

A bylaw of the Town of Sedgewick, in the Province of Alberta to authorize the Municipal council to operate and levy general rates for the supply of public utilities and services provided by the municipality.

WHEREAS under the provisions of the Municipal Government Act, being Chapter M-26, S.A. 1994 and amendments thereto, the Council has been granted the authority to pass bylaws for municipal purposes respecting public utilities and services provided by, or on behalf of the municipality, and,

WHEREAS the Town of Sedgewick provides for a water supply and distribution system, a sanitary sewage collection and disposal system, a natural gas system and a waste disposal service, and;

WHEREAS it is necessary to make a charge against the property owners for whose convenience the said utilities and services have been provided;

NOW THEREFORE the Municipal Council of the Town of Sedgewick duly assembled **ENACTS AS FOLLOWS:**

1. Any property owner or owners requiring services must make application for those services at the town office.
2. A charge shall be made for the use of the water supply and distribution system, sanitary sewage collection and disposal system, and natural gas system and for the provision of waste disposal services, pursuant to the Municipal Fees & Charges Bylaw as amended from time to time.
3. No utility account shall be set up for an occupant of a parcel of land who is not the owner for the use of the water supply and distribution system, sanitary sewer collection and disposal system, natural gas system or for the provision of waste disposal services upon the final passing of this bylaw.
4. Within six (6) months upon the passing of this bylaw, prepayments held in trust with the Town of Sedgewick shall be refunded to the tenant, except for utility amounts owing, and the account shall revert to the property owner's name.
5. If in any case, money deposited with the Town by any person, firm or corporation for the purposes of water, sanitary sewage, natural gas, waste disposal, or other utilities remains unclaimed for a period of 2 years after the account of the person, firm or corporation so prepaying has been discontinued, and after this Bylaw receives final reading, the amount of the prepayment shall be transferred to the general revenue account of the Town.
6. The owner of a property may request a copy of the invoice be mailed to the tenant, however the property owner will receive the original invoice.
7. The Rates hereby imposed shall be payable by the property owner on or before the date which will be set out on the notice mailed or delivered to the property owner each month. If a property owner is in default of payment of the said rates after the date named, the Town shall have the right to disconnect the natural gas and water supply to said property, or shall have the right to enforce payment of the said rates by transfer of the municipal services to the owner's tax account.
8. Invoices shall be due 10 days after the date of mailing. In the event that utility/service charges remain unpaid after 16 days following the date on which the bill was due and payable, there shall be added thereto by way of a penalty, an amount which shall be 2% of the then unpaid utility/service bill. The said penalty shall be added to and shall form part of the unpaid utility bill. A further penalty will be applied on unpaid accounts after 30 days at 3.9% and the service may be discontinued at the discretion of the supplier.
9. All users of municipal water services must allow the Town to install a water meter in a convenient place on the owner's premises and the Town or its' duly authorized agent(s) shall have the right to enter upon the owner's premises at periodic intervals to inspect the said meter and determine the amount of water used.
10. The water meters at all times remain the property of the Town of Sedgewick and shall not be tampered with or interfered with at any time by the user or those under his control. Any damage to the said meter shall be paid for by the property owner using the water services on the basis of costs of parts and labor required plus a twenty-five (\$25) service charge.

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11. No person, other than the Public Works Operators or their duly authorized agent(s) shall turn off or on the water supply from the Town supply system to the owner's premises or attempt to do so.
 12. The cost of connecting an owner's services to the Town at the property line of the owner shall be borne by the owner, but no such connection shall be made without notice to the Town of Sedgewick nor until such time as the proper inspections have been made to ensure compliance with both Town and Provincial standards.
 13. No subscriber of a Town utility system/service shall by gift or otherwise discharge any of the services of the said systems for use outside the property for which the services are rendered.

14. If a person, firm or corporation:

- a) willfully or maliciously hinders or interrupts or causes or procures to be hindered or interrupt the Town or its contractors, servants, agents, workman or any of them in the exercise of any of their powers and authorities related to public utilities by or contained in the Municipal Government Act;
- b) not being in the employment of the Town and not being a member of the fire department and authorized in that behalf, willfully 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 material, rubbish or other obstruction;
- c) throws or deposits any injurious, noisome or offensive matter into the water or water works or on the ice in case that water is frozen or in any way fouls the water or commits any willful damage or injury to the works, pipes or encourages it to be done;
- d) throws or deposits any injurious, noisome or offensive matter into the sanitary sewer system which in any way adversely affects the operation of the municipality's lagoon;
- e) willfully alters a meter placed on any service pipe or connected with it inside or outside any house, building or other place so as to lessen or later the amount of water registered by it, unless specifically authorized by the municipality for that particular purpose or occasion;
- f) lays or causes to be laid or attached any pipe or main or wire rod to communicate with any pipe or main or wire or rod of the public utility or in anyway obtains or uses any water thereof without the consent of the Town;
- g) willfully and without authority, enters, interrupts or cuts off the supply of public utilities;

is guilty of an offence and liable to a fine of not more than \$10,000.

15. The fee payable to the Town for discontinuation of a service upon the request of a person, firm or corporation shall be the basic monthly maintenance fee per the Fees Bylaw.

16. Any service, which is discontinued:

- a) upon request of a person, firm or corporation, or
- b) for reason of non-payment

shall pay a service charge of \$25 per utility in addition to those as set out in paragraphs 3 and 15 above before services are re-instated.

17. Any charges provided for under this bylaw shall constitute debts recoverable by actions in accordance with the Municipal Government Act.

18. Upon request by an owner of a property utilizing Town services, the Town may calculate an equal monthly payment amount for 11 months and provide an adjustment in month twelve (12). Notwithstanding the forgoing, an adjustment may be calculated at any time if the account balance at the end of any payment period is demonstrated to be inconsistent with the monthly payment amounts. Initiation of the equal monthly payment amount is only permitted on fully paid accounts. Providing the calculated equal monthly payments are maintained, an owner shall be exempt from the penalty

**TOWN OF SEDGEWICK
UTILITY BYLAW**

BYLAW 422

provisions of paragraph 8. Upon 2 month's payment arrears on the equal payment plan, an owner shall be exempted from the provisions of Section 18 and shall be liable for all fees and penalties applicable in paragraphs 7, 8, 15 and 16.

19. Bylaw Number 411/00 is hereby repealed.

20. This bylaw shall take effect on the day of the final passing thereof.

READ A FIRST TIME THIS 19TH DAY OF FEBRUARY, 2004 A.D.

READ A SECOND TIME THIS 19TH DAY OF FEBRUARY, 2004 A.D.

READ A THIRD TIME BY UNANIMOUS CONSENT OF COUNCIL AND FINALLY PASSED THIS 19TH DAY OF FEBRUARY, 2004 A.D.

MAYOR DAVID WYLIE

THELMA ROGERS, CAO