

TOWN OF SLAVE LAKE

BYLAW No. 16-2023

THE WATER AND WASTEWATER BYLAW

A BYLAW REGULATING AND PROVIDING FOR THE TERMS, CONDITIONS, RATES AND CHARGES FOR THE SUPPLY AND USE OF WATER SERVICES, WASTEWATER SERVICES PROVIDED BY THE TOWN OF SLAVE LAKE.

WHEREAS, pursuant to section 3 of the *Municipal Government Act* the purposes of a municipality include providing services, facilities, or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality;

AND WHEREAS, pursuant to section 7(a) of the *Municipal Government Act* a council of a municipality may pass bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS, pursuant to section 7(g) of the *Municipal Government Act* a council of a municipality may pass bylaws for municipal purposes respecting public utilities;

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

PART I - TITLE AND DEFINITIONS

Bylaw Title

1 This Bylaw shall be known as "The Water and Wastewater Bylaw".

Definitions

2 In this Bylaw, unless the context otherwise requires:

- (a) **"Account"** means an agreement between a Customer and the Town for the supply of Utility Services of which the terms of this Bylaw shall form a part and includes the amounts payable from time to time by the Customer to the Town;
- (b) **"Accredited Laboratory"** means any laboratory accredited by an authorized accreditation body in accordance with a standard based on "CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories" established by the Standards Council of Canada, as amended, or "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization, as amended;
- (c) **"Additional Overstrength Surcharge"** means a rate, fee or charge imposed upon a Person who releases Wastewater to the Wastewater System that exceeds one or more constituent concentrations set out in Column "B" of Schedule "F";

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- (d) **“Alberta Private Sewage Systems Standard of Practice”** means the Alberta Private Sewage Systems Standard of Practice 2015, adopted by the *Private Sewage Disposal Systems Regulation*, A/R 229/97, as amended or replaced from time to time;
- (e) **“Backflow Prevention Device”** means a testable CSA certified device that prevents the backflow of Wastewater;
- (f) **“Best Management Practices (BMP)”** means an integrated plan to control and reduce the release of Restricted Waste and Prohibited Waste into the Wastewater System to a practicable extent, through methods including physical controls, Pre-Treatment processes, operational procedures and staff training;
- (g) **“Biochemical Oxygen Demand (BOD)”** means the five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in Standard Methods;
- (h) **“Biomedical Waste”** means biomedical waste as defined in the Waste Control Regulation;
- (i) **“Blowdown Water”** means recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system;
- (j) **“Chemical Oxygen Demand (COD)”** means a measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic Matter;
- (k) **“Chief Administrative Officer”** means the Chief Administrative Officer of the Town or the Chief Administrative Officer’s delegate;
- (l) **“Clear-Water Waste”** includes Non-Contact Cooling Water and other water that has not come into contact with Wastewater contaminant sources;
- (m) **“Code of Practice”** means a set of practices applicable to specific Designated Sector Operations; a code of practice identifies mandatory procedures, equipment, training or other provisions required as a condition of Wastewater discharge into the Wastewater System. A code of practice may be included in approved Best Management Practices;
- (n) **“Combustible Liquid”** means a liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius;
- (o) **“Compliance Program”** means the necessary steps undertaken by a Customer to bring Wastewater discharged into the Wastewater System into compliance with the terms and conditions of this Bylaw or related permit. Compliance

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Programs are applicable to existing Customers only; new Customers must fully comply with the requirements of this Bylaw;

- (p) **“Composite Sample”** means a volume of Wastewater made up of four or more Grab Samples that have been combined automatically or manually and taken at intervals during the sampling periods;
- (q) **“Cooling Water”** means water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product or finished product, but does not include Blowdown Water;
- (r) **“Council”** means the municipal council of the Town;
- (s) **“Cross Connection”** means any temporary, permanent, or potential connection of any piping, fixture, fitting, container or appliance to the Water System that may allow backflow to occur, including but not limited to swivel or changeover devices, removable sections, jumper connections, and bypass arrangements;
- (t) **“Cross Connection Control Device”** means a testable CSA certified device that prevents the backflow of water;
- (u) **“Curb Stop”** means a valve connected to a Service Connection enabling the turning-on and shutting-off of the water supply to a Customer’s Property;
- (v) **“Customer”** means any Person receiving Utility Services and, where the context or circumstances so require, includes any Person who is named on an Account, or who makes or has made an application for Utility Services or otherwise seeks to receive Utility Services, and also includes any Person acting as an agent or representative of a Customer;
- (w) **“Dental Amalgam”** means a dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc;
- (x) **“Dental Amalgam Separator”** means any technology, or combination of technologies, designed to separate Dental Amalgam particles from dental operation Wastewater;
- (y) **“Designated Sector Operations”** means Industrial, commercial or Institutional sectors required to adopt Codes of Practice;
- (z) **“Development Standards and Procedures”** means the Town’s current Development Standards and Procedures, as amended or repealed and replaced from time to time, or in the absence of such standards, generally accepted municipal engineering standards;
- (aa) **“Domestic Wastewater”** means sanitary Wastewater produced on a residential premises, or sanitary waste and Wastewater from sanitary facilities produced on a non-residential property;
- (bb) **“Dwelling”** means a private residence with sleeping and cooking facilities used or intended to be used as a residence;

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(cc) **“Emergency”** means a condition that creates an imminent danger or a real possibility of Property damage, or personal injury, or when a condition or situation is declared to be an emergency by Council, or the Federal or Provincial Crown, or other civil authority having jurisdiction;

(dd) **“Facilities”** means any infrastructure forming part of:

- i. the Water System, including without limitation: water treatment plants, reservoirs, pumping stations, Water Mains, Water Service Lines, bulk water stations, Curb Stops, valves, fittings, fire hydrants, chambers, Meters, Cross Connection Control Devices and all other equipment and machinery of whatever kind owned by the Town that is used to produce and supply potable water to Customers; or
- ii. the Wastewater System, including without limitation: Wastewater treatment plants, Wastewater Lagoons, pumping stations, Wastewater Mains, Wastewater Service Lines, valves, fittings, chambers, Meters, and all other equipment and machinery of whatever kind owned by the Town that is used for the collection, transmission, treatment and disposal of Wastewater;

as the context requires.

(ee) **“Flashpoint”** means the temperature at which enough vapour collects on the surface of a liquid to become flammable. The lower the flashpoint, the more flammable the material is;

(ff) **“Fuel”** means alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel;

(gg) **“Grab Sample”** means a volume of Wastewater, Storm Water or Uncontaminated Water which is collected over a period not exceeding 15 minutes;

(hh) **“Groundwater”** means water beneath the earth’s surface accumulating as a result of seepage;

(ii) **“Hauled Waste”** means any Industrial waste which is transported to and deposited into any location in the Wastewater System, excluding Hauled Wastewater;

(jj) **“Hauled Wastewater”** means Wastewater removed from a collection system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a Wastewater holding tank;

(kk) **“Hazardous Substance”** means:

- i. any substance or mixture of substances, other than a Pesticide, that exhibits characteristics of flammability, corrosivity, reactivity or toxicity; and

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- ii. any substance that is designated as a hazardous substance within the meaning of the *Environmental Protection and Enhancement Act* and *Waste Control Regulation*;

(II) **"Ignitable Waste"** means a substance that is:

- i. a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume and has a Flashpoint less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;
- ii. a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;
- iii. a compressed gas within the meaning of the *Dangerous Goods Transportation and Handling Regulation* and the *Dangerous Goods Transportation and Handling Act*; or
- iv. an oxidizing substance within the meaning of the *Dangerous Goods Transportation and Handling Regulation* and *Dangerous Goods Transportation and Handling Act*;

(mm) **"Industrial"** means of or pertaining to manufacturing, commerce, trade or business, as distinguished from domestic or residential;

(nn) **"Industry Customer"** means any Owner or operator of Industrial, commercial or Institutional premises from which there is a discharge of any Matter directly or indirectly into the Wastewater System;

(oo) **"Inspector"** means a Person authorized by the Town to conduct inspections, take measurements, conduct sampling, and perform testing, as contemplated in this Bylaw;

(pp) **"Institution"** means a facility, usually owned by a government, operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, military bases. Some of these facilities produce non-residential discharges to the Wastewater System from, for example, laboratories, chemical use, or Industrial processes;

(qq) **"Institutional"** means of or pertaining to an Institution;

(rr) **"Interceptor"** means a receptacle that is installed to prevent oil, grease, sand, Dental Amalgam, or other materials from passing into the Wastewater System;

(ss) **"Lower Explosive Limit (LEL)"** means the concentration of a gas or vapour in the air. Below the LEL, there is not enough vapour in the air to fuel a fire;

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- (tt) **“Low Flow Plumbing Fixtures”** means toilets with a capacity of not more than 6 litres (1.6 US gallons} per flush, shower head fixtures with a flow of not more than 9.5 litres (2.5 US gallons} per minute, basin and sink faucets with a flow of not more than 8.3 litres (2.2 US gallons} per minute and urinals with a flow of not more than 3.8 litres (1.0 US gallon} per flush.
- (uu) **“Matter”** includes any solid, liquid or gas;
- (vv) **“Meter”** means the individual or compound water meter and all other equipment and instruments, including but not limited to, radio frequency units and remote meter reading devices supplied and used by the Town to calculate and register the amount of water consumed relative to the land and buildings that the Meter is designed to monitor;
- (ww) **“Monitoring Access Point”** means an access point, such as a chamber, in a Private Wastewater Line to allow for observation, sampling and flow measurement of the Wastewater, Uncontaminated Water or Storm Water therein;
- (xx) **“Multiple Dwelling”** means a wholly or partially residential development containing more than one Dwelling, whether or not the development is within a single building;
- (yy) **“Municipal Tag”** means a tag or similar document issued by the Town pursuant to the *Municipal Government Act* that alleges a bylaw offence and provides a Person with the opportunity to pay an amount to the Town in lieu of prosecution for the offence;
- (zz) **“Non-Contact Cooling Water”** means water which is used to reduce temperature for the purpose of cooling, and which does not come into direct contact with any raw material, intermediate or finished product other than heat;
- (aaa) **“Non-Domestic Wastewater”** means all Wastewater except Domestic Wastewater and Uncontaminated Water;
- (bbb) **“Occupant”** means a Person occupying a Property, including a lessee or licensee, who has actual use, possession or control of the Property;
- (ccc) **“Oil and Grease”** means n-Hexane extractable Matter as described in Standard Methods;
- (ddd) **“Oil – Water Separator”** means a three-stage oil-water separator that meets the Standard for Oil-Water Separators (ULC-S656-14) prepared by Underwriters' Laboratories of Canada or the equivalent oil-water separation technology able to achieve a Wastewater quality of 100 mg/L of Oil and Grease (mineral-synthetic/hydrocarbons) or less;
- (eee) **“Operations Rates Bylaw”** means the Town's Operations Rates Bylaw No. 03-2018, as amended or repealed and replaced from time to time;
- (fff) **“Overstrength”** means Wastewater released to the Wastewater System that is higher in concentration for one or more constituent concentrations set out in Schedule “F” of this Bylaw;

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(ggg) **“Overstrength Surcharge”** means a rate, fee or charge imposed upon a Person who releases Wastewater to the Wastewater System that exceeds one or more constituent concentrations set out in Column A of Schedule “F”;

(hhh) **“Owner”** means:

- i. in the case of land, the Person who is registered under the *Land Titles Act* as the owner of the fee simple estate in the parcel of land; or
- ii. in the case of any property other than land, the Person in lawful possession of it;

(iii) **“Pathological Waste”** means pathological waste within the meaning of the federal *Human Pathogens and Toxins Act*;

(jjj) **“PCBs”** means any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them;

(kkk) **“Peace Officer”** includes a Bylaw Enforcement Officer appointed by the Town, a Community Peace Officer whose appointment includes enforcement of the Town’s Bylaws and a member of the Royal Canadian Mounted Police;

(III) **“Person”** means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative to whom the context applies according to law;

(mmm) **“Pesticide”** means a pesticide regulated under the *Pest Control Products Act*, the *Pesticide (Ministerial) Regulation*, and/or *Pesticide Sales, Handling, Use and Application Regulation*;

(nnn) **“Pre-Treatment”** means the reduction, elimination or alteration of Matter in Wastewater prior to discharge into the Wastewater System. This reduction or alteration can be obtained by physical, chemical, or biological processes, through pollution prevention, or by other means, except by diluting the concentration of the pollutants;

(ooo) **“Private Wastewater Disposal System”** means a system for the treatment and disposal of Wastewater that is not connected to the Wastewater System, including on-site Wastewater treatment systems as defined in the Alberta Private Sewage Systems Standard of Practice;

(ppp) **“Private Wastewater Line”** means that portion of a Service Connection, which extends from the Service Connection Point to and within a Customer’s Property, comprised of the Customer-owned assembly of pipes, fittings, fixtures, traps and appurtenances for the collection and transmission of Wastewater into the Wastewater System;

(qqq) **“Private Water Line”** means that portion of a Service Connection, which extends from the Service Connection Point to and within a Customer’s Property, comprised of the Customer-owned assembly of pipes, fittings, fixtures, traps and appurtenances for providing water to a Customer’s Property, excluding the Meter owned by the Town;

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(rrr) **"Prohibited Waste"** means prohibited waste as defined in Schedule "D" of this Bylaw;

(sss) **"Property"** means:

- i. in the case of land, a parcel of land including any buildings; or
- ii. in other cases, personal property;

(ttt) **"Reactive Waste"** means a substance that:

- i. is normally unstable and readily undergoes violent changes without detonating;
- ii. reacts violently with water;
- iii. forms potentially explosive mixtures with water;
- iv. when mixed with water, generates toxic gases, vapours, or fumes in a quantity sufficient to present danger to human health or the environment;
- v. is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours, or fumes in a quantity sufficient to present danger to human health or the environment;
- vi. is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;
- vii. is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or
- viii. is an explosive as defined in the regulations under the *Explosives Act*;

(uuu) **"Recreational Vehicle"** means a vehicular or trailer type unit designed to provide temporary living quarters for recreational, camping, travel or seasonal use;

(vvv) **"Release"** means spilling, discharging, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means;

(www) **"Restricted Waste"** means restricted waste as defined in Schedule "E" of this Bylaw;

(xxx) **"Sampling Port"** means a valve, tap, or similar device on equipment, a drainpipe or at another suitable location, to allow for sampling, consistent with technical guidelines that the Town may establish or adopt from time to time;

(yyy) **"Service Connection"** means all of the Facilities required to achieve a physical connection between:

