may designate.
- b) If any water meter has, in the opinion of the Town, failed to accurately register the flow of water through the meter since the last reading, the water charge shall be adjusted to the greater of the recorder amount or the minimum rate for water supplied to the premises.
- c) In the event that the Town is unable to read the water meter due to the inaccessibility of the water meter, or for any other reason, the Town shall estimate and establish the charges based on:
  - i) The average consumption of the previous three (3) billings periods, or
  - ii) the minimum rate for water supplied to that premises,which ever is greater.

Payment of an estimated amount shall not excuse the consumer from liability for payment of a greater amount which may be owing after a meter is read.

45. MAINTENANCE AND TESTING

Water meters may be removed by the Town for maintenance and testing on a periodic basis. The Town may require that a water meter be tested on site, or be removed and tested.

46. REQUEST TO TEST WATER METER

Amended  
4308/2011

A consumer may request the Town to test a water meter located on the consumer's premises. If the water meter is found to be measuring within two (2) percent of accuracy, the consumer shall pay the fee established in the current rate bylaw.

47. EQUIPMENT REMOVAL

Where any owner, occupant or consumer discontinues the use of the water utility furnished by the Town or the Town refuses to continue to supply water, any Water Department Employee may at all reasonable times enter the premises in or upon which such owner, occupant or consumer was supplied with the water utility for the purposes of removal there from any fittings, machines, apparatus, meters, pipes, outside readouts or other things that are the property of the Town in or upon such premises and may remove them there from.

**Town of High River**  
**Bylaw #3810/95**  
**Page 15**

48. DISCONTINUANCE OF WATER USE
- a) Any consumer about to vacate land or premises that has been supplied with water, or who wishes to discontinue the use of water supply, must give notice in writing to the Town requesting that the Town shut off the water supply.
  - b) If notice pursuant to Subsection (a) is not given the owner will be liable for the accruing rates, and for all damages suffered or sustained by the Town caused by failure to give notice.
  - c) Notwithstanding Subsection (a) or (b) above, the fact that a premises or land is vacant is not reason for non-payment of specified rates.
  - d) When a building that is connected to the Town water utility is to be moved from its existing location or when the water service lines are to be permanently disconnected from any building for any cause, the owner of the land on which the building is situated shall pay to the Town a disconnect fee as per the current rate bylaw.
  - e) The owner of the land from which a building connected to the Town water mains is to be removed shall pay to the Town the appropriate charge as provided in the current rate bylaw before a permit for demolition or moving the building is issued pursuant to Building Permit Bylaw #3292/79 and amendments thereto.
  - f) If it is necessary for the Town to permanently disconnect any land or premise from the Town water utility, and if appropriate charge set out in the current rate bylaw has not been paid the Town may collect the charge from owner of the land or premises which has been disconnected from water mains in the same manner as provided for in Section 10 of this Bylaw.
- Amended 4308/2011
- Amended 4308/2011
- Amended 4308/2011
49. FIXTURES APPROVED
- All hoses, jets, cocks, or fixtures permanently affixed to the water utility used by consumer of water shall be subject to approval by the Town.
50. NON DELIVERY OF WATER
- The Town shall not be liable for any damages which may result to any person or premises from shutting off the water main or service, or from failure of the water supply, for any purpose or cause whatsoever, even where no notice is given and no deduction from water billing shall be made in consequence thereof.
51. EMERGENCY WATER SHUT OFF
- In the event of an emergency, the Town may shut off the water, without prior notice.

52. LIABILITY FOR DAMAGES INCURRED

Except as provided for in the Municipal Government Act, R.S.A. 1994, Chapter M-26.1 and amendments thereto, or other relevant legislation, the Town is not liable for damages:

- a) caused by the break of any Town water main, water service connection or other pipe or for the settlement of any excavation or trench made for the installation or repair of any part of the water utility, or
- b) caused by the disruption of any supply of water from the water utility when such disruption is necessary in connection with the repairs or proper maintenance of water system.

53. USE OF HYDRANTS

No person or persons, except those designated by the Town or members of the Fire Department, shall open, close or interfere with any hydrant or valve connected with the water utility. The Town, or Fire Chief shall have the right to enter upon private property to inspect private fire systems and to require the owner to undertake whatever repairs or maintenance, or both that may be necessary to provide an operational system and should the owner refuse or neglect to undertake such repairs or maintenance as required by the Town, the Town may enter upon the premises, complete the work and recover all costs as a debt due to the municipality. Collection shall be effected in the same manner as provided for in Section 10 of this bylaw.

54. FIRE HYDRANT OBSTRUCTIONS

Subject to the provisions of the Alberta Fire Code no person shall do anything to obstruct access to a fire hydrant or to interfere with the operation of a fire hydrant.

