



## **TOWN OF SLAVE LAKE**

### **BYLAW 16-2020**

#### **UTILITY RATES AND PROCEDURES BYLAW**

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**WHEREAS**, under the provisions of Section 7, *Municipal Government Act*, Chapter M-26, R.S.A. 200, as amended or repealed and replaced from time to time, the Council may pass a Bylaw for the purposes of establishing and maintaining a system for the collection and invoicing of Utility Services throughout the municipality.

**NOW THEREFORE** the Council of the Town of Slave Lake, in the Province of Alberta, duly assembled, enacts as Follows:

**1 General**

- 1.1 Bylaw #08-2019 and amendments thereto are hereby repealed.
- 1.2 This Bylaw may be cited as "**UTILITY RATES AND PROCEDURES BYLAW**" of the Town of Slave Lake.

**2 DEFINITIONS**

In this Bylaw, unless the context otherwise requires:

- 2.1 "**APPLICATION**" shall mean the application made by an Owner to the Town for:
  - 2.1.1 The provision of Water Utility and/or Sewer Utility; or
  - 2.1.2 Discontinuation of Water Utility and/or Sewer Utility.
- 2.2 "**CHIEF ADMINISTRATIVE OFFICER**" shall mean the Chief Administrative Officer of the Town (CAO), or Deputy, or any person authorized to be their representative;
- 2.3 "**COUNCIL**" shall mean the Municipal Council of the Town of Slave Lake;
- 2.4 "**CURB COCK**" shall mean a valve located on the municipality owned portion of the Water Utility, located between the main line and the Property line installed for the purpose of enabling the municipality to turn on or shut off the supply of water to the Property, commonly referred to as a CC;

2.5 “DEPOSIT” shall mean and include, as the context may require:

- 2.5.1 A deposit paid pursuant to Section 5.1: and/or
- 2.5.2 A deposit or additional deposit paid pursuant to Section 5.5;

2.6 “METER” shall mean any device, including wiring and all remote reading accessories supplied, used or authorized by the Town, for the purpose of measuring the volume of water consumed on a property;

2.7 “Municipal Government Act” shall mean the *Municipal Government Act, R.S.A. 2000, c. M-26*, as amended or repealed and replaced from time to time and any regulations thereunder;

2.8 “OWNER” or “REGISTERED OWNER” shall mean the person or persons registered as the owner of a property pursuant to the provisions of the *Land Titles Act*, and shall include a person who owns a Manufactured Mobile Home or is purchasing a property under an agreement for sale;

2.9 “PENALTY” shall mean a percentage charge imposed pursuant to Section 17.1;

2.10 “PERSON” means a person as defined in the *Interpretation Act, RSA 2000, c 1-8*; (“person” includes a corporation and the heirs, executors, administrators or other legal representatives of a person).;

2.11 “PROPERTY” shall mean any property or premises receiving Utility Services;

2.12 “RESIDENTIAL CONSUMER” means a Consumer of a Utility Service for Residential Premises.

2.13 “RESIDENTIAL PREMISES” means all buildings designed, constructed, and used as living accommodations including Dwelling Units, Manufactured Home Communities, Lodges, and Mixed Use Development.;

2.14 “NON-RESIDENTIAL CONSUMER” shall mean the occupier of a unit used primarily for non-residential purposes (industrial or commercial properties);

2.15 “SERVICE CONNECTION” shall mean the part of the system or works of a utility that runs from the main lines or the utility to a building or other place on a property for the purpose of providing the utility service to the Property and includes parts or works such as the pipes, wires, couplings, curb-cocks, meters and all other apparatus;

2.16 "SHUTOFF" shall mean an interruption in or discontinuation of the supply of water;

2.17 "SUBURBAN CONSUMERS" shall mean consumers who are outside the boundaries of Town;

2.18 "TOWN" shall mean the Corporation of the Town of Slave Lake or the area contained within the boundaries thereof, as the context requires;

2.19 "UTILITY SERVICE and UTILITY SERVICES" shall mean and include, as the context may require:

- 2.19.1 the supply of water;
- 2.19.2 the provision of Wastewater Collection and Disposal;
- 2.19.3 the provision of Garbage Collection and Disposal;
- 2.19.4 the provision of Recycling Collection and Disposal.
- 2.19.5 the provision of other Utility Services as Council may determine.

2.20 "UTILITY ACCOUNT" shall mean an account created pursuant to Section 3;

2.21 "UTILITY INVOICE" shall mean an invoice prepared for a Consumer that provides a statement of Rates and Charges payable pursuant to this Bylaw.

2.22 "Garbage Bins" shall mean allowable containers to hold garbage and / or recycling material.

