

CONSOLIDATION OF A BYLAW OF THE CITY OF LETHBRIDGE  
TO PROVIDE FOR THE REGULATION OF  
THE WATER WORKS SYSTEM AND TO  
ESTABLISH A TARIFF FOR WATER RATES

\*\*\*\*\*

B/L 3999                    WHEREAS it is expedient to make provisions for management and control  
11/19/84                    of the water works system of the City of Lethbridge and to establish a tariff of water  
                                 rates and charges;

NOW THEREFORE THE COUNCIL OF THE CITY OF LETHBRIDGE, DULY ASSEMBLED,  
ENACTS AS FOLLOWS:

1.        This Bylaw may be cited as the “Water Service Bylaw” of the City of Lethbridge. Where the terms of this Bylaw conflict with the provisions of any other Bylaw of the City of Lethbridge, this Bylaw shall prevail.

DEFINITIONS

2.        In this Bylaw unless the context otherwise requires:

- B/L 5349    (a)    “Account” means an agreement between the Applicant and the City of  
1/1/06                    Lethbridge for the provision of Utilities.
- (b)    “Application” shall mean the application made by an Applicant to the City for the  
                                 supply of Utilities.
- (c)    “Applicant” means the owner or occupier of a specific property for which Utilities  
                                 are requested or provided.
- (d)    “City” means the corporation of the City of Lethbridge or the area contained within  
                                 the boundaries thereof, as the context requires.
- B/L 5782    (e)    “Commercial Consumer” is the owner or occupier of a multi-family dwelling with  
11/26/12                    a shared water meter, or any commercial establishment or a dwelling unit  
                                 containing a commercial establishment other than a house occupation where the  
                                 property is connected to the waterworks system.
- (f)    “Customer” shall mean any person, corporation or organization who has entered  
                                 into a contract with the City for Utility Provision at a particular premises, or who is  
                                 the owner or occupant of any premises connected to or provided with a Utility.
- B/L 5995    (g)    “Designated officer” means a bylaw enforcement officer, peace officer, police  
5/2/2016                    constable or other official appointed by the City of Lethbridge to Enforce this bylaw.
- B/L 5483    (h)    “Domestic Customer” means the owner or occupier of a residence containing one  
1/1/08                    or two dwelling units that are connected to the water works system and where the  
                                 total water consumption is measured by one water meter.

- (i) “Engineer” means the Infrastructure Services Manager of the City of Lethbridge or his duly authorized agent or representative.
- B/L 5608  
11/30/09
- (i) D E L E T E D
  - (j) “Manager” means the City Manager of the City of Lethbridge as appointed by City Council and includes any person authorized by him or the City to act for or carry out the duties of the City Manager to the extent that authorization is given.
- B/L 5995  
5/2/2016
- (k) “Municipal Tag” means a ticket alleging an offence, issued pursuant to the authority of a bylaw of the City of Lethbridge.
  - (l) “Penalty Date” shall mean the current bill date plus 23 days.
  - (m) “Premises” means any land, building or part of a building supplied with Utilities by the City.
  - (n) “Property” means a sub-divided lot or a parcel of land or portions of the same.
  - (o) “Service Connection” means the portion of water or sewer service between the main and the outer limit of the public right-of-ways or easements.
  - (p) “Retail Services Agent” means the City of Lethbridge Utility Services as pertaining to customer services, billing and accounts receivable.
  - (q) “Service Connection” means the portion of water or sewer service between the main and the outer limit of the public right-of-ways or easements.
  - (r) “Treasurer” shall mean the Director of Corporate Services of the City, or an agent or City employee authorized by such Director to act on behalf of the Director.
  - (s) “Utility” and “Utility Provision” shall mean and include, as the context may require:
    - The supply of water;
    - The provision of wastewater collection and disposal;
    - The provision of waste collection and disposal;
    - The provision of recycling services;
    - The provision of electric services.
  - (t) “Utility Services shall mean the provision of retailing billing and customer care services on behalf of the Utilities.
  - (u) “Water Works System” means the system of water works owned and operated by the City of Lethbridge and all accessories and appurtenances thereto contained within public right-of-ways or easements.