- i. the Town's Water Main and the structure, improvement or location that receives Water Services, to allow a Customer to receive potable water, which includes a Water Service Line, a Service Connection Point and a Private Water Line; or

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ii. the Town's Wastewater Main and the structure, improvement or location that receives Wastewater Services, to allow a Customer to discharge Wastewater, which includes a Wastewater Service Line, a Service Connection Point and a Private Wastewater Line;

as the context requires;

(zzz) **“Service Connection Point”** means the point on the Service Connection where:

- i. a Water Service Line physically connects to a Private Water Line; or
- ii. a Wastewater Service Line physically connects to a Private Drainage System;

(aaaa) **“Spill”** means a direct or indirect discharge into the Wastewater System which is abnormal in quantity or quality in light of all the circumstances of the discharge;

(bbbb) **“Standard Methods”** means a procedure or method set out in Standard Methods for the Examination of Water and Wastewater published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, recent or latest edition, or approved in writing by the Town;

(cccc) **“Storm Sewer”** means a pipe, conduit, drain, open channel or ditch for the collection and transmission of uncontaminated water, Storm Water, drainage from land or from a watercourse or any combination thereof;

(dddd) **“Storm Water”** means the water running off the surface of a drainage area during and immediately after a period of rain or snow melt;

(eeee) **“Subsidiary Meter”** means a privately owned Meter installed on Property at the Customer's expense and utilized strictly for the Customer's purposes;

(ffff) **“Subsurface Water”** means Groundwater including foundation drain water;

(gggg) **“Terms and Conditions”** means the terms and conditions in respect of Water Services and Wastewater Services described in Schedules “A”, “B”, “C”, “D”, “E” and “F”;

(hhhh) **“Total Suspended Solids (TSS)”** means insoluble Matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods;

(iiii) **“Town”** means the municipal corporation of the Town of Slave Lake and its duly authorized employees, agents, contractors and other representatives or the geographic area contained within the boundaries thereof, as the context requires;

(jjjj) **“Toxic Substance”** means any substance defined as toxic under the *Environmental Protection Act 1999*, and within the meaning of Alberta's *Waste Control Regulation*;

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- (kkkk) **“Uncontaminated Water”** means water with a level of quality which is typical of potable water normally supplied by the Town;
- (llll) **“Utility Rates and Procedures Bylaw”** means the Town’s Utility Rates and Procedures Bylaw No. 16-2020, as amended or repealed and replaced from time to time;
- (mmmm) **“Utility Services”** means Water Services, Wastewater Services, or either of them;
- (nnnn) **“Utility Services Guidelines”** means those guidelines, procedures, protocols, requirements, specifications or standards adopted by the Chief Administrative Officer from time to time pursuant to Section 6 of this Bylaw;
- (oooo) **“Violation Ticket”** has the same meaning as in the *Provincial Offences Procedure Act*;
- (pppp) **“Waste Disposal Site Leachate”** means the liquid containing dissolved or suspended contaminants which emanates from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste;
- (qqqq) **“Waste Radioactive Substances”** means substances defined in the federal Nuclear Safety and Control, and the regulations passed thereunder;
- (rrrr) **“Wastewater”** means the composite of water and water-carried wastes discharged from residential, commercial, industrial or institutional Properties;
- (ssss) **“Wastewater Discharge Permit”** means a permit issued pursuant to this Bylaw by the Town, or an authorized representative of the Town, which authorizes and/or governs the discharge of Wastewater or other Matter into the Wastewater System;
- (ttt) **“Wastewater Lagoon”** means a Town owned and/or operated lagoon or facility used for Wastewater treatment;
- (uuuu) **“Wastewater Main”** means those pipes installed for the collection and transmission of Wastewater within the Town to which a Service Connection may be connected;
- (vvvv) **“Wastewater Service Line”** means that portion of a Service Connection owned by the Town that extends from the Wastewater Main to the Service Connection Point;
- (wwww) **“Wastewater Services”** includes the collection, transmission, treatment and disposal of Wastewater, as applicable, and associated services offered to the Customer under this Bylaw;
- (xxxx) **“Wastewater Sludge”** means solid material recovered from the Wastewater treatment process;
- (yyyy) **“Wastewater System”** means the Facilities used by the Town for the collection, transmission, treatment and disposal of Wastewater, which is deemed to be a public utility within the meaning of the *Municipal Government Act*;

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- (zzzz) "**Wastewater Treatment Facility**" means any structure or thing used for the physical, chemical, biological or radiological treatment of Wastewater, and includes sludge treatment, Wastewater Sludge storage and disposal facilities;
- (aaaaa) "**Watercourse**" means an open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.
- (bbbb) "**Water Conservation and Demand Management Measures**" means restrictions upon the use of water for non-essential purposes, including but not limited to: irrigation, watering livestock, washing of vehicles, driveways or sidewalks, and any other purpose where water is utilized externally to a building and on any certain day or for a certain time period;
- (cccc) "**Water Main**" means those pipes installed for the conveyance of potable water within the Town to which Service Connections may be connected;
- (dddd) "**Water Service Line**" means that portion of a Service Connection owned by the Town that extends from the Water Main to the Service Connection Point;
- (eeee) "**Water Services**" means the provision of potable water by the Town to a Customer's Property and associated services offered to the Customer under this Bylaw; and
- (fffff) "**Water System**" means the Facilities used by the Town to supply potable water to Customers, which is deemed to be a municipal public utility within the meaning of the *Municipal Government Act*.

PART II - PROVISION OF UTILITY SERVICES

Other Public Utilities Prohibited

- 3 No Person shall provide a service within the Town that is similar in type to the Utility Services provided pursuant to this Bylaw, unless specifically authorized by Council.

Terms and Conditions

- 4 All Utility Services shall be provided in accordance with Schedules "A", "B", "C", "D", "E" and "F" as applicable.

Rates, Fees and Charges

5

- (1) The Town will provide Utility Services to Customers within the Town at the rates, fees or other charges specified in this Bylaw, the Utility Rates and Procedures Bylaw and the Operations Rates Bylaw as may be amended by Council by bylaw from time to time.
- (2) Where rates, fees or charges have not been established in this Bylaw, the Utility Rates and Procedures Bylaw or the Operations Rates Bylaw for a particular service the Chief Administrative Officer may establish charges for services provided. Without limiting the generality of the foregoing, the Chief Administrative Officer may establish charges for the following:

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- (a) Meter accuracy tests;
- (b) Meter resizing;
- (c) Repair or replacement of damaged Town Facilities where the Facilities are under the Customer's care or have been operated or interfered with by the Customer;
- (d) Missed appointment;
- (e) Fire hydrant permits;
- (f) Construction water;
- (g) After hour service callout;
- (h) Frozen/damaged Meter.

(3) Subject to subsection (4), additional services provided by the Town to a Customer will be billed to the Customer in accordance with an agreement between the Customer and the Town.

(4) Additional costs arising from:

- (a) requirements or requests for specific non-routine services not more particularly described in this section or the acts or omissions of any particular Customer or defined group of Customers, or
- (b) repairs or remedies of any loss or damage to Facilities or other property that is caused by a Customer or any other party for whom a Customer is responsible in law, including, without limitation, any costs or damages described in any judgment of a court in the Town's favour,

may, at the Chief Administrative Officer's sole option (and in addition to any other legally available remedies), be added to a Customer's Account as an additional amount due and payable by the Customer to the Town.

Utility Services Guidelines

6

- (1) Subject to (2), the Chief Administrative Officer may adopt, amend, repeal and replace Utility Services Guidelines from time to time as the Chief Administrative Officer deems advisable.
- (2) Utility Services Guidelines must not be inconsistent with this Bylaw, and, in the event of an inconsistency, this Bylaw shall prevail.
- (3) Without limiting the generality of subsection (1), Utility Services Guidelines may deal with any or all of the following subject matters:
 - (a) procedures or requirements that a Customer must comply with before a Service Connection is installed or activated, or before Utility Services are provided, or as a condition of ongoing provision of Utility Services;

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- (b) Customer Accounts, including, without limitation, provisions or requirements concerning: opening an Account, making payments on an Account, consequences for failure to pay Accounts in full, lost bills, dishonoured cheques, collection of delinquent Accounts, adjusting improperly billed Accounts, Utility Services application fees, handling of confidential Customer Account information, closing an Account, and any other matter relating to Customer Accounts;
- (c) measurement of water consumption, including without limitation provision or requirements concerning: meter inspection and testing, meter settings, chambers and installations, meter reading, disputes concerning meter data, estimates of consumption or Subsidiary Meters, remote meter reading devices, relocation of meters, access for meter readers, and adjustments to bills when meters have malfunctioned;
- (d) procedures or requirements concerning investigating Customer complaints and concerns;
- (e) procedures or requirements for provision of temporary Water Services, including without limitation Water Services provided during the construction phase of a development;
- (f) procedures or requirements that a Customer must comply with in order to access a bulk water station;
- (g) procedures or requirements regarding blockages of the Wastewater System, including the responsibility for determining the location and cause of any blockage of the Wastewater System;
- (h) procedures or requirements that a Customer must comply with in order to access or deposit Wastewater at a Wastewater Lagoon or other Town Facilities;
- (i) conditions and requirements for Wastewater to be accepted at a Wastewater Lagoon, including, but not limited to, specifying the quantity of Wastewater that may be accepted, on specific dates or more generally, or in relation to where the Wastewater originated from (e.g., if Wastewater was obtained from locations outside the Town);
- (j) conditions and requirements related to Wastewater Lagoons, including the hours of operations, standard operating procedures, rules and regulations and information that may be posted or handed out at the Wastewater Lagoon;
- (k) procedures or requirements for upgrading, re-sizing, relocating or otherwise changing a Service Connection, whether at the instigation of the Town or at the request of a Customer;
- (l) procedures or requirements regarding the installation, inspection, repair and maintenance of Cross Connection Control Devices and Backflow Prevention Devices;
- (m) the turn-on and turn-off of Water Services, whether at the instigation of the Town or at the request of a Customer; and

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(n) supply of water for firefighting purposes, including without limitation procedures or requirements concerning the maintenance of public and private fire hydrants and permissible use of water from fire hydrants.

Notices

7 In any case in which written notice is required to be provided to a Customer pursuant to this Bylaw, the Chief Administrative Officer may serve notice:

- (a) personally;
- (b) by mailing or delivering a copy of the notice to the last known address of the Customer as disclosed in the Town's assessment roll for the Property; or
- (c) if the Customer does not answer the door, by placing the written notice on the door of the Property.

Authority of the Chief Administrative Officer

8 Without restricting any other power, duty or function granted by this Bylaw, the Chief Administrative Officer is authorized to, in accordance with this Bylaw and all other applicable laws:

- (a) take any steps and carry out any actions required to give effect to, and enforce, the provisions of this Bylaw;
- (b) establish forms for the purpose of this Bylaw; and
- (c) delegate any powers, duties or functions under this Bylaw to an employee of the Town.

PART III - ENFORCEMENT

Offence

9 A Person who contravenes any provision of this Bylaw is guilty of an offence.

Continuing Offence

10 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day.

Vicarious Liability

11 For the purposes of this Bylaw, an act or omission by an employee or agent of a Person is deemed also to be an act or omission of the Person if the act or omission occurred in the course of the employee's employment with the Person, or in the course of the agent's exercising the powers or performing the duties on behalf of the Person under their agency relationship.

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Corporations and Partnerships

12

- (1) When a corporation commits an offence under this Bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- (2) If a partner in a partnership is guilty of an offence under this Bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

Fines and Penalties

13

- (1) A Person who is guilty of an offence is liable to a fine in an amount not less than \$100.00 and not exceeding \$10,000.00.
- (2) Without restricting the generality of subsection (1) the fine amounts established for use on Municipal Tags and Violation Tickets, if a voluntary payment option is offered, are as set out in Schedule "G".

Municipal Tag

14

- (1) A Peace Officer is hereby authorized and empowered to issue a Municipal Tag to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- (2) A Municipal Tag may be issued to such Person:
 - (a) either personally; or
 - (b) by mailing a copy to such Person at his last known post office address.
- (3) The Municipal Tag shall be in a form approved by the Chief Administrative Officer and shall state:
 - (a) the name of the Person;
 - (b) the offence;
 - (c) the specified penalty established by this Bylaw for the offence;
 - (d) that the penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag; and
 - (e) any other information as may be required by the Chief Administrative Officer.

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Payment in Lieu of Prosecution

15 Where a Municipal Tag is issued pursuant to this Bylaw, the Person to whom the Municipal Tag is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified within the time period indicated on the Municipal Tag.

Violation Ticket

16

- (1) If a Municipal Tag has been issued and if the specified penalty has not been paid within the prescribed time, then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act*.
- (2) Notwithstanding subsection (1), a Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the *Provincial Offences Procedure Act* to any Person who the Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- (3) Subject to the *Provincial Offences Procedure Act* and the regulations thereunder, if a Violation Ticket is issued in respect of an offence, the Violation Ticket may;
 - (a) specify the fine amount established by this Bylaw for the offence; or
 - (b) require a Person to appear in court without the alternative of making a voluntary payment.

Voluntary Payment

17 A Person who commits an offence may:

- (a) if a Violation Ticket is issued in respect of the offence; and
- (b) if the Violation Ticket specifies the fine amount established by this Bylaw for the offence;

make a voluntary payment by submitting to a Clerk of the Provincial Court, on or before the initial appearance date indicated on the Violation Ticket, the specified penalty set out on the Violation Ticket.

Obstruction

18 No Person shall obstruct, hinder or impede any authorized representative of the Town in the exercise of any of their powers or duties pursuant to this Bylaw.

PART IV - GENERAL

Schedules

19 The following schedules are included in, and form part of, this Bylaw:

- (a) Schedule "A" – General Terms and Conditions of Utility Services;
- (b) Schedule "B" – Terms and Conditions of Water Services;

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- (c) Schedule "C" – Terms and Conditions of Wastewater Services;
- (d) Schedule "D" – Prohibited Wastes;
- (e) Schedule "E" – Restricted Wastes;
- (f) Schedule "F" – Wastewater Overstrength Limits; and
- (g) Schedule "G" – Specified Penalties.

Severability

20 Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

Repeal

21 This Bylaw repeals:

- (1) Bylaw No. 02-1996 (Water and Wastewater Utility Bylaw) and all amendments thereto.

Enactment

22 This Bylaw takes effect upon being passed.

READ a first time this 21 day of July, 2023.

READ a second time this 4 day of July, 2023.

READ a third time this 23 day of August, 2023.