2.23 "VACANT SERVICES" shall mean a Property which has had the Water Utility disconnected at the request of the Owner in writing, by way of the Town shutting off the Curb Cock valve;

2.24 "WORKING DAY" shall mean 08:00 to 16:30 Monday to Friday, excluding statutory and civic holidays.

### **3 APPLICATION FOR UTILITY SETUP**

3.1 Any Person or Persons who requires Utility Services, shall be required to fill out a utility application to the Town of Slave Lake and shall pay, to the Town, the application fee as set forth in Schedule "A".

3.1.1 An Account for the provision of Utility Services, shall be entered into the Owner's name, as it so appears on the Land Title, or Bill of Sale for the parcel of land. Tenants shall not be permitted to set up utility accounts solely in their own name:

3.1.2 Existing utility accounts in the name of a Person other than the owner shall be maintained, but cannot be assigned or transferred to any Person other than the owner.

3.1.3 Tenants shall receive an additional monthly invoice in addition to the owner(s), provided written request from the owner(s) has been given.

3.2 An Application shall be completed with respect to each meter. The application shall be supported by such evidence as the identity of the applicant and status of the applicant to make the application as the Chief Administrative Officer may require.

3.3 Until such time that an application for Utility Services is received by the Town the utility service will be discontinued, by way of closing the curb cock (cc).

3.4 A home phone number as well as a daytime contact phone number shall be provided. The Person shall be responsible for keeping this number current and informing the Town of any changes in phone number.

#### **4 UTILITY TERMINATION**

4.1 Any Person who requires Utility Services terminated shall be required to fill out a "Utility Termination" form; proper contact and mailing information shall be included for final billing purposes, and shall pay, to the Town, the applicable fees as set forth in Schedule "A".

4.2 Notwithstanding 4.1, any Person who requires termination of Utility Services, will have forty-five (45) days to clear any outstanding balances. After the forty-five (45) day period any outstanding balance will be transferred to a third party collection agency, as approved by the Town.

#### **5 DEPOSIT**

5.1 Subject to Section 6, a Person shall at the time of application pay a deposit as follows:

5.1.1 the amount set forth in Schedule "A".

5.2 The Chief Administrative Officer may waive the requirement of a deposit under Section 5 for a Person's who has been established for at least TWELVE (12) months in Slave Lake and the Person's utility account or accounts was or were, maintained in good standing.

5.3 Notwithstanding Section 5.3:

5.3.1 A Person who wants to open a new utility account and who is indebted to the Town for Utility Services previously supplied shall not be allowed to make an Application, or be entitled to receive Utility Services, until payment in full of the outstanding balance and any deposit required in accordance with Section 5 is paid by the Person;

5.3.2 A Residential Consumer, who is indebted to the Town for Utility services previously supplied, and is opening a new utility account due to a change of residence within the Town shall have the balance transferred to the new account; subject to the increased deposit provisions of Section 5.1;

5.4 Notwithstanding Section 5.2, if;

5.4.1 Payment of a Utility Invoice is in arrears;

5.4.2 A Utility Service to a Property has been shut off for non-payment of Utility Invoice;

5.4.3 A payment has been dishonoured;

5.4.4 A consumer's previous utility account or current utility account has not been maintained in good standing.

Then, in addition to paying any arrears of utility rates or charges, the consumer may be required to pay an additional deposit equal to the amount estimated by the Chief Administrative Officer to be the cost of supplying Utility Services to the property over a THREE (3) month period.

## **6 INTEREST ON DEPOSITS**

6.1 Interest shall be paid to the Consumer at the rate of zero percent (0%) per annum, on a deposit calculated from the date of payment of the deposit to the date that the deposit is refunded or applied to the utility account.

## 7 REFUND OF DEPOSITS

- 7.1 A deposit paid under Section 5 of this Bylaw will be refunded only upon the written request of Person and at the discretion of the Chief Administrative Officer.
- 7.2 If refundable pursuant to this Section, or upon Termination of the supply of Utility Services, a deposit shall be returned to a person as provided in Section 5.1; 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.
- 7.3 If money is deposited with the Town, as a deposit for the payment of an account for a service or product and remains unclaimed for one (1) year after the depositor's account is discontinued, the amount of the deposit may be transferred to the general revenue of the Town. The Town is liable to repay the amount of the deposit to the Person lawfully entitled to it for a period of seven (7) years following the discontinuance of the account; as per the *Municipal Government Act 2000* cM-26.1 s611.