ADMINISTRATION

3. The Engineer, subject to the control of the Manager shall have charge of all the various properties and works required for the supply of the City and its inhabitants with water, and of the inspection and rating of all buildings and premises supplied with water.
4. No extension of mains shall be constructed except as may be authorized from time to time by the City Council.
5. The Engineer may order that the water be shut off from any consumer or consumers without notice for such length of time as may be necessary to permit the construction or repairs or the connection of services to the system.

The Engineer may have the water shut off the premises of any owner or consumer infringing any of the rules and regulations or amendments thereto made by the City.

B/L 5995

5/2/2016

RESTRICTIONS

AND PROHIBITIONS

6. (a) The Manager may at any time make orders restricting the use of water either by all consumers or by any particular class of consumers and either throughout the City or in any particular area or areas of the City. The order may specify that such restricted use of water shall apply during such hours of any day of the week as may be specified in the order. The orders may be cited as:
  - i. Stage 1 Outdoor Water Rationing Order prohibitions and restrictions as identified in Schedule E;
  - ii. Stage 2 Outdoor Water Rationing Order prohibitions and restrictions as identified in Schedule E;
  - iii. Stage 3 Outdoor Water Rationing Order prohibitions and restrictions as identified in Schedule E;
  - iv. Stage 4 Outdoor Water Rationing Order prohibitions and restrictions as identified in Schedule E;
  - v. Emergency water rationing order prohibitions and restrictions as directed by the Manager;
- (b) No person shall use any water from the water works system in contravention of the terms of any order made by the Manager under this section and, without limiting the generality of the foregoing, specifically:
  - i. No person shall use water in contravention of a Stage 1 Outdoor Water Rationing Order;
  - ii. No person shall use water in contravention of a Stage 2 Outdoor Water Rationing Order;
  - iii. No person shall use water in contravention of a Stage 3 Outdoor Water Rationing Order;
  - iv. No person shall use water in contravention of a Stage 4 Outdoor Water Rationing Order;
  - v. No person shall use water in contravention of an Emergency Water Rationing Order;
7. (a) i. All sanitary receptacles that receive body wastes shall be connected to the

sanitary sewerage system unless otherwise approved by the Engineer.

ii. Any storm water service connections that are not covered by the Alberta Plumbing Regulations shall meet with the approval of the Engineer.

- (b) If a developer is found guilty of a violation of the Alberta Plumbing and Drainage Regulations or Alberta Building Regulations, then the City may enter upon the land and buildings, erection or structure concerned and make such connection and charge the cost thereof against the land, building, erection or structure concerned in the same manner as taxes and with the same priority as to lien and to payment thereof as in the case of ordinary municipal taxes.
8. (a) No person except members of the Fire Department shall open, close or interfere with any hydrant, gate or valve connected with the water works system and located within public right-of-ways without the permission of the Engineer.
- (b) The Engineer may permit water to be taken from a hydrant during construction or otherwise, provided that:
- i. A deposit in an amount as set out in Schedule "A" is left with the Engineer which deposit may be applied by the Engineer against the cost of any damage caused during the use of the said hydrant.
  - ii. Water taken from the hydrant may be measured by a meter supplied by the Engineer and shall be charged for at the rates set forth in this Bylaw.
  - iii. Minimum charge for the use of a fire hydrant shall be as set out in Schedule "A".
9. No person shall place or deposit any injurious, noxious or offensive matter in the vicinity of the intake to the water works system, or along the shore or bank of the Oldman River, at any point within the City above such intake, or in the vicinity of the sedimentation basin nor shall any such matter be brought into the City for the purpose of being thrown into the Oldman River, or be placed on the ice on the river; nor shall any person bathe or wash clothes or do any other thing which may pollute the water above the intake of the said water works system in the City.
10. No person being an occupant, tenant or inmate of any house, building or other place supplied with water from the water works system shall lend, sell or dispose of the water thereof, or give away or permit the same to be taken or carried away or used or apply it to the use or benefit of others than his, her or their own use and benefit or shall increase the supply of water beyond that agreed for with the City or wrongfully, negligently or improperly waste any water supplied from the water works system.

