

**BY-LAW #02-1996**

**TOWN OF SLAVE LAKE**

A BY-LAW OF THE TOWN OF SLAVE LAKE IN THE PROVINCE OF ALBERTA, BY VIRTUE OF THE MUNICIPAL GOVERNMENT ACT, BEING CHAPTER M-26-1, 1994, SECTION 7 TO PROVIDE AND ESTABLISH A SYSTEM FOR REGULATING AND PROVIDING FOR THE SUPPLY AND USE OF THE WATER AND WASTEWATER UTILITIES IN THE MUNICIPALITY OF THE TOWN OF SLAVE LAKE AND TO REPEAL BY-LAW #5-1975.

WHEREAS provincial legislation including the Municipal Government Act has given the municipal council of the Town of Slave Lake the authority to establish and maintain a utility system to provide for water and wastewater services throughout the municipality; and

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

NOW THEREFORE the municipal Council of the Town of Slave Lake, IN THE PROVINCE OF ALBERTA, duly assembled enacts as follows:

1. TITLE AND SCHEDULE

1.1 This by-law may be cited as the "WATER AND WASTEWATER UTILITY BY-LAW".

1.2 Schedule "A" is hereby annexed to and declared to be part of this by-law.

2. DEFINITIONS

"AREAWAY DRAIN" means a drain installed to collect surface or rain water from an open area outside a building.

"APPLICANT" means a property owner, or occupier, or the authorized agent of a property owner, occupier who applies to the Town for the supply of utility services.

"APPLICATION " means the application made by a consumer for the supply of utility services.

"APPLICATION FEE" means the fee required to be paid by a consumer before the Town supplies utility services to consumer.

"B.O.D." (Denoting STANDARD BIOCHEMICAL OXYGEN DEMAND) means the quantity of oxygen utilized in the biochemical oxidation of the organic matter in wastewater under standard laboratory procedure over a period of five (5) days at a constant temperature of 20 degrees C, expressed in milligrams per litre.

"BUILDING DRAIN " means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes within a building and conveys it to the point of connection with the building sewer.

"BUILDING SEWER" means that part of a drainage system outside a building commencing at a point one (1) metre from the outer face of the building wall and connecting the building drain to the public sewer or place of disposal of wastewater.

"BY-LAW OFFICER" means a person appointed by Town Council to enforce the Town's By-laws.

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"C.O.D." (Denoting CHEMICAL OXYGEN DEMAND) means a measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant.

"CLEAN OUT" means a pipe fitting that has a removable cap or plug and is so constructed that it will permit cleaning of a building sewer.

"COMBINED SERVICE" means the service or service pipe used or intended to be used to supply water for fire protection as well as water for purposes other than fire protection.

"COMMUNICATION WIRE" means the wire which connects a water meter to an outside reading device.

"COMPOSITE SAMPLE" means a sample composed of a number of grab samples which have been collected over a specified period of time, usually 24 hours or the operating hours of the particular industry or business, and combined in proportion to the volume of wastewater discharge such grab samples represent.

"CONSUMER" means any person who has entered into a contract with the Town for the provision of utility services, or who is the owner or occupant of any property connected to or provided with a utility service.

"CONTROL MANHOLE" means a manhole situated over a building sewer for the purpose of observation, sampling, and measurement of wastewater.

"COUNCIL" means the duly elected Council of the Town.

"DIRECTOR" means the Director of Operations of the Town, or his deputy, or any person authorized by he or his deputy to be his representative.

"DWELLING UNIT" means one or more rooms used or intended for the domestic use of one or more individuals living as a single housekeeping unit, with cooking, eating, living, sleeping, and sanitary facilities.

"FIRE LINE" means a pipe that is intended solely for the purpose of providing a standby supply of water for fire protection purposes.

"FIXTURE" means a receptacle, appliance, apparatus or other device that discharges wastewater or clear water waste and includes a floor drain.

"FLOOR DRAIN" means a fixture used to receive water from the floor of a building.

"FOUNDATION DRAIN" or "WEEPING TILE" means any arrangement or type of pipe placed along the perimeter of a building foundation for the collection of ground water.

"GARBAGE" means solid wastes from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

"GARBAGE DISPOSAL UNIT" means any device, garburator, equipment or machinery designed, used, or intended to be used for the purpose of grinding or otherwise treating garbage to enable the same to be introduced into a public sewer.

"GRAB SAMPLE" means a sample collected over a short period of time by taking and combining one or more samples of wastewater flow.

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"GREASE AND OIL" means material recovered from wastewater using the method for grease determination as set out in "Standard Methods".

"HEALTH OFFICER" means the Medical officer of Health of the Keeweenaw Lakes Regional Health Authority #15, or the duly authorized representative of the Health Officer.

"HIGHWAY" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestle way, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for passage of vehicle, but does not include a place declared by the Lieutenant Governor in Council not to be a highway.

"HYDROCARBONS" means the materials measured in the grease and oil determination that are not eliminated by silica gel absorption.

"INDUSTRIAL WASTES" means the water carried liquid wastes from industrial manufacturing processes, or any trade, or business as distinct from wastewater.

"INTERCEPTOR" means a receptacle that is installed to prevent oil, grease, sand, or other materials from passing into a drainage system.

"LANDFILL" means the solid waste disposal facility operated by the Town.

"LIME SLURRY AND RESIDUES" means a mixture of lime and water resulting in a pH in excess of 10, or suspended solids in excess of 1000 milligrams per litre.

"MERCAPTANS (THIOLS)" means the sulfur analogs of alcohol and phenols with the general chemical formula RSH where R is the organic portion of the molecule.

"METER" means any device supplied, used, or authorized by the Town for the purpose of measuring the volume of water consumed on a property including wiring and all remote reading equipment.

"MULTI-FAMILY RESIDENTIAL BUILDING" means one building containing two or more dwelling units.

"NATURAL OUTLET" means any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.

"NO-CORRODE BUILDING SEWER" means a building sewer pipe made of multiple layers of black paper.

"NOTICE" means a written notification to a consumer or owner delivered personally or sent by registered mail to the address to which the consumer's account is sent or to the address where the service is being supplied.

"OWNER" means the person registered as the owner of a property pursuant to the provisions of the Land Titles Act and shall include a person who is purchasing a property under an Agreement for Sale.

"PERSON" includes any individual, partnership, firm, corporation, municipality, association, society, political, or other group, and the heirs, executors, administrators, or other legal representatives of a person to whom the context can apply according to law.

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"pH" means the logarithm of the reciprocal of the concentration of hydrogen ions in moles per litre of solution and denotes the relative alkalinity or acidity.

"PHOSPHATES" means a chemical salt classified as orthophosphate, condensed phosphates and organically bound phosphates.

"PLANT" means the Wastewater Treatment Plant owned and operated by the Town.

"POLLUTED WASTED AND POLLUTED WATER" means materials or water that are contaminated with wastes in excess of that permitted in this By-law.

"PRIVATE PROPERTY" means any property which is not owned or controlled by the Town.

"PRIVATE SERVICE" or "PRIVATE SERVICE PIPE" means that portion of pipes constructed by an owner and used or intended to be used for the supply of water or the collection of wastewater, as the context may require, in the case of a water service, extending from the service valve to the meter and, in the case of a sewer service, extending from the property line to the main clean out.

"PROPERLY GROUND GARBAGE" means the wastes from the preparation, cooking and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle large enough to be retained on a six (6) millimetre sieve.

"PROPERTY" means a parcel as defined in the Planning Act (Alberta).

"PUBLIC SEWER" or "SANITARY SEWER" means a sewer owned by the Town and used for the collection and disposal of Wastewater and to which storm, surface and ground water are not intentionally admitted.

"RAW WATER" means untreated, non-potable water.

"REGULATIONS" means regulations promulgated pursuant to the Canadian Plumbing Code and the Plumbing and Drainage Act (Alberta).

"REMOTE READING DEVICE" means the device attached to the outside of a building or elsewhere which enables the Town to determine water consumptions, registered by meter, without entering the building in which the meter is installed.