## 8 WATER

- 8.1 The Town hereby levies and consumers shall pay for water supplied by the Town at the rates set forth in Schedule "B" hereto;
- 8.2 In case of dispute, the Chief Administrative Officer shall determine the rate in which is applicable to a particular Person.
- 8.3 The charge payable by a Person 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 Chief Administrative Officer may estimate the flow of water upon such basis as considered fair and equitable, and render an account in accordance with such estimate. Notwithstanding, each meter shall be read by the Town at least once each month and failing that, the director may, at the request of the Chief Administrative Officer, shut off the water supply to such meter until such time as the Town is able to read the meter.

## 9 SEWER SERVICE

- 9.1 The Town hereby levies and Person(s) shall pay for wastewater collected and disposed by the Town at the rates set forth in Schedule "C" hereto.

## **10 GARBAGE AND RECYCLE**

- 10.1 The Town hereby levies and Person(s) shall pay for Garbage Services at the rates set forth in Schedule “D” hereto.
- 10.2 If a Person requires Garbage Services additional to those provided by the Town they shall be invoiced for such services directly by the provider.

## **11 EFFECTIVE DATE**

- 11.1 The rates and charges provided in this Bylaw for the provision of Utility Services shall come into effect on April 1<sup>st</sup>, and be applied for a first time on the April 2020 utility bill, unless otherwise stated in this Bylaw.

## **12 UTILITY ACCOUNTS**

- 12.1 All rates and charges payable hereunder shall be paid to the Town within the time prescribed by this Bylaw.
- 12.2 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 account or Utility Invoice does not relieve a Person of liability for payment.
- 12.3 If a Person shall only partially pay a Utility Invoice, all monies paid shall, notwithstanding any contrary direction by the Person, be applied towards payment of the amount due under such invoice in the following order:
  - a) Penalties;
  - b) Arrears of charges for utility services;
  - c) Current garbage collection/disposal charges;
  - d) Current wastewater charges;
  - e) Current water charges.
- 12.4 An Administration fee, as set out in Schedule “A”, will be levied in the event that a transfer of utility account balance to the property tax account is deemed necessary.

- 12.5 The Utility Service charges, issued pursuant to this Bylaw to an Owner, shall be issued to the address for service provided by the Owner at the time of the Application for the utility, and shall be deemed to have been received within seven (7) days of the date of mailing.
- 12.6 A Person who does not receive an invoice for an applicable billing period shall contact the Town as soon as the Person is aware that the Utility Services charges have become due and payable.
- 12.7 Pursuant to Section 553(1) (b) of the *Municipal Government Act*, RSA 2000, m-26 unpaid charges for a Utility Service may be added to the Registered Owner's taxes.
- 12.8 Pursuant to Section 553(2) of the *Municipal Government Act*, RSA 2000, m-26 when an amount is added to the tax roll of a parcel of land, the amount
  - 12.8.1 Is deemed for all purposes to be a tax imposed under Division 2 of part 10 from the date it was added to the tax roll and
  - 12.8.2 Forms a special lien against the parcel of land in favour of the municipality from the date it was added to the tax roll.
- 12.9 If a house is being sold or foreclosed, any outstanding utility account balance will be added to the Registered Owner's taxes.
- 12.10 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.
- 12.11 If a Person shall be in arrears in payment for any rates or charges hereby levied, the Chief Administrative Officer may enforce payment by all or any of the following procedures:
  - 12.11.1 Shutting off or discontinuing any utility or utility account being supplied to such person without notice;
  - 12.11.2 A charge against the property to which the rate was payable, such rates are subject to the same penalties and are collectable by the same procedure as Taxes levied by the Town;
  - 12.11.3 Action in any court of competent jurisdiction; or

12.11.4 By distress and sale of the goods and chattels of such person wherever they may be found in Town.

## 13 VACANT SERVICES

- 13.1 A Person may request a Vacant Service; in which case the Person shall provide notice to the Town in writing Ten (10) working days prior to the disconnection date. Water Utility is not deemed to be discontinued unless turned off at the Curb Cock (CC). The exception to this is apartments or town houses where one meter serves multiple residents. In this case, written notice to the town must be provided with Ten (10) working days prior to vacancy and when it is re-occupied.
- 13.2 The Person shall be liable for payment of the rates and charges due until the time of the disconnection date.
- 13.3 The Water being shut off, by the Person does not establish a discontinuance of Utility Service or Vacant Service.
- 13.4 In any event the Town shall not be liable for any damages of any kind from such discontinuance of service.
- 13.5 A Person who does not apply in writing, to the Town, to have their water discontinued nor provide an opportunity for the Town to turn the Curb Cock (CC) valve off, shall be responsible for all fees and charges, whether or not they would have qualified for Vacant Services if they had submitted an Application for such service.