DAMAGES  
AND  
LIABILITIES

11. In all cases where any pressure vessel or equipment is supplied with water from the water works system, the City shall not be responsible for damage to such vessel or equipment, person or premises when the water supply is shut off or when there is failure of the water supply due to any cause whatsoever, even where no notice is given. No deduction from the water bills shall be made in consequence thereof.

12. The City is not liable for damages:

- (a) caused by the breaking of any water service main, water service pipe or attachment, or any sewer main; or
- (b) caused by the interference with the supply of any water service or sewer necessary in connection with the repair or proper maintenance of the water service or sewers, or
- (c) generally for any accident due to the operation of the water works system or sewage disposal system of the City unless such accident is shown to be directly due to the negligence of the City, its employees or agents.

APPLICATION  
FOR SERVICE  
CONNECTIONS

13. (a) Owners of property within the waterworks service area may apply to the Engineer and request that the boundary of their property be connected to the City waterworks system. The owner or his authorized agent shall state the size and type of each service required and shall sign the application form that the office of the Engineer provides for this purpose.

(b) The owner or his authorized agent shall provide the Engineer with a site plan on which the size and shall any such location of each requested service is shown.

B/L 5483  
1/1/08

(c) Application may be made for a water service to be used for fire protection purposes. Valves on said water service pipes shall be sealed, as instructed by the Engineer. The said seal shall not be broken except in case of emergency. The Engineer shall be notified within 24 hours if a seal is broken. Should said water service pipe not be maintained as required, the same may be disconnected by order of the Engineer.

B/L 4496  
1/1/92

(d) Application may be made for a new or larger service connection to a previously serviced property.

(e) All sewer and water service connections shall be installed by the City in public right-of-ways.

(f) The expense of installing each requested service connection shall be paid by the applicant prior to installation.

B/L 5050  
07/31/00

(g) The monthly service charge set forth in Schedule "B" for each meter installed other than those referenced in Clause 13(c) shall be paid by the applicant to the Retail Services Agent commencing on the date of installation and continuing until the account for the water service is terminated. The monthly service connection charge for each service eligible under Clause 13(c) shall be as charge set forth in Schedule "B".

The rates specified in the Schedule shall apply whether or not any water was metered or sewage discharged during the billing period.

- B/L 5050  
07/31/00 (h) D E L E T E D
- B/L 5483  
1/1/08 (i) D E L E T E D
- B/L 4496  
1/1/92 (j) The public portion of a service connection to a property shall be maintained by the City and when necessary, renewed at the discretion and expense of the City.
- B/L 5887  
24/11/14 (k) Existing service connections installed after 1965 may be reused for redevelopment purposes without charge. Service connection installed prior to 1965 must be 20mm or larger and assessed by the City based on pipe material and maintenance history to be considered for reuse. The City shall charge the full cost of installing any required new service connection in the event that reuse is not possible.
- B/L 4496  
1/1/92 (l) In the event the City has, subsequent to the issuance of a demolition permit, removed a service connection, the City shall reinstall at its expense the public portion of the service connection of lesser or equal capacity without charge to the applicant. In the event that the applicant requires a service connection of a capacity larger than that removed, the City shall charge the full cost of installing the required new service connection.

WATER SERVICE 14. CONSTRUCTION The water service pipe from the main to the property line shall be of copper or other material approved by the Engineer and connected by fittings and materials approved by the Engineer, and such water service pipe shall be laid at least 1.8 metres below the surface of the ground.