"SEAL" means a lead sealed wire loop that passes through one end connection and the body of a water meter to prevent tampering.

"SECRETARY TREASURER" means the Secretary Treasurer of the Town or his deputy, or any person authorized by either he or his deputy to be his representative.

"SENIOR PLUMBING INSPECTOR" means the Safety Codes Officer of the Town or the duly authorized representative of the Province of Alberta.

"SERVICE OR SERVICE PIPE" means the pipes used or intended to be used for the supply of water or the collection of wastewater, as the context may require, and in the case of a sewer service, extends from the sewer main to the main clean out.

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"SERVICE BOX" means the operating rod, casing, and top box necessary for the operation of a service valve from ground level.

"SERVICE KILL" means the physical disconnection of a water service pipe from a water main.

"SERVICE VALVE" means the valve or c.c. on a Town service pipe.

"SEWER" means a pipe or conduit for carrying wastewater.

"SHUT-OFF" means an interruption in or discontinuation of the supply of water.

"SINGLE FAMILY RESIDENTIAL BUILDING" means a building containing one residential dwelling unit only and which is not attached to any building and shall include a manufactured home for the purpose of this By-law.

"SLUG" means any discharge of water, wastewater, or industrial waste which in concentrations of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times average twenty-four (24) hour concentration or flows during normal operation.

"SPECIFIED PENALTY" means a specified penalty as defined in the Provincial Offences Procedures Act (Alberta).

"SPRINKLERING" means the distribution of water to the surface or subsurface of lawns, gardens, or other areas situated outside buildings by pipes, hoses, sprinklers, or any other method, and shall include all uses of water other than human and commercial consumption and fire fighting.

"STANDARD METHODS" means the latest edition of "Standard Methods for the Examination of Water and Wastewater", as published by the American Public Health Association.

"STORM DRAIN" or "STORM SEWER" means a sewer which carries storm and surface waters and drainage, but not wastewater and industrial wastes, and other than unpolluted cooling water.

"STREET" means all those lands situated within a road plan registered pursuant to the Land Titles Act and, where the context permits, include a highway.

"SUBURBAN CUSTOMER" means all customers who are outside the boundaries of the Town of Slave Lake.

"SUSPENDED SOLIDS" means solids that either float on the surface of, or are in suspension in, water, wastewater, or other liquid, and which are removable by laboratory filtering.

"TOTAL DISSOLVED SOLIDS" means solids that dissolve in water, wastewater or other liquid, and which are not removable by laboratory filtering.

"TOWN" means the corporation of the Town of Slave Lake, or the area contained within the boundaries thereof, as the context requires.

"TOWN MANGER" means the Town Manager of the Town of Slave Lake from time to time, or the person designated to act in his absence.

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"TOWN SERVICE" or "TOWN SERVICE PIPE" means that portion of pipes constructed by the Town and used or intended to be used for the supply of water or collection of wastewater, as the context may require, in the case of a water service, extending from the water main to and including the service valve and, in the case of a sewer service, extending from the sewer main to the property line.

"TURN ON" means the commencement and provision of water or sewer to a building or property.

"UTILITY" means the utility established by the Town to carry out the functions prescribed in this By-law.

"VIOLATION TICKET" means a violation ticket, notice or tag as defined in the Provincial Offences Procedures Act (Alberta).

"VOLUNTARY PENALTY" means a voluntary penalty as defined in the Provincial Offences Procedures Act (Alberta).

"WASTEWATER" or "WASTE" means a combination of water-carried wastes from residences, business buildings, institutions, industries, and other establishments, together with such ground, surface, and storm waters as may be present.

"WASTEWATER FACILITIES" means the land, buildings, equipment, and other facilities used by the Utility for the collection, treatment, and disposal of wastewater.

"WATER FACILITIES" means the land, buildings, equipment, and other facilities used by the Utility for treatment and supply of water.

"WATER MAIN" means those pipes installed by the Town for the conveyance of water throughout the Town to which service pipes may be connected.

"WATERCOURSE" means;

- a) the bed and shore of a river, stream, lake, creek, lagoon, swamp, marsh or other natural body of water, or
- b) a canal, ditch reservoir or other man made surface feature,

whether it contains or conveys water continuously or intermittently.

**3. ADMINISTRATION OF THE UTILITY**

**GENERAL**

3.1 The Utility shall be responsible as provided in this By-law for:

- a) The operation and management of all of the Town's facilities and equipment for Wastewater collection, treatment and disposal and the treatment and supply of Water.
- b) The regulation of such services.

3.2 Management of the Utility

- a) The Utility shall be managed and supervised by the Director subject to the management and control of the Town Manager.

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- b) The Director may establish standards, guidelines and specifications for the design, construction and maintenance of all works required for the operation of the Utility.
- 3.3 The Director shall exercise the powers and perform the duties with respect to the Utility given or assigned to him by this and any other By-law of the Town and any order or direction of the Town Manager or Council.
- 3.4 Any duly authorized employee of the Town, or contractor engaged by the Town, bearing proper credentials and identification, may enter upon any property for the purpose of inspection, observation, measurement, sampling or testing in accordance with the provisions of this By-law. If such an inspection discloses any failure, omission, or neglect respecting any water or wastewater services upon the property, or discloses any defect in the location, construction, design, or maintenance of any facility or connection, the person making such inspection may, in writing, notify the consumer, owner, proprietor or occupier to rectify the cause of complaint within a reasonable time as determined by the Director. Such person shall within the time specified in the notice rectify the complaint stated in the notice.
- 3.5 While acting under the authority of Section 3.4, the employee or contractor, as the case may be, shall observe all safety rules applicable to the property established by the occupier.
- 3.6 Any duly authorized employee of the Town, or contractor engaged by the Town, bearing proper credentials and identification may enter upon any property which is subject to an easement in favour of the Town for the purpose of, but not limited to the inspection, observation, measurement, repair, or maintenance of any portion of works lying within such easement.
- 3.7 In any case under this by-law in which a person is required to pay the cost of work to be done by the Town, or a contractor engaged by the Town, the cost shall include an administration fee of 15% of the total of all of the Town's direct and indirect expenses arising out of such work.
- 3.8 Unless otherwise provided, all fees and other charges payable to the Town for or in respect of the issuance of permits and other services provided by the Town pursuant to this By-law shall be levied and paid in accordance with the provisions of the Utility Rate By-law and other applicable by-laws as amended from time to time.
- 3.9 Where an owner requests Operations to investigate a failure of or interference with service to his building, and where such investigation involves an excavation on Town property at the service box location, the owner shall deposit with Operations the estimated cost of such investigation or authorize work to proceed by way of signature on a service request.
- 3.10 Where the investigation by Operations reveals that the failure or interference with service is on the Town portion, Operations shall make required repairs and shall return the deposit to the owner or no charge will be applied except for service box repairs.
- 3.11 Where the investigation by Operations reveals that the failure of or interference with service is on the owner's property, Operations shall:

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- a) charge to the owner's account the full cost of the investigation and repairs less the deposit if provided; or
  - b) apply the deposit to the cost of the investigation and credit the owner's account with any unexpended balance.
- 3.12 Where an owner has proceeded with investigations or repairs on Town property without written authorization from the Director, the owner shall assume all responsibility for such investigations or repairs including those on Town property or portion of service.
- 3.13 Where the Town has served Notice to an owner to repair a service box and the owner has not complied within 48 hours, the Town may proceed with repairs and charge all costs incurred to the owner's account.

#### 4. NEW SERVICES

##### 4.1 Permit for Private Service

- a) No person shall make any connection to, alter, replace, or repair a private service without first obtaining a private service permit from the Town.
- b) There shall be the following classes of private service permits:
  - i) For premises producing industrial waste; and
  - ii) For all other premises, residential and non-residential.
- c) Application for a private service permit shall be made by the owner of a property in the form prescribed by the Town and shall be accompanied by such plans, specifications or other information as may be required by the Director.
- d) A permit fee for each of the above classes of private service permits shall be paid to the Town at the time the application is filed.
- e) Each private service pipe shall be constructed and maintained by the Owner of the property in which it is located in accordance with the requirements of this By-law and the Regulations.
- f) All new developments or buildings being renovated shall, at the time of construction install low flush toilets which require a maximum of eight (8) litres to a flush cycle(Ultra I Eljer or equivalent) and low flow shower heads(9 l/min.)

