

*Amended
by 2006-747*

**BYLAW #2005-743
OF THE
VILLAGE OF CARBON,
IN THE
PROVINCE OF ALBERTA**

A By-law of the Village of Carbon in the Province of Alberta to regulate the supply and distribution of water, regulate the sanitary sewage collection system and waste collection system and provide for the setting and collection of rates thereof and fixing the time and the places where rates are payable, as provided in the Municipal Government Act, Revised Statutes of Alberta, 2000, Chapter M-26 and all amendments thereto.

WHEREAS the Village of Carbon has installed a water supply and distribution system, a sewage collection and disposal system, and contract waste collection service for the said Village.

WHEREAS it is necessary to regulate the usage of waterworks, sewer services, waste collection and make a charge against the property owners for whose convenience the said system has been provided.

NOW THEREFORE the Village of Carbon in Council assembled hereby enacts as follows:

Section I – Waterworks

1. A charge shall be made for the use of water supply and distribution system against the owners or non-profit operating agency, of all land which is served by the said system in the Village of Carbon according to the rates hereinafter set from time to time by resolution in Council as set out in **Schedule A** on the basis of water used and total system cost recovery, and minimum amounts of water.
2. All users of water service must allow the Village to install a water meter in a convenient place on the owner's premises. The Village will provide 5/8" meters to all consumers. All meters shall be located on the consumer's side of the approved shut off valve. Those consumers requiring a larger meter will be charged for the difference in price between the 5/8" and the larger meter. The Village or its' duly authorized agent 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 usage.
3. The water meters shall at all times remain the property of the Village of Carbon and shall not be tampered with or interfered with at any time by the user or those under his control. Protection from freezing after installation is the responsibility of the homeowner. Any damage to the said meter shall be born by the homeowner on the basis of costs of parts required plus labour charge.
4. If a water meter has failed to register accurately since the last reading, the water rate for the said period shall be adjusted and charged on the basis of the average charge of water supplied to the said premises during the preceding two (2) meter reading periods.
5. A charge as set out in **Schedule A** or as revised by resolution in Council will be made for turning off the water service and also for turning on the water service after the initial installation, specifically when such turning off or on is done at the request of the user or by reason of default of the owner in paying for the services so rendered;

6. No person other than the Village Foreman or his duly authorized agent shall turn off or turn on the water supply from the Village supply system to the owner's premises or attempt to do so. The Village hereby reserves the right to shut off the water without notice to the consumer for any lawful reason. It is hereby declared that no person shall have any claim for compensation or damages as the result of the Village shutting off the water without notice or from the failure of the water supply from any cause whatsoever.
7. Except as hereinafter provided, no persons other than authorized personnel shall open or close or operate or interfere with any valve, hydrant or fire plug, or draw water there from. The Chief of the Carbon Fire Department, his assistants and officer, and members of that department, are authorized to use the hydrants or fire plugs for the purpose of extinguishing fires, or for making trial of hose pipe, or for fire protection, but all such use shall be under the supervision of the said Chief or his duly authorized assistants, and in no event shall any inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant or plug. No person shall in any manner obstruct the free access to hydrant or valve or stop cock. No vehicle, building, rubbish, or any other matter which would cause such obstruction shall be placed nearer to a hydrant than the property line of the street in which the hydrant is located, not within twenty (20) feet or 6.1 meters, of the hydrant in a direction parallel with the said property line.

SECTION II – Sewage

8. A charge shall be made for the use of the sewage collection and disposal system against the owners of all land which is served directly or indirectly by a connection with the sewage system in the Village of Carbon, based on the purpose for which such land is used and according to the rates hereinafter set from time to time by resolution in Council (Schedule A attached), on the basis of total system cost recovery;

SECTION III – Service Connections, Repairs and Obstructions

9. All water service pipes laid in private property, between the property line and the water meter, shall be of an approved material. No connection may be made to the water service pipe between the property line and the meter.
10. The cost of connecting up an owner's sewage system with the Village sewer mains at the property line of the owner and the owner's water system to the curb stop shall be borne by the owner. No such connection shall be made without notice to the Village of Carbon and until such time as the proper inspections have been made to ensure compliance with Village standards and Provincial plumbing standards. In the event that mains are required in order to provide services for the applicant, the applicant will be required to pay the cost of the said mains unless otherwise specified by Council.
11. The owner is responsible for repairs or replacement of sewage lines within his property and to the water system curb stop. The Village is responsible for repairs or replacement of lines if damage outside the owner's property line or beyond the water curb stop.
12. No person shall interfere with, damage or make inaccessible any curb stop due to the construction of walks, driveways, or in any other way. If it is required to make any repairs or construction changes due to inaccessibility or damage to a curb stop, the owners of the property serviced by said curb stop shall be required to assume all costs involved.
13. Obstructions occurring in the service lines to owners are the responsibility of the owner from their residence or business to the main line and any cost incurred in the removal of an obstruction is their responsibility. Obstructions

occurring in the main line of the sewer and which an owner incurs expense in trying to remove the obstruction through his service line, the expense may be the responsibility of the Village.