15. The City will place on each water service pipe a service shut off valve either at the main or near the property line for the purpose of turning on the water supply or shutting it off. Over each service shut off valve the City shall place a valve box from which the service shut off valve may be operated by the City. The limit of City responsibility with respect to the installation, maintenance and repairs of all water services shall be:
- (a) to the down stream edge of the service shut off valve when the service shut off valve is located near or at the property line, or
  - (b) the property line when the service shut off valve is located at the main.
16. (a) A stopcock or stop and waste valve shall be located immediately inside the building and the water meter shall be located at a point immediately downstream of the stopcock or stop and waste valve.

- B/L 5050  
07/31/00 (b) No person shall install a branch line between the service shutoff valve and the meter unless application is made at the office of the Retail Services Agent for an additional water meter and a branch line.

(c) No person shall extend service piping from one lot to another.

WATER METERS

17. (a) All water supplied through a water service connection, except water used for construction, community park irrigation and fire protection shall be measured by a meter supplied by the City. The said meter shall be placed in the care of the owner or occupier of the property who will be responsible for the cost of repair or replacement should the meter be damaged or destroyed while in his care. The meter shall remain the property of the City.

WATER METER INSTALLATION

18. (a) Every owner or occupant of premises shall provide free and convenient access to his premises for the installation, inspection, removal, replacement and repair of meters in order that the City may ascertain the same to be in good working order at all times.

(b) Every owner or occupier of property connected to the water works system shall provide adequate protection for the meter against frost, heat or any other internal or external damage.

B/L 5668  
Nov. 29/10

(c) Where water meters are damaged by frost or other causes, the owner or occupier shall pay to the City on demand a meter replacement charge as set forth in Schedule "A".

B/L 5050  
07/31/00

19. Every owner and occupier of premises connected to the water works system shall provide free and convenient access to his premises at all reasonable times for the purpose of reading meters. In the event that a meter reader employed by the City, or its agent, is unable to obtain access to the premises he may estimate the water consumption. If no reading is obtained at the end of the next billing period the owner or occupier will be required to make suitable arrangements for regular readings. If the owner or occupier fails to comply with the request of the City or its agent the water service may be discontinued without further notice.

20. If the Engineer is dissatisfied with the location of any meter he may require the position of the meter to be moved. Any expense in relocating the meter shall be charged to the owner or occupier as the case may be.

21. (a) For the purposes of inspecting or repairing or placing meters upon any service pipe or connection within or without any house or building as may be deemed expedient, the Engineer or any person authorized by him suitably identified shall have free access at proper hours of the day and upon reasonable notice given and request made to all parts of every building or other premises in which water is delivered and consumed or that is served by a sewer.

(b) In the event that it is impossible or impractical to give sufficient notice to the owner or occupier of the property or premises or any other special circumstances, the Manager may by writing authorize any person to enter upon such building or premises.

22. The owner of every building shall make provision for the installation of meters in a horizontal position, as required by the Engineer.

23. (a) Where meters are not contained in a building the consumer shall supply at his own expense an underground meter chamber which meets with the approval of the Engineer. The meter chamber may be constructed by the City and the consumer billed for the expense incurred.
- (b) Underground meter chambers shall be kept in good repair by the consumer. If a consumer after receiving notice from the Engineer neglects to repair or improve his meter chamber then the Engineer shall authorize that the necessary repairs be made and the consumer will receive the bill for the expenses incurred.

- B/L 5668  
Nov. 29/10
24. (a) All water meters shall be located within 1500 mm of the point at which the water service enters the building and shall have a shut off valve in front of the meter inlet and an outlet valve within 300 mm of the water meter outlet.
- (b) Meter installations 50 mm in size or larger shall have a valved by-pass around the meter and valves required in 24(a). The by-pass valve must be sealed and shall be opened only in case of an emergency. The Engineer must be notified within 24 hours of the by-pass valve seal being broken.

