

**BY-LAW NO. 20-23**  
**TOWN OF FALHER**

A BYLAW OF THE TOWN OF FALHER IN THE PROVINCE OF ALBERTA PROVIDING FOR THE ESTABLISHMENT OF WATER RATES AND FOR THE LEVYING AND COLLECTION THEREOF AND REGULATING AND CONTROLLING THE USE OF WATER FROM THE WATER SUPPLY AND DISTRIBUTION SYSTEM.

**WHEREAS** the Municipal Council of the Town of Falher deems it necessary to make provisions for the establishment of water rates or charges for water supplied from the water supply and distribution system of the Town of Falher to meet the costs of maintaining and operating the said system; and

**WHEREAS** the Municipal Government Act, R.S.A. 2000, Chapter M-26, the Council of the Town of Falher, in the Province of Alberta, authorizes Council to pass bylaws for municipal purposes respecting public utilities;

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

1. THAT all water services connected to the municipal water distribution system shall be metered.
2. THAT all new accounts require a minimum of 2 business day notification prior to opening.
3. THAT all water services are for the sole use of the landowner or user, and are not for resale purposes, unless by resolution of Council, with the exception of retreated water or the town owned truck-fill.
4. THAT invoices sent will be mailed or emailed to the required persons. Standard procedure will be to mail invoices until permission is obtained from necessary parties in order to email invoices. Recipients can choose between mailed or emailed invoices, however they cannot choose both methods.
5. THAT when a property owner rents or leases a premise to which the Town provides utility services, all new utility accounts shall be in the name of both the property owner and renter. Invoices will be sent to both if requested.
6. THAT all owners, tenants or occupants of any building wherein a water service is installed shall provide a valve of approved pattern immediately inside the outer wall of the said building and shall give access to every facility for the introducing, placing, inspecting and reading of such meter and shall protect it from interference or damage from frost or otherwise.
7. THAT all property owners must allow the Town or the Town's duly authorized agent to have the right to enter upon the owner's premises to install the said water meter, and/or to read the water meter when required.
8. THAT any fittings, other than those supplied with the meters, required for the connection of a service and any repairs to the meter caused by frost or otherwise, shall be borne by the owner, tenant or occupant of the building.
9. THAT all water meters supplied by the municipal water system are to be read on the last business day of every month, and billed accordingly.
10. THAT the water rate charged, on a monthly basis, shall be reviewed and set annually by resolution of Council.
11. THE minimum charges applicable to new accounts and closing accounts, excluding temporary closures, shall be prorated according to the days of occupancy in any given billing period.
12. A HOMEOWNER or occupant requesting closure of a water account for less than six (6) months shall be subject to a closing fee of \$155.00. An additional charge of \$50.00 will be applied for curbside closure. Consideration will be given to Landlords requesting a 72 hour water service.

13. THAT service is to be disconnected to any consumer whose water bill remains unpaid for sixty (60) days from the date of billing.
14. THAT failure to receive a utility invoice is not considered sufficient reason for non-payment of the account.
15. THAT if service is to be discontinued on account of non-payment of a water bill, a charge of \$100.00 shall be made before the service is re-opened.
16. THAT if a water meter or water meter seal is broken or tampered with without the permission of the Town of Falher, a fine of \$200.00 shall be charged to the consumer. Should the tampered meter cause a reading of zero (0) m<sup>3</sup>, the consumer will also be charged for four (4) m<sup>3</sup> of water for each month that they illegally obtained a reading of zero (0).
17. THAT every consumer for whom a water utility account has not been opened at the time of the passing of this bylaw shall pay to the Town of Falher a utility account fee/deposit in the amount of \$200.00. The said fee/deposit, upon the discontinuance of water services to the premises, shall be applied to the final utility account.
18. THAT no water is to be supplied to any consumer for whom a water utility account has not been opened by the receipt of the utility account fee/deposit as required under Section 16.
19. THAT in as much as the Town's utility bill is a composite bill for all municipal utilities and services, any payment shall be credited firstly in payment of the water service and secondly in payment of the sewer services.
20. THAT all water which passes through the water meter and is recorded thereon is to be charged as water consumed by the person responsible for the account unless otherwise directed by resolution of Council.
21. THAT where there is a malfunctioning meter, water consumption will be charged on an estimated consumption basis. Consumption will be based on the average consumption for the previous three meter readings.

#### TESTING METERS:

21. IF ANY consumer disputes the accuracy of the consumption of water registered by the meter, they may, by paying a fee based on the current testing rate to the Town of Falher, have the meter tested. If on being tested, the meter is found to be correct, the account in dispute must be paid forthwith and the fee paid is forfeited to the Town. If the meter is found to be incorrect, the fee shall be refunded and account adjusted to the basis of the average consumption of the premises for the previous six reading, if available.

#### LEAKY AND FAULTY FIXTURES:

22. IN THE case of leaky or faulty fixtures, the owner shall have no claim against the Town for loss of water service. The Town, at their discretion, may provide data to the consumer, should a leak be detected.

#### REPAIRS TO SERVICE LINE:

23. THAT when a water line is discovered to be damaged or broken, the following will apply:
  - a) Pursuant to section 35(2) of the Municipal Government Act, the municipality is responsible for the construction, maintenance and repair of the portion of the service connection from the main lines of the system or works to the boundary of the road or easement.

- b) Pursuant to section 37(1) of Municipal Government Act, the owner of a parcel of land is responsible for the construction, maintenance and repair of a service connection of a municipal public utility located above, on or underneath the parcel.

## FAILURE OF WATER SUPPLY:

24. THE TOWN shall not be liable for any damage which may result to any person or premises from shutting off the water from any water main or service or for any purpose whatsoever even in cases where no notice is given, and no deduction shall be made from water bills in consequence.

## DISCONTINUING WATER SERVICE:

25. THAT any owner wanting to discontinue the water service must give not less than two (2) business days notice to the Town of their intention or desire to discontinue the service, otherwise they shall be liable for the rates or charges arising from the use of the service.

## BACKFILLING SERVICE TRENCH:

26. THAT no trench either public or private in which has been laid any pipe leading to the main system shall be backfilled until the pipe or work has been tested and approved. The Town of Falher's Director of Public Works shall be notified when the work is ready for inspection and such work shall be left uncovered until such time as it has been inspected.

## WATER TRUCKFILL:

27. THAT every consumer for whom a water truckfill account has not been opened at the time of the passing of this bylaw shall pay to the Town of Falher a utility account fee/deposit in the amount of \$200.00. The said fee/deposit, shall be applied to the final utility account.
28. A FEE equal to the current rate of replacement of the locking system shall be charged on all unreturned keys.
29. AN ACCOUNT with a usage of less than 15 cubic meters in a 12 month period, shall be classified as dormant and the account will be closed. The deposit will be retained until key(s) are returned. Failure to return the keys within 1 month of closure shall forfeit the deposit.

## UNPAID ACCOUNTS:

30. AN interest charge of 1.5% per month shall be imposed on any utility account that remains unpaid after the due date of the 25<sup>th</sup> of the month.
31. ANY unpaid water rates or charges provided for under this Bylaw shall, when in default, constitute a lien upon the owners property and shall be subject to the same penalties and collectable in the manner as taxes levied by the Town.

## ENACTMENT

32. Bylaw No. 12-09 is hereby repealed.
33. This bylaw shall come into force and effect when it receives third reading and is duly signed.

READ a first time this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

READ a second time this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

READ a third time and finally passed this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
MUNICIPAL ADMINISTRATOR