55. FIRE HYDRANTS – OTHER USES

No person shall, without the written permission of the Town or the Fire Chief, authorize the use of water from a fire hydrant for a purpose other than emergency fire protection. The Town may authorize such other use upon such terms and conditions and subject to payment of such rates as the Town determines.

56. RELOCATION OF HYDRANTS FROM TOWN-OWNED PROPERTY

Any person who wishes to have a fire hydrant relocated which is situated on property owned by the Town may request in writing to the Town that the hydrant be relocated. If the Town considers it feasible to relocate the hydrant, the person making the request shall pay in advance the cost to relocate the hydrant.

57. INTERFERENCE WITH ACCESS
- a) Subject to the provisions of the Alberta Fire Code, no person shall allow anything to be constructed, erected or planted adjacent to a fire hydrant, which may in any way interfere with the access to, the use, maintenance or visibility of the hydrant.
  - b) Private Installations:  

The Town may require that a fire hydrant be installed on private property at the expense of the owner of the property. The approval for and installation, use, control and maintenance of fire hydrants on privately owned property shall conform to the requirements as established by the Town.
  - c) Fire Hydrant Connections:  

Subject to Section 26(h) of this bylaw, no person or persons shall use water from a water service connection that supplies water to private fire hydrants, for any purpose other than fire protection, unless the water service connection is connected to a water meter, approved and installed by the Town.
  - d) Fire Damage and Loss:  

The Town shall not be liable for loss or damage suffered by any person or property by reason of low water pressure, or by interruption to, or failure of, the water utility to deliver water in adequate volume and pressure for supplying water for fire protection purposes.
  - e) Town Ownership:  

All fire hydrants, except fire hydrants situated on private property are the property of the Town.
58. CROSS CONNECTIONS AND BACKFLOW PREVENTION
- Any new principle building (commercial, industrial, residential or other) utilizing Town water must have a vacuum breaker device on all hose bibs as required by Canadian Plumbing Code as amended.

59. INSPECTION AND ISSUANCE ORDERS

a) If a condition is found to exist which is contrary to Section 58 of this Bylaw, the Town may notify the Provincial Safety Codes Officer who shall be requested to immediately carry out an inspection and who may issue such order or orders to the owner, consumer or other person as the case may be, as may be required to obtain compliance with Section 58 of this Bylaw.

b) Compliance Orders:

If the owner, consumer or other person to whom the Town or the Provincial Safety Codes Officer has issued an order, fails to comply with that order, the Town may:

i) Give notice to the owner, consumer or other person to correct the fault at his expense with a specified time period and if the notice is not complied with, the Town may then shut off the water service or services; or

ii) without prior notice, shut off the water service or services.

All costs of inspection to be borne by the owner.

60. Notwithstanding Section 58 and 59 of this Bylaw, where a hazard exists, which in the opinion of the Town creates a serious risk of contamination to the water system, the Town may require that an owner shall immediately install on his water service connection a cross-connection control device, approved by the Town in addition to any cross connection control devices installed in the consumer's water system at the source of potential contamination. If owner fails to install the required devices as directed, the Town may shut off the water service without further notice.

61. INSPECTION AND TESTING

All cross connection control devices installed in commercial and industrial premises shall be inspected and tested at the expense of the owner upon installation, and thereafter, annually, or more often if required by the Town to carry out such tests to demonstrate that the device is in good working condition. The owner shall submit a report on a form approved by the Town on any or all tests performed on a cross connection control device within thirty (30) days of a test and a report card issued by the Town shall be displayed in or adjacent to the cross connection control device on which the tester shall record the name and address of the owner, the owner of the device, the location, type of manufacturer, serial number and size of the device, and the test date, the tester's initials, the tester's name (if self-employed) or the name of his employer and tester's license number. The tester, in all cases shall be a plumber with a cross connection control license.

62. REPAIRS AND REPLACEMENTS

When the results of a test referred to in Section 61 of this bylaw, show that a cross connection control device is not in good working condition the owner shall, when so directed by the Town, make repairs or replace the device within ninety-six (96) hours. If the owner fails to comply with the direction given by the Town, the Town may shut off the water service or services.

63. FAILURE TO TEST

If an owner fails to have a cross connection control device tested, the Town may notify the owner that the cross connection control device must be tested with ninety-six (96) hours of the owner receiving the notice. The Town may shut off the water to the premises until the cross connection control device has been tested and approved as required by Section 61 of this Bylaw.

64. INSPECTION PRIOR TO OCCUPANCY

No person shall turn on a water service valve to provide water to the occupants of any newly renovated or constructed or reconstructed premises until the plumbing system in such premises has been inspected for cross connection.

65. SELLING AND SUPPLY OF WATER

No person, unless authorized by the Town shall:

- a) Sell, lend or give away water obtained from the water utility.
- b) Supply water by pipe or a hose, from the water utility or otherwise to any other premises which could be supplied with water through its own water service connection.