##### 4.2 Application For a Water or Sewer Service

- a) Each Town service shall be constructed by the Town or the Owner's contractors at the expense of the owner of the property benefitted by the service.
- b) Application for connection of water or sewer service to a property shall be made by the owner on the form prescribed by the Town and it shall be accompanied by a site plan showing the size and location of the service.



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- c) The cost of restoration of the highway or street shall be paid by the Owner to the Town prior to installation of the service by the Owner's Contractor as per By-law #08-1996 or amendments thereto.
- d) The Owner or their contractor must provide notification to the Director of the installation date of the service including public notification, and detour plans.
- e) No person shall use or obtain water unless:
  - i) an account has been opened
  - ii) the water has first passed through a water meter
- f) In addition to any other penalty, any person who uses water in contravention of the preceding clause shall pay the following charges:
  - i) all charges for water consumed or obtained in accordance with the Utility Rate By-law or as estimated by the Director; and
  - ii) all charges to cover the Town's costs associated with the unauthorized use of water
- g) Where the Town determines that seals on valves, meters or other appurtenances have been broken and not reported, the Town shall, in addition to any other penalty, estimate the quantity of water consumed or obtained, and charge the consumer rates in accordance with the Utility Rate By-law.

5. BILLING AND COLLECTION OF UTILITY CHARGES

The charges by the Town for the supply of water and the collection and disposal of wastewater shall be levied and collected as provided in the Utility Rate By-law or as amended from time to time.

6. WASTEWATER SERVICES

USE OF PUBLIC SEWER

6.1 Restricted discharge

- a) No person shall discharge into any storm sewer or natural outlet within the Town or in any area under the jurisdiction of the Town, any wastewater or other polluted waters.
- b) No person shall discharge any water, wastewater or other polluted wastes into the Wastewater Facilities unless through an approved connection complying with the provisions of this By-law.

6.2 Installation and Connection of Toilet Facilities

The owner of each house or other building used for human occupancy, employment, recreation, or other purpose located on property lying along the line of any sanitary sewer shall install suitable toilet facilities therein and connect such facilities directly with the public sewer.

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**6.3 Restricted Facilities**

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

**PRIVATE WASTEWATER DISPOSAL**

**6.4 Public sewer not available**

If a property does not lie along the line of a sanitary sewer the toilet facilities in any house or other building on such property shall be connected to a private wastewater disposal system complying with the provisions of this By-law.

**6.5 Permit for Private Waste Disposal**

- a) No person shall construct a private waste disposal system without first obtaining a permit from the Director.
- b) Application for a private waste disposal system permit shall be made on a form prescribed by the Town and it shall be accompanied by any plans, specifications and other information as may be required by the Director.
- c) No permit shall be issued for any private wastewater disposal system employing sub-surface soil absorption facilities.
- d) A permit for a private wastewater disposal system shall not be effective until the installation of the system is completed to the satisfaction of the Director who may inspect the work at any stage of construction.
- e) The Director shall be notified when the system is ready for final inspection and, in any event, before any underground portions are covered.
- f) An inspection shall be made within forty-eight (48) hours of the receipt of such notice.

**6.6 Requirements for Private Waste Disposal**

- a) The type, capacity, location, and layout of a private wastewater disposal system shall comply with all requirements of the Health Officer.
- b) No private waste disposal system shall discharge to any storm sewer or natural outlet.

**6.7 Availability of Public Sewer**

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

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- b) If such notice is given, the private waste system shall be abandoned, cleaned of sludge and filled with dirt or pit-run gravel, or removed and replaced with fill material approved by the Director at the owner's expenses.

**6.8 Operation of Private Waste Disposal**

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

**6.9 Hauling Wastewater for treatment**

Every person delivering wastewater to the Plant for treatment shall:

- a) Ensure that the wastewater delivered does not include any water or waste described in Section 6.26;
- b) Prior to disposal of the wastewater:
  - i) Report to the designated location at the Plant to complete and sign a manifest.
  - ii) provide such information with respect to the wastewater as the Town may require;
  - iii) permit samples of the wastewater to be taken and analysed;
- c) Comply with all of the rules and regulations of the Town with respect to the disposition of the wastewater;
- d) Pay the fees prescribed by the Utility Rate By-law;
- e) Discharge the wastewater only at the designated location at the Plant.

**6.10 Maintenance of Building Sewers**

- a) The Town shall repair a public sewer from the sewer main to the point where the private service is connected to the Town service at the Town's expense, upon three consecutive blockages caused by collapse or other structural failure.
- b) The owner of a property shall maintain the building sewer from the point where the service is connected to the public sewer main to the building at the owner's expense.
- c) If the point where the Town service is connected to the private service cannot be reasonably established, such point of connection shall be deemed to be at the property line.

**6.11 Abandonment of Building Sewers**

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

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**6.12 Separate Building Sewer Required**

A separate building sewer shall be provided for every building except that, if a new building is constructed at the rear of an existing building and, in the opinion of the Director, it is not practicable to construct a separate sewer to the new building, the building sewer to the existing building may be extended to the new building.

**6.13 Re-use of Building Sewers**

- a) An existing Town service pipe may only be used to provide service to a new building with the Director's approval.
- b) Any person wishing to obtain such approval will pay the cost of video taping the pipe and, if required, the cost of the excavation necessary to expose the line for inspection.
- c) Under no circumstances will any person be allowed to use a no-corrode building sewer to provide service to a new building.
- d) The property owner shall be responsible for all costs incurred by the Town, or its contractors, in constructing a new Town service pipe if the old pipe is deemed unacceptable for reuse. This shall also apply where the owner's property is not at an elevation to adequately drain the premises by gravity or if the owner proposes to increase the size of service.

**6.14 Requirements for Building Sewer**

- a) The size, slope, alignment, and materials used in construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing, and back filling the trench shall all conform to the requirements of the Regulations and applicable rules and regulations of the Town.
- b) In the absence of applicable provisions in the Development Standards, the materials and procedures set forth in standards published by the American Society of Testing and Materials, the Canadian Standards Association and American Waterworks Association shall apply.
- c) A building sewer from the main clean out to the sewer main shall have a minimum diameter of 100 mm.
- d) All dwellings, buildings or premises constructed with a basement or lower floor below the elevation of the front street shall be protected from sewer backup through the use of a backflow preventer in accordance with the Regulations.

**6.15 Wastewater Lifting Required**

- a) Whenever practicable, a building sewer shall be brought to a building at an elevation below the basement floor or, if there is no basement, at an elevation at least 2.3 metres below finished grade level.

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

**6.16 Restricted Connections to Building Sewer or Drain**

Unless permitted by the Director pursuant to Section 6.25, no person shall connect any roof down spout, weeping tile, exterior foundation drain or areaway drain, or collect or direct other sources of surface runoff or ground water, to a building sewer or building drain which in turn is connected directly or indirectly to a sanitary sewer.

**6.17 Inspection and Drawings Required**

- a) The applicant shall arrange for his contractor to provide drawings and an inspection certificate by a certified plumber of the Province of Alberta indicating proper installation. Information to be included are materials used, location, and elevation below finished grade.
- b) The applicant must ensure that the service box is at ground level and fully operational. If the service box is not visible and operational, the condition will be corrected by the applicant at their expense.
- c) Unless the provisions of 6.17.a) and 6.17.b) are met the service will not be turned on.