SIGNED AND PASSED this 22 day of August, 2023.

Mayor

Chief Administrative Officer

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SCHEDULE "A"
GENERAL TERMS AND CONDITIONS OF UTILITY SERVICES

PART I - GENERAL PROVISIONS

Duty to Supply and Provide Services

1.

- (1) The Town, having constructed, operated and maintained a Water System as a public utility shall continue, insofar as there is sufficient capacity and supply, to supply Water Services, upon such terms as Council considers advisable, to any Customer within the Town situated along a Water Main.
- (2) The Town, having constructed, operated and maintained a Wastewater System as a public utility shall continue, insofar as there is sufficient capacity and supply, to supply Wastewater Services, upon such terms as Council considers advisable, to any Customer within the Town situated along a Wastewater Main.
- (3) All Utility Services provided by the Town shall be provided in accordance with these Terms and Conditions, and these Terms and Conditions shall apply to and be binding upon all Customers receiving Utility Services from the Town.

No Guarantee of Continuous Supply

2

- (1) The Town does not guarantee or warrant the continuous supply of potable water and the Town reserves the right to change the operating pressure, restrict the availability of Water Services or to disconnect or shut-off Water Services, in whole or in part, with or without notice, in accordance with this Bylaw.
- (2) Customers depending upon a continuous and uninterrupted supply or pressure of water or who require or have processes or equipment that require particularly clear or pure water shall provide such facilities, as they are considered necessary, to ensure a continuous and uninterrupted supply, pressure or quality of water required for this use. The Town assumes no responsibility for same.
- (3) The Town does not guarantee or warrant the continuous capacity to collect, store and transmit Wastewater and the Town reserves the right to restrict the availability of Wastewater Services or to disconnect or shut-off Wastewater Services, in whole or in part, with or without notice, in accordance with this Bylaw.
- (4) The Town shall not be liable for damages, including losses caused by a break within the Town's Water System or Wastewater System or caused by the interference or cessation of water supply including those necessary or advisable regarding the repair or proper maintenance of the Town's Water System or Wastewater System, or generally for any accident due to the operation of the Town's Water System or Wastewater System or for the disconnection of a Service Connection or shut-off of a Utility Service, nor by reason of the water containing sediments, deposits, or other foreign matter.

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PART II - SERVICE CONNECTIONS

Application for Service Connection

3

- (1) A Customer requesting Utility Services involving a new Service Connection shall apply to the Chief Administrative Officer by submitting an application in a form acceptable to, or adopted by, the Chief Administrative Officer, paying all associated fees and supplying information regarding the location of the Property to be served, the manner in which the Service Connection will be utilized, and any other information that may be reasonably required by the Chief Administrative Officer.
- (2) Without limiting the generality of subsection (1), the Chief Administrative Officer may require a Customer, in conjunction with an application under subsection (1), to submit a water modelling application, in a form acceptable to or adopted by the Chief Administrative Officer, along with any associated fee, which application may be utilized to determine if the requested Service Connection is feasible.
- (3) Upon receipt of all required application documents, information and fees, verification of the Customer's identity and the accuracy of the information, the Chief Administrative Officer will advise the Customer whether and on what terms the Town is prepared to supply Utility Services to the Customer, the type and character of the Service Connection(s) it is prepared to approve for the Customer, and any conditions, including without limitation, payments by the Customer, that must be satisfied as a condition of installation of a Service Connection(s) and supply of Utility Services.

Easements and Rights-of-Way

4 At the request of the Chief Administrative Officer, the Customer shall grant or cause to be granted to the Town, without cost to the Town, such easements or rights-of-way over, upon or under Property owned or controlled by the Customer as the Town may reasonably require for the construction, installation, maintenance, repair, and operation of the Water System or Wastewater System.

Design and Engineering Requirements for Service Connections

5 Detailed requirements for engineering and construction of Service Connections are set out in the Development Standards and Procedures, or as may be otherwise directed by the Chief Administrative Officer. It is the Customer's responsibility to supply, at the Customer's cost, any plans and engineering reports pertaining to the Service Connection that the Town may reasonably require, signed and sealed by a professional engineer.

Construction of Service Connections

6

- (1) The Town shall provide and install all Facilities up to the Service Connection Point, subject to the terms of this Bylaw, including, without limitation, payments by the Customer.
- (2) The Customer shall be responsible for, and shall bear all costs associated with, the installation and condition of the Private Water Line or Private Wastewater Line and all

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other piping and equipment or other facilities of any kind whatsoever on the Customer's side of the Service Connection Point and:

- (a) shall ensure that the Customer's proposed Private Water Line or Private Wastewater Line receives approval from the Town prior to construction;
- (b) shall ensure that all work undertaken on behalf of the Customer is performed by qualified workers holding appropriate certifications, in accordance with this Bylaw and applicable requirements set out in the Development Standards and Procedures and the Utility Services Guidelines; and
- (c) shall not backfill the excavation until such time as the Town has inspected and approved of the work.

(3) If an excavation is backfilled in contravention of subsection (2)(c), the Chief Administrative Officer may, in addition to any other rights and remedies that may be available to the Town, require the Customer in question to dig out and expose the said work at the Customer's cost.

Repair and Maintenance of Private Drainage and Water Lines

7

- (1) A Customer is responsible for the repair, maintenance and replacement of Private Wastewater Lines and Private Water Lines located on the Customer's Property, and for all costs associated therewith.
- (2) The Chief Administrative Officer may require a Customer to perform work described in subsection (1) if the Chief Administrative Officer, in their discretion, considers such work to be necessary or desirable for the protection or proper operation of the Water System and/or Wastewater System, as applicable.
- (3) Where the Chief Administrative Officer requires a Customer to perform work pursuant to subsection (2), the Chief Administrative Officer shall establish a deadline by which the work in question must be completed by the Customer.
- (4) If a Customer fails to complete, by the deadline established under subsection (3), all work required by the Chief Administrative Officer, to the satisfaction of the Chief Administrative Officer, the Town may, at its option, and in addition to any other remedy available, enter onto the Customer's Property and perform the said work.
- (5) The Customer shall pay all costs incurred by the Town in performing work pursuant to subsection (4).

Customer Responsibility for Service Connection

8

- (1) The Customer assumes full responsibility for the proper use of any Service Connection and any Utility Services provided by the Town and for the condition, suitability and safety of any and all devices or equipment necessary for receiving Utility Services that are located on the Customer's Property.

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(2) The Customer shall be responsible for determining whether the Customer requires any devices to protect the Customer's Property from damage that may result from the use of a Service Connection or Utility Services, or to protect the safety or reliability of the Water System or Wastewater System. The Customer shall provide and install any such devices at the Customer's sole expense.

Compliance with Requirements and Use of Service Connection

9

(1) A Customer shall ensure that the Customer's facilities comply with the requirements of this Bylaw, all applicable statutes, codes, standards and regulations and with the Town's specifications.

(2) A Customer shall not use a Service Connection, or any Utility Service received in a manner so as to interfere with any other Customer's use of a Service Connection, or Utility Services.

(3) A Customer who has breached subsection (2) shall, at the Chief Administrative Officer's request, take whatever action is required to correct such interference or disturbance at the Customer's expense.

Abandonment of Service Connection

10 Whenever a Customer wishes to abandon a Service Connection, the Customer shall first obtain approval from the Chief Administrative Officer for the method and location of abandonment and the Customer shall assume responsibility for all costs associated with the same.

Ownership of Facilities

11

(1) The Town retains ownership of all Facilities necessary to provide Utility Services to a Customer, up to and including the Service Connection Point, unless a written agreement between the Town and a Customer specifically provides otherwise.

(2) Payment made by a Customer for costs incurred by the Town for supplying and installing Facilities does not entitle the Customer to ownership of any such Facilities, unless a written agreement between the Town and the Customer specifically provides otherwise.

Access to Facilities

12

(1) No Person shall obstruct or impede the Town's free and direct access to any Facilities.

(2) A Customer shall be responsible for managing vegetation on the Property owned or controlled by the Customer to maintain adequate clearances and reduce the risk of contact with the Town's Facilities.

(3) A Customer shall not install or allow to be installed on Property owned or controlled by the Customer any temporary or permanent structures that could interfere with the proper and safe operation of the Town's Facilities or result in non-compliance with applicable statutes, regulations, standards or codes.

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- (4) Where a Customer contravenes any provision of this section and fails to remedy such contravention within ten (10) days after receiving from the Chief Administrative Officer a notice in writing to do so, then in addition to any other legal remedy available the Chief Administrative Officer may take any steps necessary to remedy the contravention and may charge any costs of doing so to the Customer's Account.
- (5) If access to the Town's Facilities is hindered or obstructed, and the Town determines, in its sole capacity, that the Facilities must be accessed prior to the timelines provided within subsection (4) in order to properly and safely operate the Town's Utility Services, the Town may, through any means deemed necessary, access the Facilities, or make Facilities accessible. The Town will not be responsible for any damages incurred in doing so and may charge any costs of doing so to the Customer's Account.

Interference with or Damage to Facilities

- 13 No Person shall interfere with or alter any Facilities or permit the same to be done by any Person other than an authorized agent of the Town.

Protection of Facilities on Customer's Property

- 14 The Customer shall furnish and maintain, at no cost to the Town, the necessary space and protective barriers to safeguard Facilities installed or to be installed upon the Customer's Property. If the Customer refuses, the Chief Administrative Officer may, at their option, furnish and maintain, and charge the Customer for furnishing and maintaining, the necessary protection. Such space and protective barriers shall be in conformity with applicable laws and regulations and subject to the Chief Administrative Officer's specifications and approval.

Customer to Pay Relocation Costs

- 15 The Customer shall pay all costs of relocating the Town's Facilities at the Customer's request, if such relocation is for the Customer's convenience, or if necessary to remedy any violation of law or regulation caused by the Customer. If requested by the Town, the Customer shall pay the estimated cost of the relocation in advance.

Prohibited Extension of Customer Owned Facilities

- 16 A Customer shall not extend or permit the extension of a Private Water Line, Private Wastewater Line or any other Customer-owned piping, equipment or other assets that are connected directly or indirectly to the Water System or Wastewater System, beyond the Property in respect of which they are used to supply Utility Services through a Service Connection.

PART III - UTILITY ACCOUNTS

Requirement for Account

17

- (1) The Owner of a Property shall apply for an Account with the Town, in a form acceptable to the Town, and pay all applicable fees as a condition of obtaining Utility Services, regardless of whether the provision of services requires installation of a new Service Connection(s) or construction of any new Facilities.

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- (2) In the case of a Multiple Dwelling, the Chief Administrative Officer may require that a separate Account be opened in respect of each Dwelling, as applicable, within the Multiple Dwelling, regardless of the number of Service Connections associated with the Multiple Dwelling.
- (3) Except as provided under this Bylaw, the Town shall not grant Utility Services to, or open an Account in the name of, an Occupant that is not the Owner of the Property.
- (4) Notwithstanding subsection (3) above, an Owner may request to have bills mailed to an Occupant that is not the owner of the Property under the Owner's name; however, the Owner of a Property where Utility Services are received shall be responsible for all services delivered or consumed and all fees, rates and charges levied for services delivered or consumed.
- (5) If, notwithstanding subsection (3), Utility Services are currently being provided to an Occupant that is not the Owner of the Property, the Owner of the Property shall forthwith inform the Town of this and apply for an Account with the Town, failing which the Town may deem an application to have been received from the Owner of the Property and open an Account in the Owner's name.
- (6) Upon the change of ownership of a Property supplied with Utility Services, the new Owner shall apply for an Account with the Town, failing which the Town may deem an application to have been received from the new Owner of the Property and open an Account in the new Owner's name.

Security Deposits

18

- (1) The Chief Administrative Officer may, in their sole discretion, at the time of a Customer's application for Utility Services or at any time thereafter require the Customer to post a security deposit or increase an existing security deposit.
- (2) The Chief Administrative Officer may, in their sole discretion, determine that a Customer is not required to post a security deposit or is no longer required to maintain an existing security deposit.
- (3) A deposit made by a Customer shall be returned to the Customer when a Customer's Utility Services are terminated, and the Customer's Account is closed. Where a Customer's Utility Services are terminated, and the Customer's Account is closed for non-payment, prior to any refund, the security deposit will be applied to the balance owing by the Customer to the Town.
- (4) The Town is not obliged to pay interest on any security deposit held by the Town to a Customer.

Obligation to Pay

19

- (1) The Chief Administrative Officer may add to a Customer's Account the charges for all Utility Services provided by the Town to the Customer, and the Customer is obligated to pay in full all such charges without reduction or set-off for any reason whatsoever, on or before the due date for the charges.

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- (2) For greater certainty, non-receipt of a bill or invoice does not relieve a Customer from the obligation to pay for Utility Services provided.
- (3) No reduction in charges for Utility Services will be made for water supplied to or made available for use by any Customer because of any interruption due to any cause whatsoever of the water supply.
- (4) Billing shall be in accordance with the following:
 - (a) The amount of the billing shall be based upon the rates, fees and charges set out in this Bylaw, the Utility Rates and Procedures Bylaw and/or the Operations Rates Bylaw, as applicable;
 - (b) Customers shall be billed monthly, or at such frequency as may be determined by the Chief Administrative Officer, in their discretion;
 - (c) For rates, fees and charges that are based on water consumption, the water consumption through Service Connections shall be determined by the applicable Meter reading, obtained at such frequency as may be determined by the Chief Administrative Officer in their discretion, with a consumption estimate to be utilized in months for which no Meter reading is scheduled to occur;
 - (d) Where a Meter reading is not obtainable a water consumption estimate may, at the Chief Administrative Officer's discretion, be used.
- (5) Where, pursuant to any provision of this Bylaw, a Service Connection that provides a Utility Service to a Customer has been disconnected, or a Utility Service has otherwise been shut-off or discontinued, the Customer shall continue, for the duration of the disconnection, shut-off or discontinuance of service, to be obligated to pay all applicable non-consumption related rates, fees and charges set out in this Bylaw, the Utility Rates and Procedures Bylaw and/or the Operations Rates Bylaw, including, without restriction, all applicable flat rate or fixed rate charges for Water Services and Wastewater Services.
- (6) Payment on Accounts may be made to the Town at such locations designated, and under any payment methods approved, by the Chief Administrative Officer from time to time.