SECTION IV – Waste Collection

14. The Village will supply once weekly waste collection service to each residence and or business. The day of waste collection will be designated by the contractor. With the exception of one designated week in May for annual cleanup, residents of the Village are not allowed direct access to the Carbon Transfer Station. Only authorized personnel of the Village of Carbon, Kneehill County or Drumheller and District Solid Waste Management are allowed access to the Carbon Transfer Station.
15. Garbage shall be prepared for collection as follows:
 - drained, securely wrapped and placed in an animal proof container. Items not fitting in bags shall be tied in bundles no longer or wider than four feet. Weight of bag, box or bundle shall not exceed fifty (50) pounds.
 - Bags, cans, containers or bundles shall be in lane or in front of property on designated day.
 - Contractor shall not be required to collect any garbage not properly prepared and set out.
16. Materials that are not acceptable for weekly collection include but are not limited to large pieces of wood walls, doors, construction materials, large pieces of metal, car parts, appliances, heavy steel, paint, oil, toxic chemicals, out dated drugs, bio-medical waste, sharps, syringes, empty pharmaceutical bottles, tires, propane tanks. The resident at the resident's expense must transfer these prohibited materials to the Drumheller Landfill site.

SECTION V – Collection of Utility Accounts

17. Each property owner shall sign an agreement to pay the municipal services provided to their property whether the property is their personal residence or a rental property as per agreement attached to this By-law as **Schedule B**. No municipal services shall be provided to properties until an agreement has been entered into and signed.
18. Bi-monthly, the Village shall cause to be mailed or delivered to each owner of property where utility services are supplied, a statement showing the amount of water used during the previous month(s) and the charge for same calculated by the rates set out in **Schedule A** or set hereafter by resolution in Council; a charge for sewer service and waste collection as set out in **Schedule A** or set hereafter by resolution in Council. The statement shall name a day and the places when and where such charge is to be payable, and the record of the Village of the mailing of such notice shall be sufficient evidence the notice was sent to the last known address of the person to be charged, provide the failure to receive such notice does not relieve the person to be charged from the penalties hereby imposed;
19. As set out in **Schedule A** and **C**, the rates hereby imposed shall be payable bi-monthly by the owner on or before the 31st of the month following the services rendered. In default of payment of the said rates after the day named, there shall be added thereto by way of a penalty an amount which shall be five (5) percent or a minimum of \$3.00 of the then unpaid current utility bill. The said penalty shall be added to and shall form part of the unpaid utility bill. In the event the utility invoice remains outstanding for an additional 60 days, the Village shall have the right to disconnect the water supply to such owner or shall have the right to enforce payment of the said rates by transfer of the municipal utility service to the owner's tax account.

SECTION VI – Restrictions

20. When an emergency in the water supply occurs, the Village may restrict the use of water from the Village supply system. When said restrictions are in effect, no persons shall water any lawns, gardens, streets or grounds or use a hose or similar device to wash vehicles or the exterior of houses or other buildings during such times that may be fixed by an authorized person of the Village, provided that notice of the times during which the use of water for the purpose specified herein is prohibited shall be given to the public in an announcement in the local newspaper and/or by mailing notices. The authorized person of the Village in fixing restrictions on the use of water for the purpose set out in this section may vary the hours and days of use for differing portions of the Village or may attach such other conditions as they deem necessary. Any person failing to obey the preceding regulations will be given one written notice of warning to discontinue violation of the regulations. If the person fails to obey the written notice the Village shall have the right to discontinue water service to the said person.

21. No person utilizing a water service connection or water supply from the water utility service provided by the Village shall sell or dispose of water from that supply unless prior approval is obtained from the village.

SECTION VI – Other

22. Any person contravening the provisions of the By-law shall on summary conviction is liable to the penalties imposed by By-law No. 16 of the Village of Carbon, being a By-law providing for the enforcement of By-laws of the said Village.

Bylaws 2000-722 is hereby rescinded.

Read a first time this 10th day of January, 2005



Mayor



Municipal Administrator

Read a second time this 10th day of January, 2005



Mayor

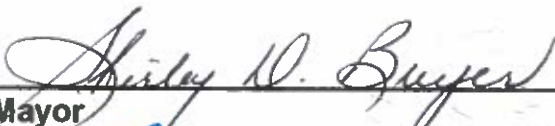


Municipal Administrator


Motion to proceed to third reading

CARRIED UNANIMOUSLY

Read a third and final time this 10th day of January, 2005



Mayor



Municipal Administrator

Bylaw 2005-743
Schedule B
Utility Service Agreement

Between
VILLAGE OF CARBON
(hereinafter referred to as "the Village")
OF THE FIRST PART
And

(hereinafter referred to as "the Owner")
OF THE SECOND PART

WHEREAS, the Owner is the registered owner of the lands and premises legally

Described as: _____

Civic address: _____
(hereinafter referred to as "the said property")

