

**TOWN OF SWAN HILLS**

**BYLAW NO. 2016-04**

**PROVINCE OF ALBERTA**

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**BEING A BYLAW TO REGULATE THE MAINTENANCE AND MANAGEMENT OF THE MUNICIPAL WATER SUPPLY AND DISTRIBUTION SYSTEM AND THE SANITARY SEWAGE COLLECTION AND DISPOSAL SYSTEM.**

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WHEREAS, The Town of Swan Hills operates a municipal water supply and distribution system and a sanitary sewage collection and disposal system and

WHEREAS, the Council of the Town of Swan Hills deems it necessary to legislate policies and procedures with regards to the use and control of said systems.

NOW THEREFORE, Under the authority and subject to the provisions of the Municipal Government Act, chapter M-26 of the revised Statutes of Alberta (2000) sections 35, 36, 37, 38, 39, 40, and 41 and amendments thereto, the Municipal Council of the Town of Swan Hills, in the Province of Alberta, duly assembled, enacts as follows:

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**PART ONE – TITLE**

1. This bylaw may be cited as the “Water, Wastewater Bylaw”

**PART TWO - APPLICATION OF BYLAW**

**2. RIGHT OF ENTRY – MAIN LINES**

- (1) The Town of Swan Hills may go onto any land for the purpose of constructing, repairing, or maintaining any main line or main line connections.
- (2) After the connections or repair are made the Town must restore the land as soon as practical.
- (3) If the Town does not restore the land and the land owner restores it the Town is liable to the owner for the restoration costs.

**3. SERVICE CONNECTIONS**

- (1) No persons, except authorized employees of the Town or those authorized by the Town, shall make any connections to the water and sewer main lines.
- (2) Any person installing a plumbing system that will be connected to the municipal water and sewer service connections must obtain the necessary permit from the Town before commencing any part of the work.
- (3) Any service installation connected to the municipal water and sewer service lines must be inspected by the Town of Swan Hills Utilities Department before the trench can be backfilled and if it is backfilled before the Town inspects it, the owner will have to excavate and expose the lines in order for the Town to inspect it. Inspections will be done during normal working hours only.
- (4) Service connection work must meet the approval of the Town of Swan Hills Utilities Department and a water meter must be installed before the water will be turned on.
- (5) Water will be turned on and off only by an authorized employee of the Town.
- (6) Once the service connections for both water and wastewater have been inspected, tested, and approved by the Town of Swan Hills, the maintenance of the service lines downstream of the water control valve (curb cock (cc) valve) becomes the responsibility of the property owner. The owner is responsible from the house or building to the curb cock for water and from the house to the main for wastewater unless the service is broken between the property line and the main caused by settlement of the road, if that is the case the town will repair that portion of the sewer line.
- (7) Each property owner is responsible for ensuring the curb cock is accessible by the Town. The property owner is also responsible to ensure the curb cock is not damaged or hindered by any activity on their property.
- (8) For the purpose of conducting sampling tests or inspecting, repairing, installing or replacing water meters upon any service line or connection within or outside of any house or building as is considered expedient, and official authorized by the municipality for the purpose shall have free access, at proper hours (between the hours of 8a.m. and 5p.m.) and upon reasonable notice given and request made, or in the case of the written authority of the Mayor given in respect of a special case, without notice , to all parts of every building or other premises in which water is delivered and consumed or that is serviced by a sewer.

#### **4. WATER LINE CROSS CONNECTION AND BACKFLOW PREVENTION**

- (1) No owner, consumer or other person shall connect, cause to be connected, or allow to remain connected to the Town's water system and piping, fixture, fitting, container or appliance, in a manner which, under any circumstances may allow water, wastewater, or any other liquid, chemical or substance to enter the Town's water system.**
- (2) If a condition is found to exist which is contrary to this bylaw, the Utilities Supervisor shall notify the Operations Director, or duly authorized person, who shall immediately carry or an inspection and who shall issue such orders to the owner, consumer, or other person as the case may be, as may be required to comply with the bylaw.**
- (3) If the owner, consumer, or other person to whom an order of compliance has been issued fails to comply with that order, the Director of Operations or a designated officer by him has authority to:**
  - a) Give notice to the owner, consumer, or other person to correct the fault at their expense within a specified time period and, if the notice is not complied with, or failure by the Director of Operations to gain entrance to inspect may then shut of the water service or in extreme cases may without prior notice, shut off the water service.**

#### **5. USE AND PRODUCTION OF THE WASTEWATER SYSTEM**

- (1) No persons shall permit to be discharged into any sewer, any liquid or solids which will prejudicially affect the wastewater system or the treatment of said discharges.**
- (2) No person shall throw, deposit or leave in or upon any Town sewers, any matter of substance which could affect or interfere with the free flow of wastewater, other than material for which the sewer is designed to handle.**
- (3) No person shall lift, remove, raise, or tamper with the cover or any manhole, ventilator or other part of any Town sewer, except authorized employees of the Town.**

## **6. INDUSTRIAL OR TRADE WASTES**

- (1) No waste or discharge resulting from any trade, industrial or manufacturing process, shall be directly discharged to any Town sewer without previous treatment as shall be presented and approved by the Town for each case.**
- (2) The necessary treatment works so prescribed shall be completely installed by the applicant, at their expense, prior to the construction of the wastewater line connection and thereafter shall be continuously maintained and operated by the applicant. Grease, oil, sand, or mud sumps or interceptors shall be provided and maintained by the owner, where in the opinion of the Director of Operations or his designate, they are necessary for the proper handling of liquid wastes containing grease, oil, sand, mud or other harmful and damaging substances.**
- (3) If damage occurs to a lift station pump or a main line becomes plugged because of improper treatment or maintenance of required treatment sumps and the damage causing material can be traced back to a property they could be liable for all costs incurred by the Town to repair or replace said pumps or clean out lines.**