Past Due Accounts

20

- (1) A late payment charge, in the amount set out within the Utility Rates and Procedures Bylaw, shall be applied to all charges on a Customer's Account if the Customer's payment has not been received by the Town by the due date. The Customer may also be charged a dishonoured cheque charge for each cheque returned for insufficient funds.
- (2) Any charge on a Customer's Account remaining unpaid after the due date will be in arrears and constitute a debt owing to the Town and is recoverable by any or all of the following methods, namely:
 - (a) by action, in any Court of competent jurisdiction;

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- (b) by disconnecting the Service Connection to the Customer or shutting-off a Utility Service, and imposing a re-connection fee prior to re-establishing Utility Services;
- (c) by the Chief Administrative Officer adding the outstanding Account balance to the tax roll of an Owner of a Property in accordance with the *Municipal Government Act*.

Shut-off without Notice

21 If the Chief Administrative Officer believes there is any actual or threatened danger to life or Property, or in any other circumstances the nature of which, in the Chief Administrative Officer's sole judgment, requires such action, the Chief Administrative Officer has the right to withhold connection, disconnect a Service Connection or shut-off or discontinue a Utility Service without prior notice to the Customer.

Shut-off with Notice

22 The Chief Administrative Officer may withhold connection, disconnect a Customer's Service Connection or shut-off or discontinue a Utility Service (without prejudice to any of the Town's other remedies) after providing forty-eight (48) hours advance notice to the Customer, as applicable, in the following circumstances:

- (a) if the Customer neglects or refuses to pay when due any amounts required to be paid under this Bylaw, which amount is not the subject of a good faith dispute;
- (b) as required by law;
- (c) if the Customer is in violation of any provision of this Bylaw or any agreement between the Customer and the Town for the provision of Utility Services; or
- (d) any other similar circumstances to those described above that the Chief Administrative Officer determines, in their sole discretion, acting reasonably, require the withholding, disconnecting or shut-off of service upon forty-eight (48) hours' notice.

Customer Requested Shut-off

23

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- (1) A Customer who is the Owner of a Property that receives Utility Services through a Service Connection may request, in writing, that the Town temporarily shut-off or discontinue a Utility Service provided to the Property.
- (2) A Customer who requests shut-off or discontinuance of a Utility Service under subsection (1) must pay all applicable fees or charges provided for in this Bylaw, in the Utility Rates and Procedures Bylaw and/or the Operations Rates Bylaw, as applicable.
- (3) Upon receipt of a valid request under subsection (1), and all applicable fees and charges under subsection (2), the Chief Administrative Officer may shut-off or discontinue the Utility Service in question.

Reconnection of Service

24 Before the Town reconnects or restores Utility Services, the Customer shall pay:

- (a) any amount owing to the Town for the provision of Utility Services;
- (b) the applicable reconnection charges; and
- (c) any applicable security deposit.

The Town's Right of Entry

25

- (1) As a condition of receipt of Utility Services and as operational needs dictate, authorized representatives of the Town, including an Inspector, shall have the right to enter a Customer's Property at all reasonable times, or at any time during an Emergency, for the purpose of:
 - (a) installing, inspecting, maintaining, replacing, testing, monitoring, reading or removing any facilities associated with the Water System or Wastewater System;
 - (b) investigating or responding to a Customer complaint or inquiry;
 - (c) conducting an unannounced inspection where the Chief Administrative Officer has reasonable grounds to believe that unauthorized use of water or interference with Facilities, including but not limited to a Meter, has occurred or is occurring; and
 - (d) for any other purpose incidental to the provision of Utility Services.
- (2) The Chief Administrative Officer will make reasonable efforts to notify the Customer in advance of entering a Customer's property or to notify any other Person who is at the Customer's property and appears to have authority to permit entry, except:
 - (a) in cases of an Emergency;
 - (b) where entry is permitted by order of a court or other authority having jurisdiction;
 - (c) where otherwise legally empowered to enter;
 - (d) where the purpose of the entry is in accordance with subsection (1)(c) above.

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(3) The Customer shall pay a no access fee sufficient to cover the Town's reasonable out-of-pocket and administrative costs, if the Town's lawful entry to a Customer's Property is prevented or hindered, whether by a Customer not keeping a scheduled appointment or for any other cause.

Removal of Town Facilities

26 Where any Customer discontinues Utility Services furnished by the Town, or the Town lawfully refuses to continue any longer to supply it, any authorized representative of the Town may at all reasonable times enter the Customer's Property to remove any Facilities in or upon such Property.

False Information

27 No Person shall supply false information or make inaccurate or untrue statements in a document or information required to be supplied to the Town pursuant to this Bylaw.

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SCHEDULE “B”

TERMS AND CONDITIONS OF WATER SERVICES

PART I - GENERAL WATER SERVICES PROVISIONS

Water Conservation and Demand Management Measures

1

- (1) The Chief Administrative Officer may, at such times and for such lengths of time as is considered necessary or advisable, implement Water Conservation and Demand Management Measures to restrict water usage in any or all parts of the Town.
- (2) All water restrictions shall be duly advertised by posting on the Town's website or by use of local media, printed or otherwise, prior to taking effect.
- (3) No Person shall contravene the terms or conditions of any Water Conservation and Demand Management Measures, without first obtaining the Chief Administrative Officer's authorization.
- (4) All plumbing fixtures installed after the coming into force of this Bylaw, whether as a result of new construction or renovation, shall be Consolidated Standards Association certified and shall be Low Flow Plumbing Fixtures.
- (5) Notwithstanding subsection (4), the Chief Administrative Officer may, in writing, allow for the installation of plumbing fixtures other than Low Flow Plumbing Fixtures having regard to any factor the Chief Administrative Officer considers appropriate.

Requirement to Connect to Water System

2

- (1) Subject to subsection (3), all developed Properties adjacent to a Water Main must connect to the Water System on or before a date set by the Chief Administrative Officer.
- (2) Subject to subsection (3), all new development, including redevelopment, on Property adjacent to a Water Main must connect to the Water System prior to occupancy.
- (3) The Chief Administrative Officer may, in their discretion, exempt a given developed Property, new development or redevelopment from the connection requirement established by subsection (1) or (2), as applicable.
- (4) Where an exemption has been granted under subsection (3), the Chief Administrative Officer may, at any time after the granting of the exemption, require that the developed Property, new development or redevelopment in question be connected to the Water System within an alternate timeframe prescribed by the Chief Administrative Officer.

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(5) If an Owner fails to take all required steps to connect the Owner's Property to the Water System when required, by this section, to do so, the Town may enter onto the Property in question and, at the Owner's sole expense, take any and all steps that the Town considers necessary to connect that Property to the Water System, including, without restriction, constructing a Private Water Line and related facilities on the Property.

Alternate Water Supply

3

- (1) Subject to subsection (2), once a Property is connected to the Water System,
 - (a) no Person shall allow water to be supplied to that Property by way of a well, spring or other source of water supply that is not connected to the Water System; and
 - (b) any existing well, spring or other source of water supply not connected to the Water System, that is located on that Property, shall be decommissioned by the Owner, at the Owner's expense, in accordance with all applicable laws and regulations.
- (2) The Chief Administrative Officer may allow a Person to maintain an alternate source of water supply subject to such terms and conditions as the Chief Administrative Officer deems necessary, which may include, without limiting the generality of the foregoing, restrictions on the period of time for which an alternate source of water supply may be used and the purposes for which it may be used.
- (3) No Person who has been granted permission by the Chief Administrative Officer to maintain an alternate water supply under this section shall allow the alternate source of water to be connected, directly or indirectly, to the Water System.

Resale and Supply of Water

4 No Person shall, unless authorized by the Chief Administrative Officer in writing:

- (a) resell water obtained from the Water System to any other Person;
- (b) supply water obtained from the Water System to any Person who intends to sell the water; or
- (c) supply water from the Water System to any Property that could be supplied with water through its own Service Connection.

Unauthorized Use of Water

5

- (1) No Person shall use water from the Water System, or allow water obtained from the Water System to be used:
 - (a) in a manner that will impede water use by other Customers;
 - (b) in a manner that is wasteful;

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- (c) unless an Account has been opened by the Customer;
- (d) unless the water has first passed through a Meter, except in a case where, pursuant to this Bylaw, unmetered supply of water is specifically authorized; or
- (e) in any other unauthorized manner.

(2) If the Chief Administrative Officer finds an unauthorized use of water including, without restriction, as a result of any tampering with a Meter or other Facilities, the Chief Administrative Officer may make such changes in the Town's Meters, appliances, or other Facilities or take such other corrective action as may be appropriate to ensure only the authorized use of the Facilities, and also to ensure the safety of the general public.

(3) Upon finding an unauthorized use of water, the Chief Administrative Officer may immediately disconnect the Service Connection or shut-off the water supply, without notice, and shall charge the Person all costs incurred in correcting the condition, in addition to any other rights and remedies that may be available to the Town.

(4) A Person that uses water in contravention of this section shall pay the following charges:

- (a) the applicable rate for the water used and, where necessary, based on an estimate by the Chief Administrative Officer of the amount of water used in contravention of this section;
- (b) all costs incurred by the Town in dealing with the contravention; and
- (c) any other applicable fees or charges provided for in this Bylaw, the Utility Rates and Procedures Bylaw and/or the Operations Rates Bylaw, as applicable.

Authorizations and Approvals for Private Water Line

6

- (1) The Customer shall be responsible for obtaining all permits, certificates, licenses, inspections, reports, and other authorizations necessary for the installation and operation of the Private Water Line.
- (2) The Town shall not be required to commence Water Services to a Property unless and until the Customer has complied with the requirements of all governmental authorities, permits, certificates, licenses, inspections, reports and other authorizations, all right-of-way agreements, and all of the Town's requirements applicable to the installation and operation of the Private Water Line. The Town reserves the right, but is not obligated, to verify that all necessary authorizations have been obtained by the Customer.

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Temporary Water Services

7 The Town may provide temporary Water Services wherever practicable to a Customer for purposes of facilitating construction of a new development. The Customer will pay a rate, charge or fee for such Water Services as specified in this Bylaw, the Utility Rates and Procedures Bylaw and/or the Operations Rates Bylaw, as applicable. A Customer who is receiving temporary Water Services for the construction phase of a development ceases to be entitled to take temporary Water Services at the construction rate and is required to apply for permanent metered Water Services when

- (a) a Town final inspection is issued for the development; or
- (b) the development is being used for its intended purpose;

whichever event occurs first.

Bulk Water

8

- (1) The Town may, at its sole discretion, make water available for sale at Town bulk water stations.
- (2) The Town is not obligated to supply water at bulk water stations and the supply of water may be discontinued or interrupted for any reason.
- (3) When available, bulk water may be purchased by way of a charge Account, pre-paid Account or coin-operated system, in accordance with this Bylaw and the Utility Services Guidelines, at the rates set out in this Bylaw or the Utility Rates and Procedures Bylaw.
- (4) The Town retains the right to determine whether a Customer requires a charge Account or pre-paid Account. A Customer requesting either a charge Account or prepaid Account may obtain such Account by:
 - (a) supplying any information that may be reasonably required by the Chief Administrative Officer; and
 - (b) paying any applicable fee or charge established in this Bylaw and the Utility Rates and Procedures Bylaw.
- (5) Except where a Person obtained water by way of the coin-operated system, no Person, other than a Customer with a bulk water Account in good standing, shall access or draw water from a Town bulk water station without prior Town authorization.
- (6) No Person shall access or draw water from a Town bulk water station contrary to this Bylaw, the Utility Services Guidelines or information posted at the Town's bulk water station.
- (7) The Town may add to the Customer's bulk water Account the charges for all Water Services provided by the Town to the Customer based upon the rates, fees and charges set out within this Bylaw or the Utility Rates and Procedures Bylaw.

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- (8) Bulk water Account Customers shall be billed at such frequency as determined by the Chief Administrative Officer, in their discretion. The Customer is obligated to pay in full all such charges without reduction or set-off for any reason whatsoever, on or before the due date for the charges. Payments on bulk water Accounts may be made to the Town at such locations designated, and under any payment methods approved, by the Chief Administrative Officer from time to time.
- (9) A Customer may be charged a dishonoured cheque charge for each cheque returned for insufficient funds when paying a balance on the Customer's bulk water Account.
- (10) Any charge on a Customer's bulk water Account remaining unpaid after the due date will be in arrears and constitute a debt owing to the Town and is recoverable, by action, in any Court of competent jurisdiction. If an Account remains unpaid after the due date, the Town may, in addition to any other remedy close the Customer's bulk water Account.

PART II - WATER METERS

Provision and Ownership of Meters

9

- (1) All water supplied by the Town through each Service Connection shall be measured by one Meter unless the Chief Administrative Officer, in their sole discretion, has specified otherwise. A separate Curb Stop must be installed for each Meter.
- (2) The Town shall supply one or more Meters for the purpose of measuring the volume of water delivered to a Customer by way of a Service Connection and the Customer shall be responsible for the costs of the Meter as set out within the Utility Rates and Procedures Bylaw and the Operations Rates Bylaw, as applicable. The Town is the sole supplier of Meters and The Town reserves the right to determine the size, type, number of meters, and location thereof, to be supplied and installed. Each Meter shall remain the sole property of the Town, notwithstanding the Customer has paid the Town's costs of supply, unless the Chief Administrative Officer and the Customer have expressly agreed in writing otherwise.
- (3) Customers shall be responsible for hiring a certified plumber to install the Meter(s) supplied to the Customer and the Customer shall be responsible for all costs of installing the Meter(s) and for ensuring installation(s) comply with the Development Standards and Procedures.
- (4) Notwithstanding subsection (3), the Town may determine that it will be the party installing, or hiring a party to install, a Meter for any Property or Customer within the Town. In those cases, Meter(s) will be supplied and installed, at the Customer's sole cost, for the purpose of measuring the volume of water delivered to a Customer by way of a Service Connection. Each Meter shall remain the sole property of the Town, notwithstanding that the Town has installed or hired a party to install a Meter and that the Customer has paid the costs of supply and installation, unless the Chief Administrative Officer and the Customer have expressly agreed in writing otherwise.
- (5) Once a Meter has been installed, the Customer must contact the Town and arrange for an inspection of the Meter in accordance with the process set out within the Utility Services Guidelines.

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- (6) In the case of new construction on Property adjacent to a Water Main, a Customer's Property may only be occupied after the Meter is installed and an Account opened.
- (7) Every Property located within the Town that receives Water Services shall have a Meter installed to measure the water supplied by the Town through each Service Connection, in accordance with this section.