66. ALLOWABLE WATER USES

The Town may allow a consumer to run water without consumption charge for:

- a) flushing water mains, hydrant leads, and water service connections in order to clean them, or
- b) conducting water flow tests, or
- c) training programs for fire fighters employed by the Towns' Fire Department, or
- d) such other purposes as may be approved by the Town from time to time.

67. WILLFUL ACT PROHIBITIONS

- a) No person or persons shall:
  - i) willfully or maliciously hinder or interrupt or cause or procure to be hindered or interrupted the Town or its' contractors, servants, agents, workmen or any of them in the exercise of any of the powers and duties related to water utility system and authorized by or contained in this Bylaw;
  - ii) throw or deposit any injurious, noxious or offensive matter or water contaminant into the water or water system, or in any way foul the water or commit any willful damage or injury to the water or water system or encourage the same to be done;
  - iii) willfully alter or tamper with in any way, any water meter so as to lessen or alter the amount of water registered thereby, unless specifically authorized by the Town for that particular purpose;
  - iv) attach or connect any pipe to any pipe or main of the water utility or in any other way obtain or use any water thereof in a manner contrary to this Bylaw without the written consent of the Town;
  - v) willfully and without authority hinder, disrupt or cut off the supply of water to any consumer of water utility.

68. DELEGATION OF AUTHORITY

The municipal Council of the Town of High River hereby delegates to the C.A.O. the power to:

- a) Establish regulations for the general maintenance or management or conduct, of any employee of the water utility and of the Bylaw Officer and other employees employed in connection with the water utility services;
- b) Fix, in connection with the water utility, the times and places where rates, charges and rents under this Bylaw and the current rate bylaw are payable;
- c) Provide for the rent of fittings, machines, apparatus, meters or other things leased to the consumer;
- d) Collect the rates, charges or rents in connection with the water utility;
- e) Enforce payments of those rates, charges or rents by all or any of the following methods, namely:
  - i) by action in any court of competent jurisdiction;
  - ii) by shutting off the water being supplied to the consumer or discontinuing the service thereof;
  - iii) by distress and sale of the goods and chattels of the person owing rates, charges or rents wherever they may be found in the municipality;
  - iv) by transfer to taxes pursuant to Section 553(1)(b) of the Municipal Government Act, R.S.A. 1994, Chapter M-26.1 as amended, plus fee for transfer as set out in the current rate bylaw.
- f) Enforce the terms and conditions under which the water utility is supplied either:
  - i) by enforcing this bylaw; or
  - ii) by enforcing any agreement made between the Town as supplier and consumer;
  - iii) by enforcing Provincial regulationsincluding shutting off the water utility being supplied to the consumer or discontinuing the service thereof until the consumer complies with the terms and conditions of this Bylaw or provincial regulations.

Amended  
4308/2011

Amended  
4308/2011

69. NOTICE

In any case where the C.A.O. or Town are required to notify a consumer or owner pursuant to this Bylaw, the C.A.O. or his designate shall effect such service either:

- a) by causing a written copy of the notice to be delivered to and left in a conspicuous place at or about the premises within which the potable water was being consumed by the owner or the consumer affected by such notice; or
- b) by causing a written copy of the notice to be mailed or delivered to the last known address of the owner as disclosed in the land registry system established by the Land Titles Act of Alberta as shall appear to the Town most appropriate in the circumstances.
- c) by causing a written copy of the notice to be mailed or delivered to the last known address of the owner as provided by the consumer or owner on a change of address notification.

70. PENALTIES

Any person or persons guilty of a breach of any of the provisions of this bylaw shall, on summary conviction thereof, be liable to a fine of not less than One Thousand Dollars (\$1,000.00) or to imprisonment for not more than six (6) months for any one offence together with the costs of prosecution.

71. SEVERANCE

If any term, clause or condition of this Bylaw or application thereof to any thing or circumstance shall to any extent be invalid or unenforceable, the remainder of this Bylaw or application of such term, clause or condition be any thing or circumstance, other than those which it is held as invalid or unenforceable, shall not be affected thereof and each other term, clause or condition of this Bylaw shall be enforced to the fullest extent permitted.

72. Bylaw #3544/85, as amended is hereby rescinded upon this Bylaw coming into force.

73. This bylaw shall come into full force and effect upon third and final reading.

READ A FIRST, SECOND AND WITH UNANIMOUS CONSENT OF ALL COUNCIL  
PRESENT A THIRD AND FINAL TIME THIS 23RD DAY OF  
MAY A.D. 1995.

\_\_\_\_\_  
MAYOR/DEPUTY MAYOR

\_\_\_\_\_  
TOWN MANAGER