**6.18 Protection of People and Property**

- a) All excavations for works required or permitted by this By-law shall be adequately guarded with barricades, lights, and other warning devices adequate to protect the public.
- b) If so required by the Director, the owner of a property, or any person engaged in construction of such works, shall immediately provide such additional barricades, lights and other warning devices or safety precautions as the Director shall appropriate.
- c) Streets, parklands, and other public property disturbed in the course of such works shall be restored in a manner satisfactory to the Director.

**6.19 Roots**

- a) Tree roots infesting a building sewer shall be the responsibility of the owner.
- b) The proximity to a building sewer of a tree or trees contributing to the root infestation shall have no bearing on the responsibility of a party to clear the blockage.

**6.20 Root Foaming**

No person shall chemically treat roots in a building sewer without the Director's approval.

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**6.21 Video Inspection or Electronic Line Location**

Where a dispute exists as to the responsibility for sewer service failures or blockage, a video inspection or an electronic line location may be performed in an attempt to determine the location of the problem. All costs associated with such determination shall be borne by the party responsible for repairing the portion of the building sewer where the problem is found to exist.

**6.22 Prior to the Town doing any service repairs, the person requesting the same, shall sign a service request authorizing the Town to make the necessary repairs and invoice the cost in accordance with prevailing Town rates.**

**6.23 Clean Outs**

- a) A building sewer that is connected to a sanitary sewer shall be equipped with a main Clean Out with a minimum diameter of 100 mm, located not more than 25 metres from the property line. The main Clean Out shall be located as close as practicable to the point where the sewer leaves the building and in such a manner that the opening is readily accessible and has sufficient clearance (minimum 2 metres horizontally and vertically) for effective rodding, cleaning, and video taping. The building sewer from the main Clean Out to the property line shall be as straight as possible. In any case total bends shall not exceed 135 degrees.
- b) Generally, the main Clean Out shall be located inside the foundation of a building. If sufficient clearance cannot be provided inside the building, the main Clean Out shall be installed outside the building and as close as practicable to the foundation.
- c) All main Clean Outs shall be a wye fitting unless the main Clean Out is located on a stack in which case a wye or a blind Clean Out (Barret or 'T' type) may be used.
- d) No person shall enclose the main Clean Out in or under partitions, walls or flooring, or in any way restrict access to same.
- e) Main Clean Outs installed in a horizontal position below floor level shall be enclosed in an access box.

**6.24 Discharge of Uncontaminated Water**

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, uncontaminated cooling water or unpolluted industrial water to any sanitary sewer, except with the approval of the Director which may be given in a situation where exceptional conditions prevent compliance with this Section, in which case a fee shall be levied at the rate specified in the Utility Rate By-law for sewer charges applied to the volume of water estimated by the Director to have been discharged into the sanitary sewer, such estimate to be based on the volume of water supplied to the property.

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**6.25 Discharge of Storm Water**

Storm water and all other unpolluted drainage shall be discharged only to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Director. With the approval of Alberta Environmental Protection and the Director, industrial cooling water or unpolluted process waters may be discharged to a storm sewer or natural outlet.

**6.26 Polluted Wastes**

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

- a) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- b) Any water or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any wastewater treatment process or constitute a hazard in the receiving waters of the Plant;
- c) Any waters or wastes having a pH in excess of 9.5 or lower than 5.5, or having any other corrosive property capable of causing damage or presenting a hazard to structures, equipment, and personnel of the Utility;
- d) Any ashes, cinders, wood, wood shavings, sawdust, rags, sand, mud, straw, metal, glass, fibreglass, plastics, eggshells, feathers, and improperly shredded paper or solids;
- e) Animal parts or wastes including, but not limited to:
  - i) any manure, or intestinal contents from horses, cattle, sheep, swine, or poultry,
  - ii) hooves or toenails,
  - iii) intestines, or stomach casings or animal body parts,
  - iv) bones,
  - v) bristles and hair,
  - vi) Hides or parts thereof,
  - vii) Fat or flesh in particles larger than will pass through a 6 mm screen,
  - viii) Fleshings and hair resulting from tanning operations,
- f) Any liquid or vapour having a temperature higher than sixty five degrees Celsius (65 C);
- g) Any water or waste containing fats, wax, grease, or oils, either singly or in combination, whether emulsified or not, in excess of one hundred (100) parts per million by weight or containing substances which may solidify or become viscous at temperatures between zero (0) and sixty five (65) degrees Celsius;
- h) Any garbage that has not been shredded so as to pass through a 6 mm sieve;

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- i) Any water or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not;
- j) Wastewater containing substances in concentrations exceeding any of the following:

Antimony	- 1.0 mg/L
Arsenic	- 1.0 mg/L
Barium	- 3.0 mg/L
Boron	- 1.0 mg/L
Cadmium	- .05 mg/L
Chromium	- 1.0 mg/L
Chlorinated Hydrocarbons	- .002 mg/L
Copper	- 0.5 mg/L
Cyanide	- 1.0 mg/L
Lead	- 1.0 mg/L
Manganese	- 1.0 mg/L
Mercury	- .01 mg/L
Nickel	- .05 mg/L
Total Pesticides	- 0.1 mg/L
Phenolic Compounds	- 0.1 mg/L
Selenium	- 1.0 mg/L
Silver	- 1.0 mg/L
Sulphide	- 1.0 mg/L
Zinc	- 1.0 mg/L
- k) Pollutants other than those listed in Section 6.26 j) prohibited from being discharged under any Federal or Provincial legislation;
- l) Any waters or wastes containing phenols or other taste or odour producing substance, in such concentration as to exceed limits which may be established by the Director as necessary, after treatment of the composite wastewater, to meet the requirements of any Provincial, Federal, or other public agencies having jurisdiction;
- m) Any radioactive wastes or isotopes of such half life or concentration as may exceed limits established by the Director in compliance with applicable Provincial or Federal regulations;
- n) Any waters or wastes containing more than five hundred (500) milligrams per litre B.O.D.;
- o) Any waters or wastes containing more than five hundred (500) milligrams per litre of suspended solids or one thousand (1,000) milligrams per litre of total dissolved solids.
- p) Wastes which contain, exert or cause:
  - i) Unusual concentration of inert suspended solids, including, but not limited to Fullers earth, lime slurries, and lime residue, or of dissolved solids, including, but not limited to sodium chloride and sodium sulphate,
  - ii) Excessive discolouration, including, but not limited to dye, wastes, and vegetable tanning solutions,



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- iii) Unusual B.O.D., chemical oxygen demand, or chlorine requirements in such quantities as to constitute, in the opinion of the Director, a significant load on the Plant, and
- iv) Unusual volumes of flow or concentration of wastes constituting a slug;
- q) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed by the Town, or are amenable to treatment only to such degree that the Plant effluent cannot meet the requirements of other agencies having jurisdiction;
- r) Any noxious or malodorous gas or substance capable of creating a public nuisance including, but not limited to, hydrogen sulphide, mercaptans (thiols), carbon disulphides, other reduced sulphur compounds, amines and ammonia.
- s) Any consumer, owner or person convicted within this Section is liable for all damages, clean up and costs incurred as well as applicable fines.

**6.27 Rejection of Polluted Wastes**

If waters or wastes are proposed to be discharged from a property to a public sewer, which contain any substance or possess the characteristics of any substance enumerated in Section 6.26 or any other substance which, in the opinion of the Director, would have a deleterious effect upon the wastewater facilities or receiving waters, or which otherwise create a hazard to life or environment, or constitute a public nuisance, the Director may:

- a) Reject the waters or wastes;
- b) Require pre-treatment to an acceptable condition for discharge to the public sewers;
- c) Require control over the quantities and rates of discharge; and/or
- d) Require payment by the owner or occupant to cover the added cost of handling and treating the wastes not covered by existing taxes or wastewater service charges under the provisions of the Utility Rate By-law. If the Director permits the pre-treatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Director, and to the requirements of all applicable codes, statutes, by-laws and regulations.
- e) If preliminary treatment of wastewater or flow-equalizing equipment is required by the Town, the necessary facilities shall be provided by and maintained in satisfactory and effective operation by the owner at the owner's expense.