Responsibilities of Customer

10

- (1) Each Customer shall ensure that a location on the Customer's Property for Meter installation is provided, and that access to the Meter is provided for the purpose of reading or servicing the Meter, in accordance with all applicable Water Service Guidelines.
- (2) Each Customer shall provide adequate protection for the Meter supplied by the Town against freezing, heat or any internal or external damage.
- (3) When a Meter is damaged due to frost, heat or any other condition or means against which the Customer neglected to provide adequate protection, the cost of removal and repair or replacement of the Meter shall be borne by the Customer.

General Meter Restrictions

11

- (1) No Person, other than an authorized agent of the Town, shall install, test, remove, repair, replace, or disconnect a Meter.
- (2) No Person shall break, tamper, or interfere with any Meter including, without restriction, any seal attached thereto.
- (3) If a Meter is lost, damaged or destroyed, the Customer shall pay for the entire cost of the Meter removal, repair and reinstallation or for the cost of replacing the Meter.
- (4) No Person shall obstruct or impede direct and convenient access to Meters for the purpose of inspection, removal, repair, replacement or reading.

Subsidiary Meters

12

- (1) A Customer may, for the Customer's own benefit, and at the Customer's own cost, install a Subsidiary Meter between the Meter supplied by the Town and the point of use of the water supplied, provided that the Town shall under no circumstances be required to maintain or read a Subsidiary Meter installed under this section.
- (2) All Subsidiary Meters shall remain the property of the Owner.
- (3) Where, in the opinion of the Chief Administrative Officer, a Subsidiary Meter has been installed in a manner so as to interfere with the operation of or access to the Town's Meter, the Chief Administrative Officer may direct, in writing, that the Customer relocate or remove the Subsidiary Meter within a time frame selected by the Chief Administrative Officer.

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Access to Meters

13 The Chief Administrative Officer may, at any reasonable time, read, inspect, remove, repair, replace or test a Meter installed on Property owned or controlled by the Customer.

Remote Meter Reading

14

- (1) In this section,
 - (a) "Remote Reading" means a Meter reading obtained by the Town electronically, without physically travelling to the location of a Meter and viewing it in-person; and
 - (b) "In-Person Reading" means a Meter reading obtained by the Town by physically travelling to the location of a Meter and viewing it in-person.
- (2) Without limiting the generality of section 13 of this Schedule, the Chief Administrative Officer may, in their discretion, and at the Customer's sole cost, alter or replace a Meter so as to make the Meter capable of being read remotely.
- (3) Where a Meter is capable of being read remotely, the Town may, in its discretion, read the Meter by way of either a Remote Reading or In-Person Reading.
- (4) In the event of an inconsistency between a Remote Reading and In-Person Reading, obtained at a specific point in time, the In-Person Reading shall prevail.

Meter Readings

15 Where 3 consecutive estimated Meter readings have been used for billing purposes due to the Meter not being read by an authorized representative of the Town as a result of the Customer failing to provide or allow the Town access to the Meter during a billing period:

- (a) a notice may be left at the Customer's address requesting the Customer to contact the Chief Administrative Officer within two (2) working days, advising of the date and time that the Chief Administrative Officer will be able to have access to the Meter for the purpose of obtaining an actual Meter reading; or
- (b) in the case where the Customer does not contact the Chief Administrative Officer within two (2) working days, the Town may disconnect the Service Connection or shut-off Utility Services, without any further notice, until such time as an actual Meter reading can be obtained.

Meter Testing

16

- (1) At the request of a Customer, the Chief Administrative Officer shall arrange for on-site Meter verification and, if necessary, shall arrange for a Meter to be tested by a person qualified to perform such work. If, upon verification or testing or both, the Meter is found to be recording accurately, which for this purpose is defined as recording between 98.5% and 101.5% of actual consumption, then the Customer shall pay all applicable fees and charges for this service.

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(2) If the Meter is found to be recording inaccurately, as defined above:

- (a) the Chief Administrative Officer will repair or replace the Meter and the cost, along with the costs of verification and testing, shall be borne by the Town; and
- (b) subject to subsection (3), the Account based on the readings of that Meter during the period of 3 months immediately preceding the date of the test or calibration shall be corrected to reflect the error in the Meter and the Customer shall pay, or shall be refunded, as the case may be, the amount so determined, which payment or refund shall be accepted by both the Town and the Customer in full settlement of any claim that may arise out of the error in the Meter.

(3) The Chief Administrative Officer may at any time inspect or test any Meter, on its own initiative, regardless of whether the Customer has requested inspection or testing. In such case no fees or charges are payable by the Customer.

Circumvention of Meter

17

- (1) If under any circumstances, a Person other than an authorized agent of the Town prevents a Meter from accurately recording the total volume of water supplied, the Town may disconnect the Service Connection, shut-off Utility Services or take other appropriate actions to ensure access to accurate Meter data or both.
- (2) The Chief Administrative Officer may then estimate the demand and amount of water supplied but not recorded by the Meter at the Service Connection. The Customer shall pay the cost of the estimated water consumption plus all costs related to the investigation and resolution of the matter.

PART III - FIRE PROTECTION

Use of Water from Fire Hydrants

18

- (1) Unless authorized by the Chief Administrative Officer, no Person shall operate or interfere with a fire hydrant, whether owned by the Town or privately owned, except as necessary for firefighting purposes.
- (2) A Customer requesting authorization to use water from a Town owned fire hydrant shall apply to the Chief Administrative Officer by paying all associated fees and supplying information regarding the location of the fire hydrant to be accessed, the manner in which it will be used, and any other information that may be reasonably required by the Chief Administrative Officer.
- (3) The Chief Administrative Officer will advise the Customer whether and on what terms the Town is prepared to authorize use of a Town owned fire hydrant and any conditions, including without limitation, payments by the Customer, that must be satisfied as a condition of using a Town owned fire hydrant.

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Interference with Fire Hydrants

19

- (1) No Person shall do anything to obstruct access to, or interfere with the operation of, a fire hydrant.
- (2) Each Customer who owns Property on which a fire hydrant is located or Property that is adjacent to Property on which a fire hydrant is located shall maintain a clearance of at least 3 feet around a fire hydrant and shall not permit anything to be constructed, erected, placed or planted within that minimum clearance.

Private Fire Protection Equipment

20

- (1) In this section "Private Fire Protection Equipment" means equipment, infrastructure or facilities, not owned by the Town, which is located on a Customer's Property and is intended to be used to provide fire protection, including, without limiting the generality of the foregoing, private fire hydrants, fire sprinklers and outlets for fire hoses.
- (2) No Customer shall connect Private Fire Protection Equipment to the Water System without first applying for, and obtaining, the written approval of the Chief Administrative Officer.
- (3) A Person applying for approval under subsection (2) shall pay any applicable fee and provide the Chief Administrative Officer with all information that the Chief Administrative Officer may require.
- (4) The Chief Administrative Officer may, in their discretion, acting reasonably, approve or reject an application under subsection (2) and may, in granting an approval, impose conditions or requirements on the Customer, which may include, without restriction, a requirement that a separate Service Connection be constructed and installed, at the Customer's sole cost, for the purpose of supplying the Private Fire Protection Equipment.
- (5) The Town does not guarantee or warrant that the Water System, or any portion thereof, will be capable of connecting to and/or adequately supplying Private Fire Protection Equipment on a Customer's Property and, without limiting the authority of the Chief Administrative Officer under subsection (4), an application under subsection (2) may be rejected if the Chief Administrative Officer determines that the Water System, or portion thereof, is not capable of connecting to or adequately supplying the proposed Private Fire Protection Equipment.
- (6) A separate Service Connection for fire protection that is installed pursuant to subsection (4) shall only be utilized to supply water for fire protection purposes.
- (7) Where a separate Service Connection for fire protection is required pursuant to subsection (4), the Chief Administrative Officer may require that a separate Meter be installed on that Service Connection at the sole expense of the Customer.
- (8) A Customer that installs Private Fire Protection Equipment is responsible for complying with any applicable laws and regulations that relate to the installation, operation and maintenance of that Fire Protection Equipment.

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(9) A Customer shall ensure that all Private Fire Protection Equipment located on the Customer's Property maintains an adequate volume, pressure and flow rate of water required for firefighting purposes and, at a minimum, must do the following:

- (a) ensure the Private Fire Protection Equipment is inspected and maintained in accordance with the National Fire Code – Alberta Edition, including a certified hydrant flow test at least once every five years;
- (b) keep records of the initial verification or test report for the Private Fire Protection Equipment throughout the life of the equipment, and records of hydrant flow tests performed for at least ten years; and
- (c) provide inspection and flow test records to the Town upon request.

(10) The Owner of a Property with Private Fire Protection Equipment must provide the Town with 48 hour written notice prior to any maintenance or testing of the Private Fire Protection Equipment.

(11) The Chief Administrative Officer may, at any reasonable time, inspect and test Private Fire Protection Equipment. If an inspection or test determines that the Private Fire Protection Equipment will not operate at the available water pressure, the Town may determine that the Private Fire Protection Equipment is non-compliant.

(12) If the Town determines that Private Fire Protection Equipment is non-compliant, the Chief Administrative Officer may provide a notice to the Customer or Property Owner requiring that modifications to the Private Fire Protection Equipment be completed within a set timeframe. Any Customer or Property Owner that receives such notice must comply with the notice and complete the required modifications to the Private Fire Protection Equipment within the set timeframe.

(13) Failure to may result in the Town undertaking the necessary modifications itself and adding the costs of doing that work to the Customer's tax roll.

(14) If a Customer or Property Owner fails to complete modifications to Private Fire Protection Equipment within the set timeframe provided within a notice issued under subsection (11), the Town may enter onto the Property in question and, at the Customer or Property Owner's sole expense, take any and all steps that the Town considers necessary to comply with the notice issued by the Chief Administrative Officer.

PART IV - CROSS CONNECTIONS

Cross Connections

21

- (1) No Person shall install, or allow to exist, any Cross Connection that could cause or allow drinking water in any part of the Water System to become contaminated or polluted in any way.
- (2) Where the Chief Administrative Officer determines that there exists a Cross Connection prohibited by this section, the Chief Administrative Officer shall give notice to the Customer to correct the Cross Connection at the expense of the Customer within the

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time specified in the notice and may, in addition to any other legal remedy, immediately disconnect the Service Connection or shut-off the water supply for such time as the prohibited Cross Connection continues.

Cross Connection Control Devices

22

- (1) Customers shall be required to install, at the Customer's expense, one or more Cross Connection Control Devices on Private Water Lines servicing the Customer's Property in accordance with the Development Standards and Procedures and the Utility Services Guidelines.
- (2) A Customer is responsible, at the Customer's expense, for ensuring that Cross Connection Control Devices located on the Customer's Property are installed, and regularly inspected, repaired and maintained, by a Person certified and qualified to install, inspect, repair and maintain Cross Connection Control Devices.

PART V - OTHER FACILITIES

Operation of Curb Stops

23

- (1) No Person, other than an authorized representative of the Town, shall operate a Curb Stop on any Property.
- (2) No Person shall interfere with, damage or obstruct access to any Curb Stop.

Boilers

24 Where a boiler is supplied with water from the Water System, the Customer shall ensure that a safety valve or other appropriate device is installed to prevent danger from collapse or explosion if water supply to the Customer is disconnected or otherwise discontinued.

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SCHEDULE "C"

TERMS AND CONDITIONS OF WASTEWATER SERVICES

PART I - GENERAL WASTEWATER SERVICES PROVISIONS

Requirement to Connect to Wastewater System

1

- (1) Subject to subsection (3), all developed Properties adjacent to a Wastewater Main must connect to the Wastewater System on or before a date set by the Chief Administrative Officer.
- (2) Subject to subsection (3), all new development, including redevelopment, on Properties adjacent to a Wastewater Main must connect to the Wastewater System prior to occupancy.
- (3) The Chief Administrative Officer may, in their discretion, exempt a given developed Property, new development or redevelopment from the connection requirement established by subsection (1) or (2), as applicable.
- (4) Where an exemption has been granted under subsection (3), the Chief Administrative Officer may, at any time after the granting of the exemption, require that the developed Property, new development or redevelopment in question be connected to the Wastewater System within an alternate timeframe prescribed by the Chief Administrative Officer.
- (5) If an Owner fails to take all required steps to connect the Owner's Property to the Wastewater System when required, by this section, to do so, the Town may enter onto the Property in question and, at the Owner's sole expense, take any and all steps that the Town considers necessary to connect that Property to the Wastewater System, including, without restriction, constructing a Private Wastewater Line and related facilities on the Property.
- (6) The Owner of a Property in respect of which the Chief Administrative Officer has provided an exemption under subsection (3) shall install, at the Owner's expense, a Private Wastewater Disposal System that meets the approval of the Chief Administrative Officer.
- (7) An Owner who installs a Private Wastewater Disposal System pursuant to subsection (6) shall be responsible for obtaining, and complying with, all permits, certificates, licenses, inspections, reports, and other authorizations necessary for the installation and operation of the Private Wastewater Disposal System, and for complying with all applicable laws and regulations.

Alternate Wastewater System

2

- (1) Subject to subsection (2), once a Property is connected to the Wastewater System,

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- (a) no Person shall, unless authorized in writing by the Chief Administrative Officer, continue to use any Private Wastewater Disposal System located on that Property for the collection or disposal of Wastewater; and
- (b) any existing Private Wastewater Disposal System that is located on the Property shall be decommissioned, at the Owner's expense, in accordance with all applicable laws and regulations.

(2) The Chief Administrative Officer may allow a Person to maintain a Private Wastewater Disposal System subject to such terms and conditions as the Chief Administrative Officer deems necessary, which may include, without limiting the generality of the foregoing, restrictions on the period of time for which the Private Wastewater Disposal System may be used and the purposes for which it may be used.

(3) No Person who has been granted permission by the Chief Administrative Officer to maintain a Private Wastewater Disposal System shall allow that alternate facility to be connected, directly or indirectly, to the Wastewater System.

Authorizations and Approvals for Private Wastewater Line

3

- (1) The Customer shall be responsible for obtaining all permits, certificates, licenses, inspections, reports, and other authorizations necessary for the installation and operation of the Private Wastewater Line.
- (2) The Town shall not be required to commence Wastewater Services to a Property unless and until the Customer has complied with the requirements of all governmental authorities, permits, certificates, licenses, inspections, reports and other authorizations, all right-of-way agreements, and all of the Town's requirements applicable to the installation and operation of the Private Wastewater Line. The Town reserves the right, but is not obligated, to verify that all necessary authorizations have been obtained by the Customer.