25. No person shall in any way interfere with any stop cock, pipe or other water works appliance outside his own premises, nor shall he in any way interfere with any meter whether inside or outside of his premises. No person except a person authorized by the Engineer, shall tap or make any connection whatsoever with any public water pipes or mains, either in the streets, or in the lanes.

- B/L 5545  
1/1/09
26. Whenever requested by a consumer, the meter shall be removed and tested. If, on testing it is found that the meter registers within three percent (+ or -) of the water passing through same, the meter shall be deemed to be measuring correctly. If, however, the meter is found to register a greater or lesser amount than said percentage, the Engineer shall notify the Retail Services Agent to add or deduct from the amount as registered by said meter, such that the balance will properly represent the water delivered through said meter for the preceding twelve-month period. When a customer requests a meter test and such meter is found to be within three percent (+ or -) accurate, that consumer shall be billed for the testing at a rate as set out in Schedule "A". Meters shall be removed and tested by the City without charge whenever deemed appropriate by the Engineer. The Engineer may at any time remove and test any meter.

27. When meters have failed to register or have registered incorrectly as shown by standard test, the following method shall be used for determining consumption:
- (a) If the same or similar conditions prevail consumption shall be estimated on the basis of the consumption during the same months in the preceding year.
- (b) If the same or similar conditions do not prevail, a fair estimate shall be set



set by the Engineer.

- B/L 5349 1/1/06 (c) The rates applied shall be those in effect for that type of service and during the months in question in accordance with Schedules "B" and "C".
- (d) Notwithstanding the foregoing no corrections shall be made with respect to alleged faulty metering or error in coding after One (1) year has elapsed from the date of the billing having been rendered. This shall not apply in any case of fraud or unauthorized tampering with the water meter.
- B/L 4417 1/1/91 (e) In the event of a discrepancy between the consumption of water recorded at the remove totalizer and the corresponding head of the water meter, the consumption recorded at the head of the water meter shall prevail. Corrections to the billings shall be made in accordance with the provisions of Section 27.
- B/L 5050 07/31/00 28. D E L E T E D
29. Where any consumer discontinues the use of water service furnished by the City or the City lawfully refuses to continue any longer to supply the same, the Engineer or any person authorized by him may at all reasonable times enter the premises in or upon which such consumer was supplied with water services and may remove meters, pipes or any other things that are the property of the City.
- APPLICATION FOR WATER METERS B/L 5050 07/31/00 30.(a) Any person may request that the City supply water to a property which has a water service connection by the Engineer. The owner of said property or his authorized agent shall state the size of each water meter requested shall sign the application form that the office of the Retail Services Agent provides for this purpose.
- B/L 6024 11/28/16 (b) Each requested water meter shall be supplied by the City complete with a remote meter reading device. The supplied equipment shall be owned and maintained by the City.
- B/L 5050 07/31/00 (c) The expense of installing each requested water meter and remote totalizer shall be the responsibility of the applicant. Water meters sized 50 mm (2 in.) or smaller may be installed by the City upon application and payment of the fees set out in Schedule "A" prior to installation.
- B/L 5349 1/1/06 (d) The meter charge set forth in Schedule "B" for each meter installed paid by the applicant to the Retail Services Agent commencing on the date of installation and continuing until the service is discontinued. The rates specified in the Schedule shall apply whether or not any water was metered during the billing period.
- B/L 5050 (e) The application when accepted by the Retail Services Agent shall be