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**6.28 Interceptors**

- a) Grease, oil, and mud interceptors shall be provided for all garages , automotive service stations, and vehicle and equipment washing establishments and for other types of business when required by the Regulations, or, in the opinion of the Director, such interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, mud, or other harmful ingredients.
- b) Grease, oil and large particle interceptors shall be provided for all restaurants or food outlets where food is served, cooked, prepared or otherwise processed.
- c) All interceptors shall be of a type and capacity which conform to the Regulations and shall be located so as to be readily and easily accessible for cleaning and inspection.
- d) All interceptors shall be maintained at all times in satisfactory and effective operation by the owners of the properties on which they are installed at the owner's expense.
- e) If a storm sewer is available, a mud interceptor shall be connected to such storm sewer unless the Director shall otherwise stipulate.
- f) Any consumer, owner or person convicted within this Section is liable for all damages, clean up and costs incurred as well as applicable fines.

**6.29 Control Manhole**

- a) If required by the Director, the owner of any property serviced by a building sewer shall, at the owner's expense, install a suitable control manhole and other necessary appurtenances to facilitate observation, sampling, and measurement of the wastewater quality, temperature, rate of flow and other characteristics.
- b) Any such manhole shall be located and constructed in accordance with plans approved by the Director and maintained so that it is accessible at all times.
- c) If a control manhole does not exist on a property, the control manhole for that property shall be deemed to be the manhole in the public sewer which is downstream of and nearest to the point at which the building sewer servicing the property is connected to the public sewer.

**6.30 Standards for Sampling and Analysis of Wastes**

- a) All Samples, measurements, tests, and analysis of the characteristics of waters and wastes to which reference is made in this By-law shall be determined in accordance with Standard Methods.

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

PROTECTION FROM DAMAGE

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

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- 6.32 Water used in the manufacture of ice, which is incorporated into other products, or which may be otherwise taken off a property for use elsewhere shall all be considered in calculating the wastewater charges payable under the Utility Rate By-Law .

- 6.33 Authority to Sample

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

- 6.34 Duration of Sampling and Analysis

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

- 6.35 Request for Additional Sampling

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

- 6.36 Special Agreements

This By-law shall not be construed so as to prevent any agreement or arrangement between the Town and any person where under the Town may accept an industrial waste of unusual strength or character for treatment.

- 6.37 Garbage Grinders

The installation of any garbage grinder equipped with a motor of 560 watts or greater shall be approved by the Director.

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7. WATER SUPPLY

ADMINISTRATION OF WATER SUPPLY

7.1 Authority to Shut Off

- a) For any reason which the Director considers appropriate, the Director may shut off the supply of water to any consumers for such length of time as the Director deems necessary, provided that the Director shall use reasonable efforts to give notice of such shutting off to the consumers affected.
- b) If in the opinion of the Director an emergency makes it necessary, the Director may shut off the water supply to any part of the Town.
- c) The Director shall notify the Health Officer and Fire Department of an emergency shut off under the above clause.
- d) The Director may in a non emergency situation, shut off water supply to any part of the Town or system provided notice of such intended shut off is given to all affected consumers.

7.2 Supply of Water

- a) The Town does not guarantee the pressure nor the continuous supply of water and the Town may at any time, without notice, change the operating water pressure and shut off water.
- b) Any person requiring a continuous and uninterrupted supply or pressure of water or having processes or equipment that require particular clear or pure water shall provide such facilities as that person considers necessary to ensure a continuous and uninterrupted supply, pressure or quality of water.
- c) The Town may inspect the property of a consumer in order to do any tests on water piping or fixtures to determine compliance with this By-law. If the consumer denies access to the consumer's property for that purpose, the supply of water to the consumer may be shut off.
- d) The Town shall not be liable for damages:
  - i) caused by the break of any water main, service, meter, private service, attachment, or for the breaching of any ditch;
  - ii) caused by the interference or cessation of water supply necessary in connection with the repair or proper maintenance of the Town's waterworks system; or
  - iii) generally for any accident due to the operation of the Town' waterworks system

unless such costs or damages have been shown to be directly due to the negligence of the Town or it's employees.

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**7.3 Bulk Water Sales**

- a) Bulk water sales shall be the only source of potable water available for use within the Town, or water transported from the Town for use outside the Town, with the exception of water incorporated into a manufactured consumer product as described in Section 7.7 or water otherwise supplied by the Town.
- b) Bulk water may be purchased at the Water Treatment Plant which shall always be open for this purpose.
- c) Charges for bulk water shall be as provided in the Utility Rate By-law.

**7.4 Sprinklering**

- a) The Town Manager may at such times and for such length of time as he considers necessary or advisable, regulate, restrict or prohibit sprinklering.
- b) In exercising the authority conferred by Section 7.4 a), the Town Manager:
  - i) shall cause to be published in a weekly newspaper circulated in the Town, and local radio, a public notice giving reasonable detail of the regulation, restriction or prohibition of sprinklering being imposed which may be limited to certain times or which may be unlimited as to time in which latter case, a similar public notice shall be published giving notice of the time of cessation of such regulation, restriction or prohibition.
  - ii) may regulate, restrict, or prohibit sprinklering in all or any part or parts of the Town and in so doing the Town Manager may provide different times during which different consumers may sprinkle by reference to compass direction, streets, odd and even street addresses, or in such other manner as the Town Manager in his absolute discretion considers appropriate.
- c) The Town Manager may cause the water supply to any consumer who causes, permits, or allows sprinklering in contravention of any such regulation, restriction, or prohibition to be shut off until such consumer enters into an undertaking to abide by and comply with such regulation, restriction or prohibition in a form acceptable to the Town Manager.

**RESTRICTION OF WATER SUPPLY**

**7.5 General**

- a) No consumer shall operate, use, interfere with, obstruct, or impede access to water facilities or any portion which is on, or in the vicinity of the consumer's property in any manner not expressly permitted by this By-law.

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- b) If a consumer shall be in breach of Section 7.5.a), the Director may cause the water being supplied to such consumer to be shut off without notice until the Director is satisfied that such consumer has remedied the breach and is otherwise complying with all of the provisions of this By-law.

**7.6 Wastage**

- a) No consumer shall cause, permit, or allow the discharge of water so that it runs to waste, whether by reason of leakage from underground piping, a faulty plumbing system or otherwise.
- b) The Director may cause the water supply to any consumer who violates Section 7.6.a) to be shut off until such time as such consumer establishes to the satisfaction of the Director that he has taken such steps as may be necessary to ensure that any water supplied to him by the Town will not run to waste.
- c) The Director shall, if he considers it practicable to do so, give notice to such consumer prior to causing the water supply to such consumer to be shut off.
- d) Notwithstanding the foregoing, the Director may under such conditions as he considers reasonable allow a consumer to discharge water so that it runs to waste if such consumer's water service would otherwise be susceptible to freezing.
- e) Water permitted to run to waste as described in Section 7.6.a) shall be metered and charged for where the potential for freezing is the result of a shallow or unprotected private service pipe.

**7.7 Use of Water**

No consumer shall:

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

**7.8 Investigation Into Water Supply Service Failure**

- a) If a consumer shall complain of a failure or interruption of water supply, and investigation of the complaint necessitates the excavation of a street, the consumer shall, prior to the excavating being done, deposit with the Town the cost as estimated by the Director and in accordance with By-law #08-1996 or amendments thereto.

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- b) If the failure or interruption was caused by the Town service, such deposit shall be refunded, unless the Town service has been disconnected or discontinued more than twelve (12) months prior to the date of the investigation.
- c) If the failure or interruption was caused by the private service, the actual cost of such excavating shall be paid by the consumer and the deposit paid pursuant to Section 7.08.a) shall be applied towards payment of such cost.

**7.9 Service Calls**

If a consumer shall request a service call and the Town's employee, or contractor, responding to the call is for any reason unable to enter the consumer's property, the consumer shall pay the fee specified in the Utility Rate By-law.