PART II - USE AND PROTECTION OF THE WASTEWATER SYSTEM

Protection of Wastewater System

4

- (1) No Person shall remove, damage, destroy, alter or tamper with any Facilities forming part of the Wastewater System, except as authorized by the Chief Administrative Officer.
- (2) No Person shall interfere with the free discharge of any Wastewater Main or part thereof, or do any act or thing that may impede or obstruct the flow to, or clog up, the Wastewater System.
- (3) No Person shall connect any storm drain, weeping tile or sump pump to any portion of the Wastewater System.
- (4) In case of a blockage, either wholly or in part, of the Wastewater System, caused by a Customer or Person in relation to their use of the Wastewater System, or by reason of negligence or the failure or omission to strictly comply with the provisions of this Bylaw

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and the Utility Services Guidelines, the Customer concerned or Person responsible shall be liable for:

- i) the costs incurred to determine the location and cause of the blockage;
- ii) all clogs and the cleaning and removal of such blockages from the Wastewater System to the satisfaction of the Town; and
- iii) for any other amount for which the Town may be held liable for due to such blockages.

(5) Without limiting the generality of subsection (4), the Customer shall be responsible for all costs related to blockages located within the Private Wastewater Line located on their Property.

Backflow Prevention Devices

5

- (1) Customers shall be required to install, at the Customer's expense, one or more Backflow Prevention Devices on Private Wastewater Lines servicing the Customer's Property in accordance with the Development Standards and Procedures and the Utility Services Guidelines.
- (2) A Customer is responsible, at the Customer's expense, for ensuring that Backflow Prevention Devices located on the Customer's Property are installed, and regularly inspected, repaired and maintained, by a Person certified and qualified to install, inspect, repair and maintain Backflow Prevention Devices.

Unauthorized Use of Wastewater System

6

- (1) No Person shall use the Wastewater System, or allow the Wastewater System to be used:
 - (a) in a manner that will impede the Wastewater System's use by other Customers;
 - (b) unless an Account has been opened by the Customer; or
 - (c) in any other unauthorized manner.
- (2) If the Chief Administrative Officer finds an unauthorized use of the Wastewater System including without restriction any tampering with any of the Facilities, the Chief Administrative Officer may make such changes in its Facilities or take such other corrective action as may be appropriate to ensure only the authorized use of the Facilities, and also to ensure the safety of the general public.
- (3) Upon finding an unauthorized use of the Wastewater System, the Chief Administrative Officer may immediately disconnect the Service Connection or shut-off Wastewater Services, without notice, and shall charge the Person all costs incurred in correcting the condition, in addition to any other rights and remedies that may be available to the Town.

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(4) A Person that uses the Wastewater System in contravention of this section shall pay the following charges:

- (a) the applicable rate for the Wastewater Services used based on an estimate by the Chief Administrative Officer of the value the contravention of this section;
- (b) all costs incurred by the Town in dealing with the contravention; and
- (c) any other applicable fees or charges provided for in this Bylaw.

Releases to the Wastewater System and Wastewater Discharge Permits

7

(1) No Person shall release, or permit the release of, any Matter into the Wastewater System except:

- (a) Domestic Wastewater;
- (b) Non-Domestic Wastewater that complies with the requirements of this Bylaw;
- (c) Hauled Wastewater, including septage, that complies with the requirements of this Bylaw, or where a Wastewater Discharge Permit authorizing the release has been issued by the Town or an authorized representative of the Town; or
- (d) Storm Water, Clear-Water Waste, Subsurface Water or other Matter where a Wastewater Discharge Permit authorizing the release has been issued by the Town, or an authorized representative of the Town.

(2) No Person shall release or permit the release of any Prohibited Waste or Restricted Waste, without a valid Wastewater Discharge Permit that authorizes the release in question.

(3) The Chief Administrative Officer may prohibit, or set discharge concentration and loading rate limits for, any Matter not identified in this Bylaw if the Chief Administrative Officer determines, acting reasonably, that it is necessary to do so in order to protect the Wastewater System, meet Wastewater standards or legislative requirements, control biosolids quality or adopt prohibitions, discharge concentration limits or flow rate limits established by a third party, and no Person shall discharge Wastewater to the Wastewater System in contravention of a prohibition or limit established pursuant to this subsection.

(4) If required by the Town, a Customer shall complete and submit an application for a Wastewater Discharge Permit, and such application shall be of a type, and in a form, specified by the Town.

(5) If required by the Town, a Customer shall not discharge into the Wastewater System until the Customer has obtained a Wastewater Discharge Permit from the Town or an authorized representative of the Town.

(6) The Town and its authorized representatives may issue, and amend, a Wastewater Discharge Permit to allow the discharge of Wastewater into the Wastewater System upon such terms and conditions as the Town or its authorized representative, as

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applicable, considers appropriate and, without limiting the generality of the foregoing, may, in the Wastewater Discharge Permit:

- (a) place limits and restrictions on the quantity, composition, frequency and nature of the Wastewater permitted to be discharged;
- (b) require the holder of a Wastewater Discharge Permit to repair, alter, remove, add to, or construct new Pre-Treatment facilities; and
- (c) provide that the Wastewater Discharge Permit will expire on a specified date, or upon the occurrence of a specified event.

(7) A Person that holds, or is subject to, a Wastewater Discharge Permit shall comply with the Wastewater Discharge Permit.

Commercial or Industrial Wastes

8

- (1) No Wastewater or other matter resulting from any commercial, trade, industrial or manufacturing process shall be discharged or permitted to be discharged into the Wastewater System unless prior approval has been granted by the Chief Administrative Officer and only then after any required pretreatment of the Wastewater or other matter, as prescribed by the Chief Administrative Officer.
- (2) All necessary pretreatment equipment or works shall be installed by the Customer, at the Customer's sole expense, prior to the construction of the Service Connection and thereafter shall be continuously maintained and operated by the Customer.

No Dilution

9 No Person shall dilute or permit to be diluted any Wastewater in order to enable its discharge in compliance with these Terms and Conditions.

Sampling

10

- (1) Subject to section 16(6) of this Schedule, where sampling is required for the purposes of determining the concentration of constituents in Wastewater, Storm Water or Uncontaminated Water, the sample may:
 - (a) be collected manually or by using an automatic sampling device; and
 - (b) contain additives for its preservation.
- (2) For the purpose of determining compliance with Schedules "D" or "E", discrete Wastewater streams within premises may be sampled, at the discretion of the Town or its Inspector.
- (3) Any single Grab Sample may be used to determine compliance with Schedules "D" or "E".

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(4) All tests, measurements, analyses and examinations of Wastewater, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with "Standard Methods" and be performed by a laboratory accredited for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of the Town as agreed in writing prior to sample analysis.

Customer Self-Monitoring

11 A Customer shall, at the Customer's expense, complete any monitoring or sampling of any discharge to the Wastewater System as required by the Town, and provide the results to the Town, or if directed by the Town, to an authorized representative of the Town, in the form specified by the Town or its authorized representative, as applicable.

Hauled Wastewater

12

(1) In this Section:

- (a) **"Approved Hauler"** means a Person that has been authorized, pursuant to subsections (2) to (4), to discharge Hauled Wastewater or Hauled Waste into one or more Transfer Stations; and
- (b) **"Transfer Station"** means a facility owned or operated by the Town at which Hauled Wastewater or Hauled Waste may be discharged into the Wastewater System.

(2) A Person who is the owner or operator of one or more vehicles designed to collect, transport and discharge Hauled Wastewater or Hauled Waste must apply to the Town for approval to discharge Hauled Wastewater or Hauled Waste at a Transfer Station.

(3) An application made pursuant to subsection (2) shall:

- (a) be in a form adopted by, or acceptable to, the Town;
- (b) be accompanied by any fee or charge established by the Town, which may include, without restriction, a fee payable to obtain a Transfer Station access card or access code; and
- (c) contain any information that may be required by the Town.

(4) Upon receipt of a complete application pursuant to subsection (3), accompanied by any applicable fee or charge that is payable to the Town, the Town may authorize the applicant to, subject to the requirements of this Bylaw, discharge Hauled Wastewater or Hauled Waste at one or more Transfer Stations and, upon granting such an authorization, shall provide the applicant with one or more access cards or access codes required for entry to the Transfer Station or Transfer Stations in question.

(5) Except as provided within subsection (6), no Person, other than an Approved Hauler, shall discharge or permit the discharge of Hauled Waste or Hauled Wastewater into the Wastewater System.

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(6) Discharge or dumping of Wastewater at Transfer Stations may occur without the need for the Person discharging or dumping the Wastewater to be an Approved Hauler provided that:

- (a) The Wastewater being discharged or dumped is directly from a Recreational Vehicle (rather than from any other vehicle, container, structure or thing);
- (b) The Wastewater being discharged or dumped is not Restricted Waste or Prohibited Waste and complies with the requirements of this Bylaw;
- (c) The Transfer Station where the Wastewater is being discharged or dumped has been identified, by the Town, as a Recreational Vehicle discharge or dump location; and
- (d) The discharge or dumping of Wastewater is completed in accordance with the terms of this Bylaw, the Utility Services Guidelines and any terms and conditions imposed by the Chief Administrative Officer or posted at the discharge location, including payment of applicable fees and charges.

(7) An Approved Hauler shall not discharge or permit the discharge of Hauled Wastewater or Hauled Waste into the Wastewater System:

- (a) except in accordance with the requirements of this Bylaw and the Utility Services Guidelines;
- (b) except at a Transfer Station approved by the Town;
- (c) unless the Approved Hauler meets all conditions for discharge that are or may be set from time to time by the Town or its authorized representatives, including, without restriction, payment of applicable fees and charges;
- (d) unless the Hauled Wastewater or Hauled Waste meets all conditions set out in all applicable federal and provincial environmental protection regulations;
- (e) unless the Approved Hauler, operating as a waste management system, is certified according to all applicable federal and provincial legislation and a copy of the most recent certificate of approval, or provisional certificate, and any amendments thereto is provided to the Town and/or its authorized representative; and
- (f) without the use of a discharge hose placed securely in the discharge portal at the approved Transfer Station.

(8) An Approved Hauler shall:

- (a) safeguard the access card or access code provided by the Town pursuant to subsection (4) so as to ensure that access card or access code is not lost, duplicated or used by any Person other than the Approved Hauler;

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- (b) ensure that the vehicle used by the Hauler to collect, transport and discharge Hauled Wastewater or Hauled Waste is kept clean, well maintained and in a safe condition;
- (c) if the Approved Hauler's vehicle was used to transport any Matter which, if discharged into the Wastewater System, would result in contravention of this Bylaw, clean the holding tank of the vehicle before collecting any Hauled Wastewater or Hauled Waste;
- (d) collect, transport and discharge Hauled Wastewater or Hauled Waste so as to prevent spillage of the Hauled Wastewater or Hauled Waste;
- (e) immediately report to the Town, any spillage of wastewater or debris, or damage to a Transfer Station, caused or contributed to by the Approved Hauler;
- (f) upon exiting a Transfer Station, ensure that the Transfer Station access gate is closed and locked, unless:
 - (i) another Approved Hauler is using the Transfer Station at that time; or
 - (ii) the access gate in question automatically closes and locks.
- (g) allow an Inspector to access a vehicle used by the Approved Hauler to collect, transport and discharge Hauled Wastewater or Hauled Waste, for the purpose of undertaking inspections, measurement, sampling, and testing to determine compliance with this Bylaw.

(9) If an Approved Hauler contravenes a provision of this Bylaw, the Town may, in addition to any other remedy available, revoke or cancel an authorization provided pursuant to subsection (4) and prohibit the Approved Hauler from discharging Hauled Wastewater or Hauled Waste at Transfer Stations.

Non-Contact Cooling Water

13 The discharge of Non-Contact Cooling Water or Uncontaminated Water to the Wastewater System from any residential property is prohibited unless the discharge is in accordance with a Wastewater Discharge Permit.

Water Originating from a Source Other Than the Town Water Supply

14 The discharge of water originating from a source other than the Town's water supply, including Storm Water or Groundwater, directly or indirectly to the Wastewater System is prohibited, unless the discharge is in accordance with a Wastewater Discharge Permit.

Spills

15

- (1) In the event of a Spill, the Person responsible for the Spill or the Person having the charge, management and control of the Spill, shall:
 - (a) immediately notify and provide any requested information with regard to the Spill to:

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- i. if there is any immediate danger to human health and/or safety:
 - (A) 9-1-1 emergency; and
 - (B) the Town's emergency phone number.

or

 - ii. if there is no immediate danger to human health and/or safety:
 - (A) the Town's emergency phone number;
 - (B) the Owner of the premises where the Spill occurred; and
 - (C) any other Person whom the Person reporting knows or ought to know may be directly affected by the Spill.
- (b) provide a detailed report on the Spill to the Town and, if directed by the Town, to an authorized representative of the Town, within five (5) working days after the Spill, containing the following information to the best of their knowledge:
 - (i) location where the Spill occurred;
 - (ii) name and telephone number of the Person who reported the Spill and the location and time, where and when they can be contacted;
 - (iii) date and time of Spill;
 - (iv) material spilled;
 - (v) characteristics and composition of material spilled;
 - (vi) volume of material spilled;
 - (vii) duration of Spill event;
 - (viii) work completed and any work still in progress in the mitigation of the spill;
 - (ix) preventive actions being taken to ensure a similar Spill does not occur again; and
 - (x) copies of applicable Spill prevention and Spill response plans.
- (2) The Person responsible for a Spill, and the Person having charge, management and control of the Spill, shall do everything reasonably possible to contain the Spill, protect the health and safety of other Persons, minimize damage to Property, protect the environment, clean up the Spill and contaminated residue and restore the affected area to its condition prior to the Spill.
- (3) Nothing in this Bylaw relieves any Person from complying with any notification or reporting provisions of:

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- (a) other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the Spill; or
- (b) any other Bylaw of the Town.

(4) Without limiting any other remedy available, any costs incurred by the Town as a result of a Spill may, at the Town's option, be charged to a Person responsible for the Spill as an amount due and payable by that Person to the Town.

(5) The Town may require a Person responsible for a Spill to prepare and submit a Spill contingency plan to the Town to indicate how risk of future Spills will be reduced and how future Spills will be addressed.