APPLICATION FOR  
WATER METERS CON'T

Sheet 10 – 3999

- B/L 5050  
07/31/00
- a contract between the applicant and the City by which the applicant agrees to be bound by all the provisions of this Bylaw or any other Bylaw or regulation of the City in connection with the supply of water and disposal of sewage within the City. The said contract shall not be transferable.
- B/L 5349  
1/1/06
31. D E L E T E D
- B/L 5349  
1/1/06
32. D E L E T E D
- B/L 5483  
1/1/08
33. A consumer wishing to discontinue water services and the associated charges shall advise the Retail Services Agent's offices.
- (a) Any consumer requesting a temporary disconnect for a permanent disconnect for abandonment shall pay a service charge for such disconnection as set out in Schedule "A".
34. Charges for water service shall be made in accordance with the provisions of the Schedules which are attached to this Bylaw and any amendments and additions thereto. The charges as set out in the Schedules are subject to change by Council without notice.
- B/L 5050  
07/31/00
35. Where a contract for the supply of water is in existence and subject to the other provisions of this Bylaw the owner or occupier of property connected to the water supply system of the City shall pay to the City:
- (a) The "water service charge" as specified in Schedule "B" for each City water meter on the property, and
- B/L 5349  
1/1/06
- (b) The applicable domestic or commercial "water consumption charge" as set forth in Schedule "C".
- B/L 5349  
1/1/06
- (c) All customers shall comply with the Customer Account Terms and Conditions as set out in Schedule "D".
- (d) If a consumer receives a supply of water through more than one meter the charges shall be computed on the basis of water consumption registered by each individual meter.
- (e) Where conditions exist which could require the application of a different rate, such rate will apply from the date that written notification is received by the City from the consumer.
- B/L 5349  
1/1/06
- (f) D E L E T E D
- LAWN SERVICE AND EXEMPTION METERS  
B/L 5349
36. Any owner or occupier of property within the City may make application to the City for a "Lawn Service Meter" and/or a "Sewage Exemption Meter". The applicant shall pay to the City the water meter charge as set forth in Schedule "B". The lawn service shall only be used to supply water to a

- 1/1/06 lawn or garden. The sewage exemption Meter shall only be used for applications in which no water can be returned to the sewer system. The volume of water registered through lawn services and exemption meters will be exempt from sewage charges. The total cost of installing a lawn service and/or exemption meter shall be borne by the applicant.
- B/L 5297 36.1 Any owner or occupier of property having a lawn service where the meter is installed in a frost free location such that it is not necessary to remove the meter for the winter months will be charged a water meter charge as set forth in Schedule “B” for only the period of April 15<sup>th</sup> through October 15<sup>th</sup> inclusive.  
01/01/05
- B/L 5349 36.2 When a lawn service meter is on a dedicated connection, the irrigation consumption charge in Schedule “C” will be charged. Where a lawn service meter is installed in series downstream of a main meter, the consumption charges are applied on the main meter.  
1/1/06
37. When water is supplied to more than one party through a single water meter the owner shall be charged for the full supply and in the case of non-payment the water may be shut off.
- B/L 5349 38. DELETED  
1/1/06
- B/L 5349 39. DELETED  
1/1/06
40. The Engineer and persons duly authorized by him may enter the premises of any water user at any reasonable time to examine the pipes, meters and fixtures to ascertain the quantity of water used and the manner of its use, and in the case of fraudulent representation on the part of any water user or of unnecessary waste of water, the supply may be cut off.
- B/L 5483 41. When at any time the water supply is disconnected for non-payment, payment of accounts, a fee as set out in Schedule “A” will be charged prior to the water service being reconnected.  
1/1/08
- B/L 5668 42. CROSS CONNECTIONS AND BACKFLOW PREVENTION  
Nov. 29/10
- 42.1 No person shall connect, cause to be connected, or allow to remain connected, any piping, fixture, fitting, container, device or appliance to the water system:
- a) in a manner which, under any circumstances, may allow water, wastewater or any liquid or substance of any kind to enter the water system; and
  - b) without using and maintaining a cross connection control device which has been approved by the Engineer.
- B/L 5849 42.2 Where the Engineer believes that a cross connection device is installed or where the Engineer believes that a cross connection exists in contravention of subsection 42.1, the Engineer may carry out an inspection:  
Jan. 5/15