**7.10 Noise and Pressure Surges**

- a) No consumer shall cause, permit, allow any apparatus, fitting, or fixtures to be or to remain connected to the consumer's water or allow such water supply to be operated in such a manner as to cause noise, pressure surges or other disturbance which may in the opinion of the Director result in annoyance or damage to other consumers or the water supply being shut off.
- b) The Director may shut off the water supply to any consumer who shall breach Section 7.10.a), provided that the Director shall, if he considers it practicable to do so, give notice to the consumers prior to the water supply being shut off.
- c) Any water supply shut off pursuant to Section 7.10.b) shall not be restored until the consumer has paid to the Town all costs incurred by the Town in shutting off the water supply, and the consumer has ceased to be in breach of Section 7.10.a).

**7.11 Operation of Valves**

Unless authorized by the Director or as otherwise provide for in this By-law, no person shall :

- a) operate, handle or interfere with a service, water main, Town metre, c.c., valve fire hydrant or other appurtenances of the Town's waterworks system; or
- b) make, keep, use or dispose of any key or wrench, the purpose of which is to operate any valve, c.c., fire hydrant, chamber or any other appurtenances of the Town's system.
- c) obstruct or impede free and direct access to any service, water main, valve, c.c., fire hydrant Town metre, or other appurtenances on the Town's waterworks system.
- d) notwithstanding the preceding clauses of this section, the Director may provide written consent to a person for the operation of a specified valve when the person requires such consent to fulfil an agreement to construct or reconstruct any portion of the service water main.

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- e) A plumber may operate the Town c.c. of 20 mm and 25 mm size only for the purpose of:
  - i) the testing of private service piping in the case of new installations, following completion of which the plumber shall close the c.c. and remove the temporary fill piece. Should a temporary fill piece be utilized rather than a new meter, the fill piece must contain an approved backflow prevention device as an integral part of the installation.
  - ii) the replacing or renewing of a control valve; or
  - iii) repairing or renewing piping between the Town's c.c. and the control valve
- f) A plumber shall not operate any Town c.c. of 40 mm or larger in size for any purpose, unless authorized in writing by the Director.
- g) The Town will not turn on any service 50 mm or larger in size until the owner has sampled and produced bacteriological results from the Provincial Laboratory of Health that have been approved, signed and stamped by a professional engineer registered in the Province of Alberta.
- h) The Town will not turn on a service until a copy of the plumbing permit for that location has been provided.

**7.12 Trespassing**

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

**7.13 Operation of Fire Hydrants**

- a) No person other than authorized personnel shall operate or tamper with a fire hydrant under any circumstances.
- b) Fire hydrants shall not be used for any purpose other than fire protection without written approval of the Director.
- c) No person shall allow anything to be constructed, placed, erected, or planted adjacent to a fire hydrant, which may in any way interfere with access to, use, maintenance, or visibility of the hydrant.
- d) If requested by any person for any reason which the Director deems appropriate, the Director may, at such person's expense, permit the relocation, raising, or lowering of a fire hydrant situated on Town property.
- e) Prior to a fire hydrant being relocated, raised, or lowered pursuant to Section 7.13.d), the person requesting the same shall pay to the Secretary Treasurer the cost of the work as estimated by the Director.
- f) The Town may require that a fire hydrant be installed on private property at the expense of the owner of the property.



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- g) No person shall use water from a fire hydrant located on private property for any purpose other than fire protection.
- h) Any person owning or occupying a property with a fire hydrant adjacent to such property shall be responsible for clearing snow and cutting weeds or grass around the fire hydrant in a manner that allows the fire hydrant to be clearly visible and accessible from the point on the street closest to the fire hydrant. If a fire hydrant is equidistant from two properties:
  - i) the owner and occupant of the property immediately to the north or west of the fire hydrant shall comply with the provisions of Section 7.13.h) in even numbered years; and
  - ii) the owners and occupant of the property immediately to the south or east of the fire hydrant shall comply with the provisions of Section 7.13.h) in odd numbered years.
- i) Fire hydrants installed on private property shall be maintained by the owner at his expense, or the town may maintain the hydrants at the owner's expense.
- j) Any consumer or owner requesting information on the capacity of a fire hydrant shall be levied a hydrant flow test charge in accordance with the Utility Rate By-law

**CONTAMINATION**

**7.14 Backflow Prevention**

- a) No consumer shall cause, permit, or allow to remain connected to his water supply system any piping, fixture, fitting, container, or other apparatus which may cause water from a source other than the water facilities or any other actual or potentially harmful or deleterious liquid or substance to enter the water facilities. All consumers shall install, and maintain at their own expense, a backflow preventer.
- b) If a condition is found to exist which is contrary to Section 7.14.a), the Director shall, depending on the nature of the hazard:
  - i) notify the Senior Plumbing Inspector who shall immediately carry out an inspection and issue orders to the owner, consumer, or other person as may be required to obtain compliance with Section 7.14.a), or
  - ii) with out prior notice shut off the water service or services.
- c) If the owner, consumer, or other person to whom the Senior Plumbing Inspector has issued an order fails to comply with that order, the Senior Plumbing Inspector shall notify the Director, and the Director in his discretion may:

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- i) give notice to the person to whom the order was directed to correct the fault at the expense of such person within a specified time period and if the notice is not complied with the Director may then shut off the water service or services; or
- ii) without prior notice shut off the water service or services.
- d) Any water supply so shut off shall not be restored until the Town has been paid the cost of the shutting off and the cleaning up of any contamination and the breach of Section 7.14.a) has been remedied.

**METERS**

**7.15 General**

- a) All water supplied by the Town through a private service shall be measured by a meter with the exception of existing non metered consumers who must comply as follows:

Multi-family residential by June 30, 1996  
Residential by December 31, 1996

- b) All meters shall be supplied, owned, and maintained by the Town unless otherwise provided for in this By-law.

**7.16 Installation Responsibility**

- a) All meters shall be supplied and installed by the Town or the owner's plumber at the expense of the consumer and shall thereafter be maintained by the Town at the Town's expense unless damaged by the consumer.
- b) All meters required to replace obsolete meters shall be supplied and installed by the Town at the expense of the Town. Any additional wiring or plumbing alterations will be the responsibility of the consumer.

**7.17 Subsidiary Meter**

A consumer may, for his own benefit, and at his own cost, install a meter between the meter supplied by the Town and the point of use of the water supply, provided that the Town shall under no circumstances be required to maintain or read such meter. The Town meter only will be considered for invoicing of the water and sewer bill.

**7.18 Provision of a Meter Setting**

- a) If constructing a new building, or reconstructing an existing building, a consumer shall make provision acceptable to the Director for the installation of a water meter.
- b) In so doing, the consumer shall ensure that the meter as installed:
  - i) shall be in a horizontal position.
  - ii) is no more than 600 mm from the point that the water service enters through the floor slab.

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- iii) is located so that the distance from the floor to the bottom of the meter is not less than 300 mm or not more than 900 mm.
  - iv) is located so that the distance from the centre line of piping adjacent to the meter setting to any entrance wall or outside wall is not less than 300 mm.
  - v) is located so that a minimum clearance of 900 mm, horizontally and vertically, can be maintained from any other fixed or movable object and in location that provides for convenient and unobstructed access at all times.
- c) Any consumer:
- i) whose water supply is not metered, or
  - ii) whose meter is not positioned to the satisfaction of the Director, shall, at the consumer's expense, arrange for installation of a new meter or for the meter to be moved, as the case may be.

**7.19 Special Meter Readings**

A consumer who asks the Town for a special meter reading shall pay the fee specified in the Utility Rate By-law.