Monitoring Access Points

16

- (1) A Customer who is the Owner or operator of commercial, Institutional or Industrial premises shall install and maintain in good repair in each Private Wastewater Line a suitable Monitoring Access Point to allow observation, sampling and flow measurement of the Wastewater, Uncontaminated Water or Storm Water therein, provided that, where installation of a Monitoring Access Point is not possible, an alternative device or facility, which may include, without restriction, a Sampling Port, may be substituted with the prior written approval of the Town.
- (2) The Chief Administrative Officer may require a Customer that is not otherwise captured by subsection (1) to comply with subsection (1) if, in the opinion of the Chief Administrative Officer, acting reasonably, it is necessary or desirable to do so in order to protect the Wastewater System, or Persons or Property.
- (3) Each Monitoring Access Point, or alternative device or facility, shall be located as close to the property line as possible, unless the Town has given prior written approval for a different location.
- (4) Each Monitoring Access Point, or alternative device or facility, installed shall be designed and constructed in accordance with good engineering practice and the requirements of the Development Standards and Procedures, and shall be constructed and maintained by the Customer at the Customer's expense.
- (5) A Customer who is the Owner or operator of premises at which a Monitoring Access Point, or alternative device or facility, is installed shall at all times ensure that every Monitoring Access Point, or alternative device or facility, is accessible to the Town and its Inspectors for the purposes of observing, sampling and flow measurement of the Wastewater, Uncontaminated Water or Storm Water therein.

Overstrength Surcharge

17

- (1) In this section:
 - (a) **“Additional Overstrength Concentration Limit”** means the concentration limit, in mg/L, of a Substance set out in Column B of Schedule “F” of this Bylaw.

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(b) **“Additional Overstrength Surcharge Mass”** means the mass, in kg, of a Substance, to which an Additional Overstrength Surcharge is applied, which mass is determined by applying the following formula:

Additional Overstrength Surcharge Mass = ((Measured Substance Concentration – Additional Overstrength Concentration Limit) x Water Volume) x 1,000,000 (to convert mg to kg).

(c) **“Substance”** means a substance identified in Schedule “F” of this Bylaw.

(d) **“Overstrength Concentration Limit”** means the concentration limit, in mg/L, of a Substance set out in Column A of Schedule “F” of this Bylaw.

(e) **“Overstrength Surcharge Mass”** means the mass, in kg, of a Substance, to which an Overstrength Surcharge is applied, which mass is determined by applying the following formula:

Overstrength Surcharge Mass = ((Measured Substance Concentration – Overstrength Concentration Limit) x Water Volume) x 1,000,000 (to convert mg to kg)

(f) **“Measured Substance Concentration”** means the concentration, in mg/L, of a Substance found in Wastewater discharged, by the Customer, into the Wastewater System; and

(g) **“Water Volume”** means:

- (i) if the Property in question receives metered water service from the Town, the volume of treated water delivered to, or consumed by, the Customer during the relevant period; and
- (ii) if the Property in question does not receive metered water service from the Town, the volume of Wastewater discharged by the Customer into the Wastewater System during the relevant period;

as determined by the Town.

- (2) The Town may impose Overstrength Surcharges upon Customers who discharge, into the Wastewater System, Wastewater containing one or more Substances with Measured Substance Concentrations that exceed the applicable Overstrength Concentration Limit.
- (3) The Town may impose Additional Overstrength Surcharges upon Customers who discharge, into the Wastewater System, Wastewater containing one or more Substances with Measured Substance Concentrations that exceed the applicable Additional Overstrength Concentration Limit, and, for greater certainty, such Additional Overstrength Surcharges shall be payable in addition to, not in lieu of, the applicable Overstrength Surcharge.
- (4) The Overstrength Surcharges payable per unit of Overstrength Surcharge Mass and the Additional Overstrength Surcharges payable per unit of Additional Overstrength Surcharge mass are set out in the Utility Rates and Procedures Bylaw.

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(5) Overstrength Surcharges and Additional Overstrength Surcharges are payable in addition to any other rates, fees and charges payable for, or in connection with, Wastewater Services.

(6) Testing to identify Substances present, and Measured Substance Concentrations, for the purpose of calculating Overstrength Surcharges and Additional Overstrength Surcharges, shall be conducted by the Town or its Inspector, or by the Customer to the satisfaction of the Town that a representative sample is obtained, using automated sampling devices or in accordance with the following manual sampling protocol:

- (a) samples from the Wastewater produced at a location will be collected each day for a minimum of two days;
- (b) a minimum of four Grab Samples of equal volume shall be taken each day, such samples to be taken at least one hour apart;
- (c) the analysis shall be conducted on a Composite Sample made of each day's Grab Samples; and
- (d) the respective results of these tests for each of the days on which samples are taken, shall be averaged to determine the characteristics and concentration of the Wastewater being discharged into the Wastewater System.

PART III - INTERCEPTORS AND PRE-TREATMENT

Interceptors General

18

- (1) In addition to the specific requirements related to Interceptors set out within this Part, if the Utility Service Guidelines or the Development Standards and Procedures require a given Property to have an Interceptor, or if the Chief Administrative Officer is of the opinion that an Interceptor is necessary for the proper handling of liquid wastes from a given Property, the Customer who is the Owner or operator of that Property shall install and maintain an Interceptor, at their sole cost, in accordance with the Utility Service Guidelines and the Development Standards and Procedures.

Food-Related Grease Interceptors

19

- (1) Every Customer who is the Owner or operator of a restaurant or other Industrial, commercial or Institutional premises where food is cooked, processed or prepared, for which the premises is connected directly or indirectly to the Wastewater System, shall take all necessary measures to ensure that Oil and Grease are prevented from entering the Wastewater System in excess of the provisions of this Bylaw.
- (2) The Customer referred to in subsection (1) shall install, operate, and properly maintain, at the Customer's expense, an Oil and Grease interceptor in any piping system at its premises that connects directly or indirectly to the Wastewater System. The Oil and

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Grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and the National Plumbing Code of Canada.

- (3) All Oil and Grease interceptors shall be maintained in good working order according to the manufacturer's recommendations. The testing, maintenance and performance of the interceptor shall meet the requirements of CAN/CSA B-481. Traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency should not be less than every four weeks. Maintenance requirements should be posted in the workplace in proximity to the grease interceptor. Maintenance and clean out shall be documented at the time it is performed.
- (4) A maintenance schedule and record of maintenance carried out shall be submitted to the Town and/or its authorized representative upon request for each interceptor installed.
- (5) A Customer who is the Owner or operator of premises as set out in subsection (1) shall, for two years, keep the records which document the maintenance and clean outs performed for interceptor clean-out and Oil and Grease disposal.

Vehicle and Equipment Service Oil and Grease Interceptors

20

- (1) Every Customer who is the Owner or operator of a vehicle or equipment service station, repair shop or garage or of an Industrial, commercial or Institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the discharge is directly or indirectly connected to the Wastewater System shall install an Oil and Grease interceptor designed to prevent motor oil and lubricating grease from passing into the Wastewater System in excess of the limits in this Bylaw.
- (2) The Customer referred to in subsection (1) shall install, operate, and properly maintain an Oil and Grease interceptor in any piping system at its premises that connects directly or indirectly to the Wastewater System. The Oil and Grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and be maintained as recommended by the Canadian Fuels Association (formerly the Canadian Petroleum Products Institute).
- (3) All Oil and Grease interceptors and separators shall be maintained in good working order and according to the manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance and to ensure the surface oil and sediment levels do not exceed the recommended level. In the absence of manufacturer's recommendations, the floating Oil and Grease shall not accumulate in the final stage chamber of the Oil and Grease separator in excess of 5% of the wetted height and the settled solids shall not accumulate in the final stage chamber of the Oil and Grease separator in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
- (4) A maintenance schedule and record of maintenance shall be submitted to the Town and/or its authorized representatives upon request for each Oil and Grease interceptor installed.

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(5) A Customer who is the Owner or operator of the premises as set out in subsection (1) shall, for two years, keep the records which document the maintenance and clean outs performed for interceptor clean-out and Oil and Grease disposal.

Sediment Interceptors

21

(1) Every Customer who is the Owner or operator of premises from which sediment may directly or indirectly enter the Wastewater System, including but not limited to premises using a ramp drain or area drain and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the Wastewater System in excess of the limits in this Bylaw.

(2) All sediment interceptors shall be maintained in good working order, at the Customer's expense, according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance. In the absence of manufacturer's recommendations, the settled solids shall not accumulate in the final stage chamber of the sediment interceptor in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.

(3) A maintenance schedule and record shall be submitted to the Town and/or its authorized representatives upon request for each sediment interceptor installed.

(4) A Customer who is the Owner or operator of a premises as set out in subsection (1), shall, for two years, keep the records which document interceptor clean-out and sediment disposal.

Dental Amalgam Separator

22

(1) Every Customer who is the Owner or operator of premises from which Dental Amalgam may be discharged, which waste may directly or indirectly enter the Wastewater System, shall install, operate and properly maintain, at the Customer's expense, Dental Amalgam Separator(s) with at least 95% efficiency in amalgam weight and certified *ISO 11143 – "Dental Equipment: Amalgam Separators"*, in any piping system at its premises that connects directly or indirectly to the Wastewater System except where the sole dental-related practice at the premises consists of one or more of the following specialties or type of practice:

- (a) Orthodontics and dentofacial orthopedics;
- (b) Oral and maxillofacial surgery;
- (c) Oral medicine and pathology;
- (d) Periodontics; or
- (e) A dental practice consisting solely of visits by a mobile dental practitioner who prevents any Dental Amalgam from being released directly or indirectly to the Wastewater System.

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- (2) Notwithstanding compliance with subsection (1) all Persons operating or carrying on the business of a dental practice shall comply with Schedules "D" and "E" of this Bylaw.
- (3) All Dental Amalgam Separators shall be maintained in good working order and according to the manufacturer's recommendations.
- (4) A Customer who is the Owner or operator of a premises as set out in subsection (1), shall, for two years, keep the records which document Dental Amalgam Separator clean-out and waste disposal.
- (5) A maintenance schedule and record of maintenance shall be submitted to the Town and/or its authorized representatives upon request for each Dental Amalgam Separator installed.

Pre-Treatment Facilities

23

- (1) Where required by the Town, a Customer shall install, on premises that the Customer owns or occupies, and prior to the sampling point, a Wastewater Pre-Treatment facility.
- (2) Pre-Treatment facilities shall be installed, operated and maintained by the Customer at the Customer's expense.
- (3) The Customer shall ensure the design, operation and maintenance of the Pre-Treatment facility achieves the treatment objectives, operates and is maintained in accordance with the manufacturer's recommendations.
- (4) The maintenance records and waste disposal records shall be submitted to the Town and/or its authorized representatives upon request.
- (5) The Customer shall keep documentation pertaining to the Pre-Treatment facility and waste disposal for two years.

Disposal

24 No Person shall discharge the waste products of an interceptor, Dental Amalgam Separator or Pre-Treatment facility into the Wastewater System or a Storm Sewer and shall ensure that such waste products are disposed of in a safe manner.

PART IV - COMPLIANCE PROGRAMS, BEST MANAGEMENT PRACTICES & CODES OF PRACTICE

Compliance Programs

25

- (1) Without limiting any other provision of this Bylaw governing Wastewater Discharge Permits, the Town may require an Industry Customer to apply for and obtain a Wastewater Discharge Permit to discharge Wastewater to the Wastewater System that does not comply with Schedule "D" and/or "E" of this Bylaw. The Industry Customer shall be entitled to make non-complying discharges in the amount and only to the extent set out in the Wastewater Discharge Permit.

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(2) As a term set out in the Wastewater Discharge Permit, the Town, or its authorized representatives, may require an Industry Customer to submit a Compliance Program setting out activities to be undertaken by the Industry Customer that would result in the prevention or reduction and control of the discharge or deposit of Matter, including, without restriction, Uncontaminated Water, Ground Water or Storm Water from the Industry Customer's premises into the Wastewater System. This may include, but is not limited to, planning, design and construction or installation of facilities or works needed to implement the approved Compliance Program.

(3) Each Compliance Program shall include the following:

- (a) a description of the processes at the premises which produce discharges that do not comply with the requirements of this Bylaw;
- (b) a description of those processes at the premises which are to be the subject of the Compliance Program;
- (c) a list of non-complying pollutants present at the premises at any stage of the operations at the premises;
- (d) a description setting out the types, quantities and concentrations of all non-complying pollutants discharged, directly or indirectly, to the Wastewater System;
- (e) a description of current Wastewater reduction, recycling, treatment and compliance activities at the premises with respect to discharges to the Wastewater System from the premises;
- (f) a description of compliance options for non-complying pollutants and Wastewater discharge and an evaluation of those options;
- (g) a list of possible targets and timeframes (in compliance with any Wastewater Discharge Permit that may have been issued to the Customer) to reduce or eliminate the discharge of non-complying Matter to the Wastewater System;
- (h) a declaration, from a Person authorized by the Industry Customer, that the content of the Compliance Program is, to the best of that Person's knowledge, true, accurate and complete.

(4) Every proposed Compliance Program shall be for a specified length of time during which Pre-Treatment facilities or other measures are to be installed or implemented and shall be specific as to the remedial actions to be implemented by the Industry Customer, the dates of commencement and completion of the activity and the materials or other characteristics of the Matter to which it relates. The final activity completion date shall not be later than the final compliance date in the Compliance Program.

(5) Industry Customers that are required to submit a Compliance Program shall also submit a Compliance Program progress report to the Town, or, if directed by the Town, to an authorized representative of the Town, within fourteen (14) days after the scheduled completion date of each activity listed in the Compliance Program.

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- (6) The Town may terminate any proposed Wastewater Discharge Permit related to a Compliance Program by written notice at any time to the Industry Customer in the event that the Industry Customer fails or neglects to carry out or diligently pursue the activities required of it under its Compliance Program.
- (7) Where an Industry Customer receives notice from the Town that its Compliance Program has not been approved, the Town may provide the Industry Customer with a date by which it must submit an amended Compliance Program to the Town for approval in accordance with this section.
- (8) In the event that a Compliance Program resubmitted to the Town in accordance with subsection (7) does not comply with the requirements of this Bylaw, the Town shall so notify the Industry Customer and the Industry Customer shall be in contravention of subsection (1) and shall continue to be in contravention until such time as the Town approves an amended Compliance Program resubmitted by the Industry Customer, in accordance with this section.
- (9) When required by the Town, an Industry Customer which has received approval from the Town for its Compliance Program shall submit a revised and updated Compliance Program for the approval of the Town within the timeframe specified by the Town. Such revised and updated Compliance Program shall, in addition to the requirements otherwise set out in this section, detail and evaluate the progress of the Industry Customer to accomplish the objectives set out in its Compliance Program.
- (10) A copy of the Compliance Program shall be kept at all times at the premises in respect of which it was prepared and shall be available for inspection by the Town and/or its authorized representatives at any time.