AND WHEREAS, the Village owns and operates water, sewer and waste collection municipal utility system; (hereinafter referred to as "the municipal service")

AND WHEREAS, the Owner is desirous of the Village supplying the municipal services to the said property;

AND WHEREAS, the Owner occupies, rents, leases or otherwise permits the said property to be occupied or used by other people or organizations;

NOW THEN THIS AGREEMENT IS WITNESS THAT in consideration of the mutual covenant and conditions, the parties agree as follows:

1. The Village hereby agrees to provide municipal services to the said property in accordance with the rates and conditions as set out in the Village of Carbon By-law 2005-743 and amendments by resolution in Council thereto.
2. The Village shall cause to be mailed to the owner, bi-monthly, an invoice of the prior two months utility service charges.
3. For the purpose of this agreement, the invoice shall be considered outstanding if unpaid for 31 (thirty-one) days or more from the date of the invoice.
4. The Owner acknowledges being aware that pursuant to the Municipal Government Act, Revised Statutes of Alberta, 2000, Section 553, the Village is empowered in the event of non-payment, to collect the debt in the same manner as taxes levied by the Village.
5. This agreement shall ensure to the benefit of and be binding upon the village, the Owner, their successors, assigns, and the Owners heirs, executors and administrators.

IN WITNESS WHEREOF, the Village has placed its' seal under the signature of its' proper officers and the Owner has set his hand and seal on the _____ day of

_____, _____.

VILLAGE OF CARBON

Per _____

Witness

Owner

FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY STATEMENT

This personal information is being collected under the authority of the Freedom of Information and Protection of Privacy Act (Section 32c) and will be used for utility services billing and collection. The information collected is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act. If you have any questions about the collection, please contact:

The Village of Carbon
Municipal Administrator
Box 249
Carbon, AB
Phone: (403) 572-3244

By-law 2005-743 Attachment Schedule A

Now therefore, the rates for being supplied with water, sewer, and waste collection may be revised by resolution of Council. As at the passing of this bylaw, the rates effective **July 1, 2004** ****January 1, 2009**, are as follows:

Water Rates:

- a) *for the first five thousand gallons (5000) or the metric equivalent of twenty two point seventy three (22.73) cubic meters or less of water consumed, the rate of charge shall be:

**Sixty Dollars (\$68.20) bi-monthly;

- b) *for use over five thousand gallons (5000) or the metric equivalent of twenty two point seventy three (22.73) cubic meters, the rate of charge shall be:

**Thirteen Dollars and sixty four cents (\$13.64) per one thousand gallons (1000) or the metric equivalent of (\$3.00) per cubic meter

Sewer Rates:

a)	*Single Residence	31.00 bi-monthly
b)	*Churches/Halls	39.50 bi-monthly
c)	*Commercial Businesses	39.50 bi-monthly
d)	*Commercial with wash bays/laundry	49.25 bi-monthly
e)	*Hotels	180.00 bi-monthly
f)	*Schools	212.25 bi-monthly
g)	*Apartments/Lodges	31.00 bi-monthly
h)	*Any other not specified	31.00 bi-monthly

Waste Collection Rates:

a)	*All	18.50 bi-monthly
----	------	------------------

Other:

Disconnect water service	20.00
Connect water service	20.00

* Amended by Council Resolution M2006-97.

** Amended by Council Resolution M2008-300.

By-law 2005-743 Attachment Schedule A

Now therefore, the rates for being supplied with water sewer, and waste collection may be revised by resolution of Council. As at the passing of this bylaw, the rates **effective July 1, 2004**, are as follows:

Water Rates:

- a) for the first eight thousand gallons (8000) or the metric equivalent of thirty-six point thirty-six (36.36) cubic meters or less of water consumed, the rate of charge shall be:

Sixty Dollars (\$60.00) bi-monthly;

- b) for use over eight thousand gallons (8000) or the metric equivalent of thirty-six point thirty-six (36.36) cubic meters, the rate of charge shall be:

Seven Dollars and fifty cents (\$7.50) per one thousand gallons (1000) or one dollar and sixty-five cents (\$1.65) per cubic meter

Sewer Rates:

a) Single Residence	30.00 bi-monthly
b) Churches/Halls	38.25 bi-monthly
c) Commercial Businesses	38.25 bi-monthly
d) Commercial with wash bays/laundry	47.75 bi-monthly
e) Hotels	175.00 bi-monthly
f) Schools	206.00 bi-monthly
g) Apartments/Lodges	30.00 bi-monthly
h) Any other not specified	30.00 bi-monthly

Waste Collection Rates:

a) All	18.00 bi-monthly
--------	------------------

Other:

Disconnect water service	20.00
Connect water service	20.00

*Amended
2006-747
& Policy 2006.*

Bylaw 2005-743
Schedule C
Billing, Collection and Transfer to Taxes Schedule

Billing Date	Collection Due Date	Transfer to Taxes
January-February	March 31	May 31
March-April	May 31	July 31
May-June	July 31	September 30
July-August	September 30	November 30
September-October	November 30	January 31
November-December	January 31	March 31