## 14 PENALTIES

- 14.1 If a Person pays a utility invoice after the due date stated therein, or such later due date as may be approved by the Chief Administrative Officer, such Person shall pay a percentage charge of TWO AND ONE HALF (2.5) PERCENT per month of the outstanding charges invoiced. Payments made by mail or at a financial institution must be received by the Town on or before the due date in order for a Person to avoid such percentage charge.
- 14.2 Penalties imposed under 14.1 for overdue accounts shall be suspended effective April 21<sup>st</sup>, 2020 until June 27<sup>th</sup>, 2020.

**15 Waiver**

- 15.1 The Chief Administrative Officer may waive penalty rate or charge imposed or levied under this Bylaw if, in the circumstances, the Chief Administrative Officer is of the view that this is just and equitable. All applicable charges for termination and reconnection shall apply.
- 15.2 In the event any portion of this Bylaw is found invalid in a Court of Law or is overturned by a superior jurisdiction, that portion of this Bylaw shall be severed or amended as necessary and the validity of the remaining portions of this Bylaw shall not be affected. In the event any portion of this Bylaw is found invalid in a Court of Law or is overturned by a superior jurisdiction, that portion of this Bylaw shall be severed or amended as necessary and the validity of the remaining portions of this Bylaw shall not be affected.
- 15.3 Words used in the present tense include the other tenses and derivative forms. Words used in the singular include the plural and vice versa. Words used in the masculine include the feminine. A word or expression and grammatical forms of the same word or expression have corresponding meanings. Headings are provided for reference purposes only.
- 15.4 Nothing in this Bylaw relieves the Consumer, or any other Person from compliance with any Federal or Provincial legislation or with any other Bylaw of the Town.

**16** That this Bylaw shall come into force upon Third and Final reading.

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

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MAYOR

Chief Administrative Officer

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

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MAYOR

Chief Administrative Officer

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

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MAYOR

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Chief Administrative Officer

**SCHEDULE “A”****Rate Schedule – Fees and Deposit Amounts**

For the purpose of this Rate Schedule, normal business hours shall be 8:00 AM to 4:30 PM, Monday through Friday, excluding Statutory and Civic Holidays.

**Deposit**

Town of Slave Lake Residential	\$190 per Account
Town of Slave Lake Non-Residential	\$320 per Account
Out-of-Town (suburban)	\$215 per Account

**Fees and Charges**

- 1) Request Service Call: (Meter repair, Meter logs, Investigations in water & sewage)
- 2)
  - a) Request Service Call and Town employee unable to enter premises; during normal business hours \$25.25/hour
  - b) Request Service Call and Town employee unable to enter premises; during all times other than normal business hours \$87.50/hour
- 3) Special Meter Reading \$25.25
- 4) Application for “temporary water supply”
  - a) Individual meter dwelling unit \$21.40
  - b) Other than 3.a above \$42.80
- 5) Service Kills –Actual cost plus 15%
- 6) Turn off for reinstatement of service after shut-off for non-payment of account.
  - a) During normal business hours (plus costs incurred) \$36.70
  - b) Other than normal business hours (plus costs incurred) \$98.90
- 7) Turn on for reinstatement of service after shut-off for non-payment of account.
  - a) During normal business hours (plus costs incurred) \$36.70
  - b) Other than normal business hours (plus costs incurred) \$98.90
- 8) Shut-off or turn-on for benefit of consumer during:
  - a) Normal business hours (plus costs incurred) \$25.25
  - b) Other than normal business hours (plus costs incurred) \$87.45

9) Administration Fee (opening accounts)	\$21.40
10) Blocked Sewers	<i>as per the Water and Sewer Utility Bylaw</i>
a) Problems within the consumer's property; clearing of blocked sewers will be invoiced at prevailing Town rates to recover all costs associated with labor, vehicles and equipment.	
b) Problems outside the consumer's sewer service shall be cleared at the Towns cost unless it is determined that the blockage is caused by the actions of the Person. In that case all costs will be recovered per 9.a.	
11) Discharge of wastewater hauled wastewater treatment plant:	
a) TOSL residential consumer (per truckload)	\$26.00
b) Out-of-Town Suburban Consumer (per truckload)	\$52.00
12) Herbicidal root foaming of sewer services	Actual costs plus 15%
13) Private Service Locate	\$26.75
14) Administrative Charge for Transfer to Property Tax	\$35.00
15) Copy of Account History	<i>see Administrative Rates Bylaw</i>

**SCHEDULE “B”****RATES - WATER RATES**

The following shall be the monthly water rates for metered customers:

Base Rate	\$30.03 / Meter
Consumption Rate per cubic metre (m <sup>3</sup> )	\$1.80 / per m <sup>3</sup>

Service to Sawridge Reserve shall be at 1.25 times the existing rates and the MD #124 customers, at the rate established in the inter-municipal agreement for usage only. The flat rate will be charged according to the number of users with no multiplication factor.