**7.20 Testing or Calibration on Disputed Meter Readings**

- a) If a meter is disputed by either the Town or a consumer, the party disputing the reading shall give written notice to the other party. Following such notice, the meter in question shall be tested or calibrated by a person appointed by the Town.
- b) If the meter is found to be accurate within 97% to 103% of the water passing through it, the expense of the test or calibration shall be borne by the party disputing the reading in the amount specified in the Utility Rate By-law.
- c) If the meter is found not to be accurate within those limits:
  - i) it shall be forthwith repaired or replaced and the cost, as well as the expense of the test or calibration, shall be borne by the Town.
  - ii) the accounts based upon the readings of that meter during the period of six (6) months immediately preceding the date of the test or calibration shall be corrected to reflect the error in the meter and the consumer shall pay, or there shall be refunded to the consumer, as the case may be, the amount so determined, which payment or refund shall be accepted by both the Town and the owner in full settlement of any claim arising out of the error in the meter.

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7.21 Meter Chamber

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

7.22 Meters and Services

- a) The Town shall not be obligated to supply more than one meter for each water and sewer service to any one building.
- b) For each additional meter supplied by the Town to a single building, the owner shall provide, at his expense, a separate water and sewer service.
- c) If a building is to be constructed over more than one title, whether condominium titles or otherwise, then a separate water and sewer service and meter is required for each portion of the building that is to be situated on a separate title.
- d) If an existing building is to be subdivided into separate titles, whether condominium titles or otherwise, then a separate water and sewer service and meter is required for each additional title created prior to subdivision approval being granted.
- e) If considered appropriate by the Director, a condominium may have one service connection and one meter with the utility account in the name of the condominium association.

7.23 Meter Size

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

- a) If the internal diameter of the private service is 25 mm or less, a 16 mm meter shall be used.
- b) If the internal diameter of the private service exceeds 25 mm., the size of the meter shall be one size smaller than the size of the private service.
- c) If the private service is a combined service the internal diameter of the private service branch off the fire line shall determine the meter size for the purpose of Section 7.23.a) and 7.23.b).

7.24 Non Registering Meter

- a) If it is determined, otherwise than pursuant to Section 7.20, that a meter has failed to properly record the flow of water, the Secretary Treasurer shall estimate the flow based upon such method as he considers to be fair and equitable and render an account.

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- b) A consumer shall immediately notify the Director of any breakage or stoppage of a meter or any irregularity in its operation.

**7.25 Protection of Meter**

- a) A consumer shall adequately protect the meter on the consumer's property against freezing, heat and any other internal or external damage, failing which such consumer shall pay to the Town the cost of repairing the meter.
- b) No consumer shall obstruct, interfere with, or impede direct, safe and convenient access to any meter for the purpose of the installation, inspection, removal, replacement, repair, and reading of such meter.
- c) No consumer shall break or tamper with any meter, remote reading device, or communication wire or seal.
- d) A consumer may only relocate, alter, or change an existing meter with the written approval of the Director and at the consumer's expense.
- e) If a meter is removed or stolen, the owner of the property on which it was located shall pay the cost of acquiring and installing a replacement meter.

**7.26 Reading**

- a) If practicable, all meters shall be read at least once every month. If any meter cannot be read within such period, the Secretary Treasurer may estimate the flow of water upon such basis as he considers to be fair and equitable and render an account.
- b) In any event, every meter must be read at least once in each three (3) month period and, if in any case reading cannot be so made, the Director shall, at the request of the Secretary Treasurer, shut off the water supply to the meter in question until such time as the Town is able to obtain a reading.

**7.27 By Passes**

- a) Any consumer having a meter 50 mm in size or larger shall at the consumer's expense construct and maintain a properly valved by-pass satisfactory to the Director, which by-pass shall be sealed by the Town and shall be opened by authorized Town employees only in the case of an emergency.
- b) A consumer shall be responsible for payment for water supplied through, but not recorded on, the meter on such consumer's property, and the account for such water shall be based on the volume of water estimated by the Director.
- c) i) No consumer shall tamper with or open a bypass.

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- ii) If a consumer shall breach Section 7.27.c)(i), the Director may shut off the water supply to such consumer until arrangements acceptable to the Director have been made for estimating the volume of, and payment for, water supplied through, but not recorded on the meter.

**7.28 Meter Valves**

- a) All owners shall, at the consumer's expense, supply and maintain a main shut off valve.
- b) The main shut-off valve shall be located immediately inside a building at the point where the water service enters through the floor.

**7.29 Remote Reading Devices**

- a) The Town shall supply and install remote reading devices on all properties at full cost to consumers.
- b) The location of a remote reading device shall be directly below the power meter.
- c) Subject to the Director's approval, a remote reading device may be relocated at any time at the consumer's expense.
- d) In the case of new construction, the Director shall require the builder, at the builder's expense, to install wiring for a remote reading device for each meter. Any such wiring shall meet the Town's specifications.
- e) All remote reading devices shall be owned and maintained by the Town.
- f) If at any time there shall be a conflict between the reading recorded on a remote reading device and the main meter, the reading recorded by the main meter shall be deemed to be accurate.

**7.30 Construction Meters**

- a) For the purpose of providing temporary water services during construction, the Town may install a construction meter at the applicants expense.
- b) A construction meter on a residential project with four (4) or more dwelling units, or a commercial, industrial, or institutional project, may be issued for a six month period and renewed upon request and payment of the fees specified in the Utility Rate By-law.
- c) A construction meter for a residential project of less than 4 dwelling units may be issued for a period of 3 months and renewed upon request and payment of the fees specified in the Utility Rate By-law.
- d) The consumer shall ensure that the construction meter is changed to a permanent meter before a new building is occupied.

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SERVICES AND SERVICING

7.31 Plumbers and Plumbing Contractors

All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the Regulations and any applicable Town By-law.

7.32 Minimum Size of Service

The size of the service required for residential purposes shall be determined by the Regulations provided that the Town shall not install a water service pipe having a size smaller than 20 mm.

7.33 Depth of Service

Water service pipes shall be at least 2.3 metres below final ground level at the foundation of a building and at least 2.7 metres below ground level at the property line.

7.34 Fire Protection Service

- a) A combined service or fire line shall not be installed without the prior approval of the Director.
- b) A fire line shall be used only for fire protection purposes.
- c) If the Director shall determine that a meter should be affixed to a fire line, a meter shall be supplied and installed in a manner satisfactory to the Director at the consumer's expense.

7.35 Temporary Water Service

- a) If for any reason a temporary water service is required, the applicant shall pay to the Town in advance the cost of its construction and abandonment as estimated by the Director.
- b) Application for a temporary water service shall be made in accordance with Section 4.2.
- c) A meter shall be installed on a temporary water service at a location approved by the Director.

7.36 Discontinuation of Service

- a) No permit for the demolition or removal of a building shall be issued by the Town and neither shall any person cause, permit or allow to be demolished or removed, a building connected to a water main until application has been made to the Town for the Discontinuation of water service.
- b) If the potential for reuse of the water or water service exists, or for any other reason the Director deems acceptable, the water service may be temporarily disconnected at the property line by the Town at full cost invoiced to the owner. If a temporary discontinuation is allowed and thereafter, any reason the Director deems it necessary to do a service kill, a charge will be made to the consumer as specified in the Utility Rate By-law.

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- c) If, in the Director's opinion, a temporary disconnection is inappropriate, a service kill shall be performed at the water main at the owner's expense.

**7.37 Thawing Service**

- a) If, in the opinion of the Director, a private service or the plumbing system connected thereto is frozen, the cost of thawing shall be borne by the consumer.
- b) If a Town service is frozen and, in the opinion of the Director, such freezing is a result of a consumer's negligence, the cost of thawing by the Town shall be borne by such consumer. Otherwise, the cost of thawing shall be borne by the Town.
- c) The Town shall not thaw a private service or plumbing system unless the consumer shall have first signed an acknowledgement recognizing that thawing may be dangerous to persons or property and may cause damage to electrical systems or the outbreak of fire and waiving any claim against the Town for any bodily injury or property damage what so ever except damage caused by the negligence of the Town.
- d) No person shall thaw the private service electrically or by using electrical welding equipment without disconnecting the water meter and all electrical ground wires from the service.