## **7. PROHIBITIONS**

- (1) No person shall interrupt, hinder, or molest any person engaged under the authority of the municipality in making an examination for or in constructing, maintaining or repairing any public works connected on any land.**
- (2) Any person who maliciously lets off or discharges water so that it is wasted or useless or not being in the employment of the municipality and not being a member of the Fire Dept. and authorized in that behalf, wilfully opens or closes any hydrant, or obstructs the free access to any hydrant, stop cock, chamber pipe or hydrant chamber by placing on it any building materials, rubbish, or other obstruction, or Throws or deposits any injurious or offensive matter into the waterworks or upon the ice in case such water is frozen or in any way fouls the water or commits any wilful damage or injury to the water system or water is guilty of an offence.**
- (3) Any person who wilfully alters or tampers with any meter placed upon any service pipe or connected inside or remotely outside any house or building or other place so as to lessen or alter the amount of water, unless specially authorized by the municipality for that particular purpose, or lays or causes to be laid or attached any pipe or main or wire**

or rod to communicate with the meter or pipe of the public utility or in any way obtains or uses any water without the consent of the municipality, is guilty of an offence.

### **PART THREE - ENFORCEMENT**

#### **8. PENALTIES**

- (1) Any person who contravenes any provisions of this bylaw is guilty of an offence and liable upon summary conviction;**
  - a) For the first offence, to a specified penalty as set out in Schedule "A" attached hereto and forming part of this Bylaw;**
  - b) For the second offence, to a specified penalty of two times the original penalty as set out in Schedule "A" attached hereto and forming part of this Bylaw; or,**
  - c) For the third offence, to a specified penalty of three times the original penalty as set out in Schedule "A" attached hereto and forming part of this Bylaw; or,**
  - d) Where no specific penalty is specified, a penalty to be imposed in the discretion of the Court having jurisdiction.**

#### **9. MUNICIPAL VIOLATION TICKET**

- (1) A Bylaw Officer is hereby authorized and empowered to issue a Municipal Violation Ticket to any person who the Bylaw Officer has reasonable grounds to believe has contravened any provisions of this Bylaw.**
- (2) Where a Municipal Violation Ticket is issued pursuant to this Bylaw, the person whom the Municipal Violation Ticket is issued may, in lieu of being prosecuted for the offence, pay the Town of Swan Hills the penalty specified on the Municipal Violation Ticket.**

#### **10. VIOLATION TICKET**

- (1) If the penalty specified on the Municipal Violation Ticket is not paid within the prescribed time period then a Bylaw Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the Provincial Offences Procedure Act.**
- (2) Notwithstanding anything else in this Bylaw, a Bylaw Officer is hereby authorized and empowered to immediately issue a Violation Ticket pursuant to the Provincial Offences Procedure Act, as amended, to any person who the Bylaw Officer has reasonable grounds to believe has contravened any provision of this Bylaw.**

PART FOUR – LEGAL

11. SEVERABILITY

- (1) Should any provision of this Bylaw be invalid, then such invalid provision shall be severed and the remaining Bylaw shall be maintained.

12. REPEAL

- (1) Town of Swan Hills Bylaw No. 2012-06 is hereby repealed upon passing of this Bylaw.

13. EFFECTIVE DATE

- (1) This Bylaw shall come into effect upon passing of the third reading by the Council of the Town of Swan Hills.

READ a first time this 11th day of May, 2016

READ a second time this 11th day of May, 2016

READ a third and final time and passed this 11th day of May, 2016

  
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Mayor, Craig Wilson

  
\_\_\_\_\_  
CAO, Bill Lewis

**SCHEDULE "A"**

**BYLAW 2016-04**

**SPECIFIED PENALTIES**

<b>SECTION</b>	<b>OFFENCE</b>	<b>1st</b>	<b>2nd</b>	<b>3rd</b>
3(1)	Make an unauthorized connection.	\$500.00	\$1000.00	\$1500.00
3(2)	Fail to obtain necessary permit.	\$500.00	\$1000.00	\$1500.00
4(1)	Unauthorized connection-allow substance to enter water system.	\$500.00	\$1000.00	\$1500.00
5(1)	Unauthorized discharge into sewer system.	\$500.00	\$1000.00	\$1500.00
5(2)	Obstruction of the free flow of wastewater.	\$500.00	\$1000.00	\$1500.00
5(3)	Lift/remove/raise sewer or manhole cover without authorization.	\$500.00	\$1000.00	\$1500.00
6(1)	Unauthorized industrial, trade waste or discharge.	\$1000.00	\$2000.00	\$3000.00
7(1)	Interrupt/hinder/molest municipal authority.	\$500.00	\$1000.00	\$1500.00
7(2)	Maliciously discharge water.	\$500.00	\$1000.00	\$1500.00
7(2)	Unauthorized opening/closing of fire hydrant.	\$500.00	\$1000.00	\$1500.00
7(2)	Obstruct access to a municipal water utility.	\$500.00	\$1000.00	\$1500.00
7(2)	Throw or deposit injurious matter into water/onto ice.	\$500.00	\$1000.00	\$1500.00
7(3)	Alter or Tamper with a water meter.	\$1000.00	\$2000.00	\$3000.00
7(3)	Obtain or use water without consent.	\$1000.00	\$2000.00	\$3000.00