The rates for the portion of the bill attributable to costs for capital and operation of the raw water line from Widewater to the water treatment plant will be the same for Town, MD of Lesser Slave River No. 124 and Sawridge Reserve.

Utility invoices of single metered multi-unit residential developments (i.e. condominiums, apartments, town houses) within Town Limits will be charged the base rate multiplied by the number of units plus actual usage. Motels will be charged only 1 base rate plus actual usage.

Medium density, high density, manufactured homes, multifamily residential, per dwelling unit	\$30.03 / dwelling unit
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**Residential accounts without water meters shall be charged for 25m<sup>3</sup> consumption plus base rates.**

Bulk Water Sales	\$5.00 / m <sup>3</sup>
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**SCHEDULE “C”****RATES - SEWER/SANITARY RATES**

The following shall be the monthly sewer rates for metered customers:

Base Rate	\$24.11 / Meter
Consumption per cubic metre (m <sup>3</sup> )	\$1.45 /per m <sup>3</sup>

Services to the Sawridge Reserve shall be at 1.25 times the existing rates. The Municipal district of Lesser Slave River No. 124 customers shall be charged at the rate established in the inter-municipal agreement for usage only. The flat rate will be charged according to the number of users with no multiplication factor.

Utility bills of single metered multi-unit residential developments (i.e. condominiums, apartments) within Town Limits will be charged the base rate multiplied by the number of units plus actual usage. Motels will be charged only 1 base rate plus actual usage.

Medium density, high density, manufactured homes, multifamily residential, per dwelling unit	\$24.11 / per dwelling unit
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**Surcharge**

If a surcharge is payable under the Water & Wastewater Utility Bylaw, it shall be calculated and paid on the basis of the latest series of tests made by the Director pursuant to the provisions of Section 6.33 of Bylaw 02-1996 as amended by Bylaw 15-2009 thereof and such surcharges shall not be changed until a subsequent series of tests indicate that effluent from the premises contain a concentration to which a different surcharge is applicable.

In the case of a property connected to the Town Wastewater Facilities, whether or not using Town Water, which property discharges wastewater exceeding any or all of the limited set out in Section 6.26 of Bylaw 02-1996 as amended by Bylaw 15-2009, a charge of N time's \$89 per m<sup>3</sup> of water consumer, where N is determined by the following formula:

$$N = 1 \text{ plus } \underline{X} \text{ plus } \underline{Y} \text{ plus } \underline{Z}$$

$$1500 \quad 1500 \quad 300$$

Where N is the multiplier of the standard \$.085 rate for water consumed, X is the difference between the actual Biological Oxygen Demand of wastewater in milligrams per liter and 500 milligrams per liter. Y is the difference between the actual suspended solids of the wastewater in milligrams per liter and 500 milligrams per liter. Z is the difference between the actual grease of the sewage in milligrams per liter and 100 milligrams per liter.

Note: set to zero if actual concentration less allowable concentration is negative.

**SCHEDULE “D”****RATES - RECYCLING, COLLECTION, REMOVAL AND DISPOSAL OF SOLID WASTE**

The following shall be the monthly recycling, garbage collections and garbage disposal rates:

1) Garbage collection (Curbside pickup)	\$ 3.78 /per Month
2) Garbage disposal (Landfill facility)	\$11.16/ per Month
3) Recycling (Recycle depot)	\$ 3.31/ per Month
4) Curb side recycling	\$ 3.13/ per Month
5) Toxic round up	\$ 0.11/ per Month

Multi-unit residential will be charged Garbage Disposal, Recycling and Toxic Roundup fee's calculated by multiplying the number of units by the per month fee. Garbage Collection and Curb Side Recycling services provided to Multi-unit residential will be charged by multiplying the Garbage Collection and Curb side Recycling per month fee times the amount of garbage bins used by the units.

Residential will be charged Garbage Disposal, Recycling, Curb side Recycling, Garbage Collection and Toxic Roundup fee's.

Commercial/ Industrial and Institutions will be charged Garbage Disposal, Recycling and Toxic Roundup fee's and are responsible to arrange their own pickup.

Unless otherwise stated in this bylaw all accounts will be charged Garbage Disposal fees, Recycling fees and Toxic Round up fees at a minimum.