**7.38 Boilers and the Like**

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

**7.39 Request for Shut Off and/or Turn On**

If a consumer requires the supply of water to be turned on and/or shut off for his own purposes, such consumer shall pay the charge specified in the Utility Rate By-law.

**7.40 Maintenance of the Water Service**

- a) The Town shall, at its expense, maintain the water service from the Town main up to the connection with the private service pipe, including the service valve.
- b) An owner shall, at the his/her expense, maintain the water service from the his/her building up to and including the connection with the Town service pipe and the Service Box.

**7.41 Protection of Service Boxes**

- a) Service Boxes to buildings shall at all times be protected from damage by the owner.



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- b) At all times during construction, the builder shall keep the service box exposed at final grade level and clearly marked with a blue wooden stake.
- c) If the service box is damaged or buried the owner shall, at his expense, repair or adjust the service box to Town Specifications.
- d) If the owner fails to comply with a Notice to repair the Service Box, the Town may proceed with the work and all costs of such work shall be applied to their account.

#### 7.42 Replacement of Service Boxes

If the installation of a water and sewer service or the repair of a water and sewer service necessitates excavation at the service box, the Town may require replacement of the service box by the person doing the installation or repairs. The owner will pay the cost of installing and replacing the service box.

#### 7.43 Verification of Water Service Pressure

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

### 8. PENALTIES

- 8.1 Where any Peace Officer or By-law Officer believes that any person has committed a breach of any of the sections of this by-law, he may serve upon such person a notice or tag as provided herein.
- 8.2 A notice or tag shall be in such form as provided for in the regulations pursuant to The Provincial Offences Procedures Act R.S.A. 1980 and service of any such notice or tag shall be sufficient if it is:
  - a) personally served; or
  - b) served by registered mail.
- 8.3 Upon the production of any such notice or tag within fourteen (14) days from the date of service of such notice or tag or such further time as the By-law Officer or Secretary Treasurer of the Town may allow, together with payment of the sum indicated to the Secretary Treasurer, an official receipt for such payment shall be issued and subject to the provisions of Subsection 8.4 and 8.5 of this Section, such payment shall be accepted in lieu of prosecution.
- 8.4 If the person upon whom any notice or tag is served fails to pay the sum indicated in the tag or notice within the time allowed, the provisions of subsections 8.6.a) shall apply.
- 8.5 Nothing contained in this section shall:
  - a) prevent any person from exercising his right to defend any charge of committing a breach of this by-law;

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- b) prevent any person from informing or laying a complaint against another person for committing a breach of this by-law; or
  - c) prevent any person from exercising any legal right such person may have to inform or lay a complaint against any other person whether such other person has made a payment under the provisions of this by-law or not, for breach of any other provisions of this by-law.
- 8.6
- a) If any person upon whom any such notice or tag is served fails to pay the voluntary payment penalty specified for that breach within the time limits specified, then any Peace Officer or the By-law Officer may serve such person with a summons in accordance with the Provincial Offences Procedures Act R.S.A. 1980 and upon a conviction or upon a guilty plea pursuant to such summons, the fine leviable by the Court shall be double the voluntary penalty specified, plus Court costs, if any.
  - b) Any fine imposed upon any person by the Court shall be paid by such person to the Town and the receipt provided by the Town for such payment shall be a discharge to such person.
  - c) If a person has been given an order to remedy any condition contrary to any part of this by-law and neglects or refuses to comply with such an order within the time specified, the same may be done by the Town at the expense of the person in default. All expenses incurred shall be in addition to and not a substitute for any fines or penalties to which the person may be subject pursuant to the provision of the by-law. On default of payment of these expenses, the Town may recover the expenses thereof with the costs, by action in a Court of Competent Jurisdiction or by distress upon and seizure of goods and chattels of the householder or proprietor or make such rates a charge against the property to which the rate was payable or by the same procedure as municipal taxes levied by the Town.
- 8.7 The voluntary penalties for infractions of Sections 6 and 7 of this by-law shall be, in addition to all costs incurred, as follows:
- |                               |            |
|-------------------------------|------------|
| First offence                 | \$250.00   |
| Second offence                | \$500.00   |
| Third and subsequent offences | \$1,000.00 |
- 8.8 The voluntary penalties for infractions of all other clauses of this by-law shall be, in addition to all costs incurred, as follows:
- |                               |          |
|-------------------------------|----------|
| First offence                 | \$25.00  |
| Second offence                | \$50.00  |
| Third and subsequent offences | \$100.00 |
- 8.9 The penalty for infractions of Sections 6.26 and 7.14 of this By-Law, where the applicant has failed to report the violation immediately to the Town, shall be, in addition to all costs incurred:
- a) in the case of an individual, liable to a fine of not more than \$5,000.00
  - b) in the case of a corporation, liable to a fine of not more than \$10,000.00

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9. CHARGES FOR WATER AND SEWER

The Council of the Town is hereby empowered and authorized to levy charges for supply of water and collection and treatment of wastewater on all owners and consumers who are served by the Town's water and sewer services, as herein provided under the Utility Rate By-law.

10. REPEAL

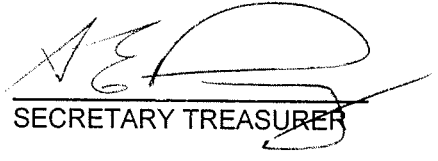
By-law #5-1975 and any amendments thereto are hereby repealed.

11. EFFECTIVE DATE

This by-law shall come into force and have effect upon the date of the third and final reading.

READ A FIRST TIME THIS 12 DAY OF MARCH, 1996

  
MAYOR

  
SECRETARY TREASURER

READ A SECOND TIME THIS 12 DAY OF MARCH, 1996

  
MAYOR

  
SECRETARY TREASURER

READ A THIRD TIME THIS 12 DAY OF MARCH, 1996

  
MAYOR

  
SECRETARY TREASURER

:nja  
April 09, 1996

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SCHEDULE "A"

CHARGES FOR WATER AND SEWER SERVICES

1.
  - a) The standard charge per month for each standard residential dwelling unit shall be as established in the Town Utility Rate By-law
  - b) The standard charge per month for each multi-family dwelling shall be as established in the Town Utility Rate By-law. Such charge is payable irrespective of whether any water or sewer is used.
  - c) The charges for water and sewer will be billed on a monthly basis and shall be included in the Town's monthly utility bill and applied to all utility customers. Such charge is payable irrespective of whether any water or sewer is used.
  - d) The charges for the infrastructure fund will be billed on a monthly basis and shall be included in the Town's monthly utility bill.
  - e) In the event of a change in possession of any household, commercial premises or institutional establishment during the course of a calendar month, the waste water and sewer charge shall be prorated between the current and new owner or consumer.
2.
  - a) The owner or consumer of any premises invoiced by the Town for water and sewer services according to the above charges shall be required to make full payment prior to the due date.
  - b) In the event that any charges are not paid by the due date, a penalty of six (6) percent shall be added and form part of the charges levied.
  - c) When a householder or proprietor makes a payment on the Town's monthly utility bill, such payment shall be applied:
    - i) first to any penalties levied by the Town against the householder or proprietor;
    - ii) second to the payment of charges for collection/disposal of waste;
    - iii) third to the payment of sewer service, and
    - iv) fourth, to the payment on the account of water consumption and service.
  - d) Any deposits paid by householders or proprietors or both with respect to utility charges shall be applied in the same order of priority as established by clause 2. c) above.
  - e) In default of payment of any water and sewer service charges by the Town, the Town may recover same by action in a Court of competent jurisdiction or by distress upon and seizure of goods and chattels of the owner or consumer or may make such rates a charge against the property to which the rate was payable, such rates are subject to the same penalties and are collectible by the same procedure as taxes levied by the Town.

In the event that a household, commercial premises or institutional establishment, shall be vacant for more than two (2) full calendar months, the respective householder or proprietor may make application to the Town's office of the Secretary Treasurer so as to terminate water and sewer services prior to the first day of the month of absence and resume services after the last day of the month of absence. In the event of making such application to terminate services, there shall be no charge for services for the period of absence.