



Village of Delia - Province of Alberta

By-Law #651-2020 – Utility Service Bylaw

Being a bylaw of the Village of Delia, Alberta to provide for the control of the municipal water and sewer service.

WHEREAS the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000 as amended, is the authority for Council to pass bylaws for the control and management of Municipal Utility Services;

NOW THEREFORE the Council of the Village of Delia, duly assembled, enacts as follows:

Short Title

1) The short title of this Bylaw shall be the “Utility Service Bylaw”.

Definitions

2) In this Bylaw the following words shall be defined as:

- a) “Arrears” means the account balance which is unpaid after the due date shown on the invoice.
- b) “Billing Period” means a one (1) month period as set by the Village.
- c) “Business Day” shall mean every day of the week, Monday through Friday, excepting statutory holidays and other holidays as designated by the Village.
- d) “Customer” means the person who takes the delivery of the water at its place of consumption or who utilizes the sewer service and who has authorized the provision of the services in writing to the Village.
- e) “Chief Administrative Officer” means the Chief Administrative Officer as appointed by Council or his/her designate.
- f) “Council” means the Council of the Village of Delia.
- g) “Municipal Utility Service” means the service provided by the Village of Delia from its municipal water or sewer system.
- h) “Owner” means the Registered Owner of a parcel of land.
- i) “Service Connections” means the part of the Utility that runs from the main line of the Utility to a building or other place on a parcel of land (as described in Section 29 of the Municipal Government Act) for the purpose of providing the Utility service to the parcel or building and includes pipes or wires which:
 - run up to the building;
 - are located within the exterior walls of the building;
 - run from the exterior walls to couplings, stop-cocks, meters and other apparatus placed inside the building by the municipality; and
 - those couplings, stop-cocks, meters and other apparatus.

j) "System" means the system or works constructed by the Village of Delia Municipal Utility Services.

k) "Tenant" means a person who rents or leases a property from an "Owner".

l) "Village" means the Village of Delia or its duly authorized representatives.

Conditions

3) The Owner is responsible for all costs related to the construction and installation of any Service Connection. An application, in the form of Schedule "A" as attached, must be made prior to the commencement of any new Service Connection.

4) The Owner is responsible for all costs associated with the repair and maintenance of the Service Connection. Where excavation is necessary for the repair and maintenance of a Service Connection, no work shall be commenced by an Owner without written approval of the Village.

5) The Village will be responsible for the costs of maintenance and repair to the Service Connection, only if the repair is required because of faulty workmanship or construction or blockage caused by freezing.

6) The Village may construct, maintain or repair a Service Connection and the Village may enter any land or building for that purpose. Any costs incurred by the Village for such construction, maintenance or repair shall be the responsibility of the Owner.

7) Every Owner who wishes to receive the Municipal Utility Service shall pay the service charges and fees and other charges as set out in the attached Schedule "B".

8) The Owner may make application to have the utility bill paid by the Tenant by completing the form attached as Schedule "C".

9) Any property owner that has a service connection is responsible for all service charges, fees and other charges as outlined in the fees and rates schedule as attached to this bylaw. Upon the request of the customer and subject to the payment of any applicable charge, the Village may temporarily shut-off the water supply to a property at the curb stop for the customer's convenience. A temporary shut-off of the water supply to the property does not relieve the customer from their obligation to pay any applicable fees or charges associated with having a service connection and being physically connected to the water system, regardless of consumption. Upon the request of the customer to restore services to the property, the customer shall pay any applicable charge.

10) The Owner is responsible to provide free and reasonable access to the property for the purpose of reading, installation, inspection, removal, replacement and repair of meters.

11) Where it is necessary for the Village to construct or repair any portion of the Municipal Utility Service the Village, may, without notice to the Customer, interrupt the Municipal Utility Service for as long as is necessary, and the Village shall not be held liable or responsible for any damages or claims arising from service interruption.

12) The Council may at any time, by resolution, limit or restrict the use of water by customers for the watering of lawns, garden plots or other areas, or for any other use, for such time as Council may deem advisable.

13) Only water and waste water shall be discharged into the Sanitary Sewer System. The discharge of any flammable, explosive or other such material into the Sanitary Sewer System is prohibited.

14) For the purposes of conducting sampling tests or inspecting, repairing, placing or removing meters on any Service Connection inside or outside any house or building the Village shall have a right of entry to any parcel or building:

- upon Reasonable Notice given to the Customer or
- upon written authority of the Mayor given in respect of a special case or emergency.

15) The service charge to the Customer for Municipal Utility Service, a late charge penalty for Arrears and other fees for the Municipal Utility Service are set as in the attached Schedule "B".

16) An account shall be deemed to be in Arrears if it is not paid by the last business day of the month.

17) When an account is in Arrears the Village may, upon giving not less than seven days notice, shut off the supply of Water to any Customer.

Repeal

18) Bylaw #641-2019 and all amendments thereto are hereby repealed.

In Force

19) This bylaw shall come into full force and effect on the day that it is finally passed by Council by giving it third and final reading and it is signed in accordance with the MGA.

READ A FIRST TIME THIS _____ DAY OF _____, 2020.

Mayor David Sisley

Chief Administrative Officer
Mark Nikota

READ A SECOND TIME THIS _____ DAY OF _____, 2020.

READ A THIRD TIME AND FINALLY PASSED THIS _____ DAY OF _____, 2020.

Mayor David Sisley

Chief Administrative Officer
Mark Nikota