Best Management Practices and Codes of Practice

26

- (1) The Town may adopt Best Management Practices and Codes of Practice and may, without limiting the generality of the foregoing, adopt Best Management Practices and Codes of Practice that have been established or adopted by a third party.
- (2) The Town may define Designated Sector Operations to which a Code of Practice Applies and may, without limiting the generality of the foregoing, adopt definitions or descriptions of Designated Sector Operations that have been established by a third party.
- (3) A Code of Practice adopted by the Town applies to all Customers that fall within the Designated Sector Operations to which that Code of Practice applies, but does not apply to a Customer that is subject to a Wastewater Discharge Permit, unless the Wastewater Discharge Permit specifies otherwise, and does not apply to the discharge of Domestic Wastewater.
- (4) All Customers to whom a Code of Practice applies shall comply with that Code of Practice.

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(5) Nothing in a Code of Practice relieves a Person discharging Wastewater from complying with this Bylaw, a Wastewater Discharge Permit or any other applicable enactment, but if a Code of Practice establishes a requirement that is inconsistent with a requirement in this Bylaw, the requirement in the Code of Practice shall prevail.

(6) A Customer that is subject to a Code of Practice must submit to the Town or, if directed by the Town, to an authorized representative of the Town, a completed Code of Practice registration form, in the form approved by the Town:

- (a) within ninety (90) days after the date that the Code of Practice was adopted or established, if the Customer was receiving Wastewater Services at the time that the Code of Practice was adopted or established; and
- (b) in all other cases, within thirty (30) days of the date on which the Customer began to receive Wastewater Services.

(7) A Customer who has submitted a Code of Practice registration form must report to the Town or, if directed by the Town, to an authorized representative of the Town, any change in the ownership, name, location, contact person, telephone number, or email address of the Customer within thirty (30) days of the change by submitting a completed Code of Practice registration form showing the changes.

(8) A Customer who has submitted a Code of Practice registration form must, within 30 days of any change in the Customer's practices or operations that results in the Customer no longer falling within the Designated Sector Operations to which the Code of Practice applies, report the change to the Town or, if directed by the Town, to an authorized representative of the Town, by submitting a completed Code of Practice registration form describing the changes.

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SCHEDULE "D"

PROHIBITED WASTES

No Person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of Wastewater into the Wastewater System in circumstances where:

- 1 to do so may cause or result in:
 - (a) a health or safety hazard to a Person authorized by the Town to inspect, operate, maintain, repair or otherwise work on the Wastewater System;
 - (b) an offence under, or contravention of, any applicable federal or provincial legislation, or bylaw, as amended from time to time, or any regulation made thereunder from time to time;
 - (c) Wastewater Sludge from the Wastewater Treatment Facility to which Wastewater discharges, either directly or indirectly, to fail to meet the objectives and criteria as listed in any applicable federal or provincial legislation, as amended from time to time;
 - (d) interference with the operation or maintenance of the Wastewater System, or which may impair or interfere with any Wastewater treatment process;
 - (e) a hazard to any Person, animal, property or vegetation;
 - (f) an offensive odour emanating from the Wastewater System, and without limiting the generality of the foregoing, Wastewater containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
 - (g) damage to the Wastewater System; or
 - (h) an obstruction or restriction to the flow in the Wastewater System;
- 2 the Wastewater has two or more separate liquid layers;
- 3 the Wastewater contains:
 - (a) a Hazardous Substance;
 - (b) combustible liquid;
 - (c) Biomedical Waste, including, but not limited to, any of the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group 4" as defined in "Laboratory Biosafety Guidelines" published by Health Canada, dated 2004, as amended;

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- (d) specified risk material for bovine spongiform encephalopathy as defined in the federal *Fertilizers Regulations*, including material from the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord and dorsal root ganglia of cattle aged 30 months or older, or material from the distal ileum of cattle of all ages;
- (e) dyes or colouring materials which may or could pass through the Wastewater System and discolour the Wastewater within the Wastewater System;
- (f) Fuel;
- (g) Ignitable Waste;
- (h) Pathological Waste;
- (i) PCBs;
- (j) A Pesticide which is not otherwise regulated in this Bylaw;
- (k) Reactive Waste;
- (l) A Toxic Substance which is not otherwise regulated in this Bylaw;
- (m) Waste Radioactive Substances in excess of concentrations greater than those specified for release to the environment under the *Nuclear Safety and Control Act* and Regulations or amended versions thereof; or
- (n) solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in the Wastewater System, including but not limited to ashes, bones, cinders, sand, mud, soil, straw, shaving, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal parts or tissues, and paunch manure;

4 the Wastewater contains a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Schedule "E" of this Bylaw, unless:

- (a) the discharge is in accordance with a valid Wastewater Discharge Permit,
- (b) the discharge is authorized in a Code of Practice approved by the Town or and authorized representative of the Town; and
- (c) all requirements of Part III of Schedule "C" of this Bylaw (Interceptors and Pre-Treatment) have been fully satisfied.

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SCHEDULE "E"
RESTRICTED WASTES

The following substances are Restricted Waste when present in Wastewater at a concentration in excess of the applicable concentration listed below:

Table A - CONVENTIONAL CONTAMINANTS

Substance	Concentration Limit (mg/L)
Biochemical Oxygen Demand	10,000
Chemical Oxygen Demand	20,000
Oil and Grease, Total – Animal and Vegetable + Mineral and Synthetic/Petroleum Hydrocarbons	500
Total Suspended Solids	5,000
Total Kjeldahl Nitrogen	500
Phosphorus	200

Concentrations that do not exceed these constituent concentrations limits are permitted for discharge, however, may be subject to an Overstrength Surcharge or Additional Overstrength Surcharge.

Table B - INORGANIC CONTAMINANTS

Substance	Concentration Limit (mg/L)
Arsenic (As)	1.0
Cadmium (Cd)	0.10
Chlorine (total) (Cl ₂)	5.0
Chromium (Hexavalent) (Cr ⁺⁶)	2.0
Chromium (total) (Cr)	4.0
Cobalt (Co)	5.0
Copper (Cu)	2.0
Cyanide (CN)	2.0
Lead (Pb)	1.0
Mercury (Hg)	0.10
Molybdenum (Mo)	5.0
Nickel (Ni)	4.0
Selenium (Se)	1.0
Silver (Ag)	5.0
Sulphide (S=)	3.0
Thallium (Tl)	1.0
Zinc (Zn)	2.0

Table C - ORGANIC CONTAMINANTS

Substance	Concentration Limit (mg/L)
Benzene	0.5
Ethylbenzene	0.5

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Oil and Grease – Mineral and Synthetic/Petroleum Hydrocarbons	100
Phenols, Total (or phenolic compounds)	1.0
Toluene	0.5
Xylene	0.5

Wastewater that falls outside one or more of the parameter limits listed below is Restricted Waste:

Table D -- PHYSICAL PARAMETERS

Parameter	Limit
Flashpoint	Not \leq 60.5° C
Lower Explosive Limit (LEL) in headspace	10% of the LEL
pH	6.0 - 11.5 (unitless)
Temperature	60 degrees Celsius

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SCHEDULE "F"
WASTEWATER OVERSTRENGTH LIMITS

Substance	Column A	Column B
	Overstrength Surcharge Concentration Limits, (mg/L)	Additional Overstrength Concentration Limits, (mg/L)
Biochemical Oxygen Demand (BOD)	300	3000
Chemical Oxygen Demand (COD)	600	6000
Oil and Grease , Total (O&G) – Animal and Vegetable + Mineral and Synthetic/Petroleum Hydrocarbons	100	400
Total Suspended Solids (TSS)	300	3000
Total Kjeldahl Nitrogen (TKN)	50	200
Total Phosphorus (TP)	10	75

Note: Concentrations in column A become surchargeable with a second-tier surcharge when reaching concentrations in column B.

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SCHEDULE "G"
SPECIFIED PENALTIES

Section	Description	Penalty			
		Municipal Tag	Violation Ticket	First Offence	Second or Subsequent Offence
Bylaw, s. 18	Obstruct an authorized representatives	\$100.00	\$200.00	\$200.00	\$400.00
Schedule "A", s. 6(2)(c)	Backfill before Service Connection inspection	\$200.00	\$400.00	\$400.00	\$800.00
Schedule "A", s. 7	Contravention of Repair and Maintenance Requirements	\$200.00	\$400.00	\$400.00	\$800.00
Schedule "A", s. 9(2)	Interfere with another Customer's Service Connection/Utility Services	\$500.00	\$1000.00	\$1000.00	\$2000.00
Schedule "A", s. 12(1)	Obstruct access to Facilities	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "A", s. 12(2)	Failure to manage vegetation on Property	\$100.00	\$200.00	\$200.00	\$400.00
Schedule "A", s. 12(3)	Install structure that interferes with proper and safe operation of Facilities	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "A", s. 13	Interfere with or alter Facilities	\$1500.00	\$3000.00	\$3000.00	\$6000.00
Schedule "A", s. 16	Extend Customer-owned infrastructure beyond Property	\$500.00	\$1000.00	\$1000.00	\$2000.00
Schedule "A", s. 27	Supply false or inaccurate information	\$400.00	\$800.00	\$800.00	\$1600.00

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Schedule "B", s. 1(3)	Fail to comply with Water Conservation and Demand Management Measures	\$200.00	\$400.00	\$400.00	\$800.00
Schedule "B", s. 1(4)	Installation of non – Low Flow Plumbing Fixtures	\$100.00	\$200.00	\$200.00	\$400.00
Schedule "B", s. 3(1)(a)	Obtain water from source not connected to the Water System, after connection to Water System	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "B", s. 3(1)(b)	Fail to decommission alternate water supply, after connection to Water System	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "B", s. 3(3)	Connect an alternate water source to the Water System	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "B", s. 4	Unauthorized resale or supply of water	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "B", s. 5(1)	Unauthorized use of water	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "B", s. 8(5) & (6)	Access or draw water from a Town bulk water station contrary to the Bylaw	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "B", s.10	Contravention of Customer Meter installation rules and requirements	\$200.00	\$400.00	\$400.00	\$800.00
Schedule "B". s.11	Contravention of General Meter Restrictions	\$200.00	\$400.00	\$400.00	\$800.00

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Schedule "B" s. 18(1)	Unauthorized operation of a fire hydrant	\$600.00	\$1200.00	\$1200.00	\$2400.00
Schedule "B", s. 19	Obstruct access to or operation of a fire hydrant	\$200.00	\$400.00	\$400.00	\$800.00
Schedule "B", s. 20	Contravention of requirement respecting Private Fire Protection Equipment	\$200.00	\$400.00	\$400.00	\$800.00
Schedule "B" s. 21	Unauthorized Cross Connection	\$1000.00	\$2000.00	\$2000.00	\$4000.00
Schedule "B", s. 22(1)	Customer fails to install required Cross Connection Control Device	\$400.00	\$800.00	\$800.00	\$1600.00
Schedule "B", s. 22(2)	Contravene Cross Connection Control Device testing and repair requirements	\$200.00	\$400.00	\$400.00	\$800.00
Schedule "B", s. 23(1)	Operate a Curb Stop on any Property	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "B", s. 23(2)	Interfere with, damage or obstruct access to any Curb Stop	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 2(1)(a)	Unauthorized use of Private Wastewater Disposal System, after connection to Wastewater System	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 2(1)(b)	Fail to decommission Private Wastewater Disposal System, after connection to Wastewater System	\$200.00	\$400.00	\$400.00	\$800.00

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Schedule "C", section 2(3)	Allow Private Wastewater Disposal System to be connected to the Wastewater System	\$600.00	\$1200.00	\$1200.00	\$2400.00
Schedule "C", s. 4	Contravention of requirement respecting protection of Wastewater System	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 5(1)	Customer fails to install required Backflow Prevention Device	\$500.00	\$1000.00	\$1000.00	\$2000.00
Schedule "C", s. 5(2)	Contravene Backflow Prevention Device testing and repair requirements	\$200.00	\$400.00	\$400.00	\$800.00
Schedule "C", s. 6(1)(a)	Impede Wastewater Use of other Customers	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 6(1)(b)	Use Wastewater System without an Account	\$100.00	\$200.00	\$200.00	\$400.00
Schedule "C", s. 6(1)(c)	Use Wastewater System in unauthorized manner	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 7(1)	Discharge matter other than Domestic Wastewater	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 7(2)	Release or permit the release of any Prohibited Waste or Restricted Waste without a valid Wastewater Discharge Permit	\$300.00	\$600.00	\$600.00	\$1200.00

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Schedule "C", s. 7(3)	Discharge Wastewater into the Wastewater System in contravention of a prohibition or limit established	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 7(5)	Discharge into Wastewater System prior to obtaining a Wastewater Discharge Permit	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 7(7)	Fail to comply with Wastewater Discharge Permit	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 8(1)	Discharging commercial, trade, industrial or manufacturing matter without approval or proper pretreatment	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 9	Diluting Wastewater to allow for discharge into Wastewater System	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 11	Failure to complete monitoring or sampling and provide results to the Town as required	\$100.00	\$200.00	\$200.00	\$400.00
Schedule "C", s. 12	Contravention of Hauled Wastewater requirements	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 13	Discharge Non-Contact Cooling Water or Uncontaminated Water to Wastewater System from a residential premises contrary to a Wastewater Discharge Permit	\$300.00	\$600.00	\$600.00	\$1200.00

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Schedule "C", s. 14	Discharge of water originating from a source other than the Town's water supply to Wastewater System without or contrary to a Wastewater Discharge Permit	\$100.00	200.00	\$200.00	\$400.00
Schedule "C", s. 15	Contravention of requirements for Spill response	\$1000.00	\$2000.00	\$2000.00	\$4000.00
Schedule "C", s. 16	Contravention of requirements for Monitoring Access Points	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 18	Contravention of requirements for Interceptor (General)	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 19	Contravention of requirements for Food-Related Grease Interceptors	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 20	Contravention of requirements for Oil and Grease Interceptors	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 21	Contravention of requirements for Sediment Interceptors	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 22	Contravention of requirements for Dental Amalgam Separator	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 23	Contravention of requirements for Pre-treatment facilities	\$300.00	\$600.00	\$600.00	\$1200.00

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Schedule "C", s. 24	Discharge waste products of an interceptor, Dental Amalgam Separator or Pre-Treatment facility into the Wastewater System or a Storm Sewer	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s.25	Contravention of requirements Compliance Program	\$300.00	\$600.00	\$600.00	\$1200.00
Schedule "C", s. 26	Contravention of requirements related to Best Management Practices and Codes of Practice	\$300.00	\$600.00	\$600.00	\$1200.00