- a) upon reasonable notice to the consumer, or
  - b) without notice to the consumer where the Engineer has determined, that an immediate threat of contamination to the water system exists that may endanger public safety or property.
- 42.3 If it is determined that section 42.1 has been contravened, the Engineer may issue such written order or orders to the owner or consumer requiring a remedy to the contravention.
- 42.4 Where a person fails to comply with an order issued under subsection 42.3, the Engineer may:
- a) upon reasonable notice to the consumer, shut off water service; or
  - b) without notice to the consumer, shut off water service, where the Engineer has determined that an immediate threat of contamination to the water system exists that may endanger public safety or health.

B/L 5962 42.5 Notwithstanding subsections 42.1 and 42.2, premise isolation is required  
Nov. 23/15 where the risk of contamination of the water system is rated as severe according to CAN/CSA B64.10-01. Premise isolation is achieved by a cross connection control device installed on the customer's main water service at or near the property line in addition to any existing point-of-use cross connection control devices. The required installation shall be at the customer's sole expense.

- 42.6 Where a cross connection control device has been installed, the consumer shall:
- (a) have all cross connection control devices inspected and tested by personnel approved by the Engineer to determine whether such devices are in good working condition, at the time of installation and thereafter annually, or as required by the Engineer, at the sole expense of the consumer;
  - (b) submit a report in a form approved by the Engineer within 30 days of the testing date, containing the results of any and all tests performed;
  - (c) display a record card issued by the Engineer on or adjacent to the cross connection control device containing the following information:
    - (i) name and address of the owner of the device;
    - (ii) the location, type, manufacture, serial number and device size;
    - (iii) the test date;
    - (iv) the tester's initials;
    - (v) the tester's name, the name of the tester's employer; and
    - (vi) the tester's license number.

B/L 5849 42.7 When the results of a test referred to in Section 42.6 of this Bylaw show that  
Jan. 5/15 a cross connection control device is not in good working condition, the tester shall immediately notify consumer and the Engineer. Repairs or replacement of the device shall be made within four (4) working days.

If the consumer fails to comply with the direction given by the Engineer, the Engineer may shut off the water service or water services.

42.8 If a consumer fails to have a cross connection control device tested, the Engineer may notify the consumer that the cross connection control device must be tested within four (4) working days of the consumer receiving the notice. After which, the Engineer may shut off the water service or water services until the cross connection control device has been tested and approved as required by Section 42.6 of this Bylaw.

B/L 5849 42.9 At the request of the Engineer, the consumer shall complete a survey of  
Jan. 5/15 premises to identify all installed cross connection control devices and potential cross connections in contravention of subsection 42.1 A report of the survey shall be provided within ninety (90) days of the request. If the consumer fails to provide a survey report, the Engineer may shut off the water service or water services.

#### FINES & PENALTIES

B/L 5995 43.1 Where any Designated Officers believes that a person or Customer has  
5/2/2016 committed a breach of any provision of this bylaw he may serve upon the Person or Customer a Municipal Tag or he may commence proceedings by issuing a summons by means of a Violation Ticket in accordance with the Alberta *Provincial Offences Procedure Act*.

43.2 A Municipal Tag or Violation Ticket shall be deemed to have been sufficiently served:

- (a) If personally served;
- (b) If serviced by registered mail;
- (c) If left at the accused's usual place of abode with an occupant thereof who appears to be at least eighteen (18) years of age;

or

- (d) Where the accused in an association, partnership or corporation, served by registered mail at the registered office;

43.3 The specified penalty payable in respect of a contravention of this bylaw shall be the amount shown in Schedule "F" attached hereto in respect to that violation.

43.4 Upon production of any such Municipal Tag or Violation Ticket within twenty one (21) days from the date of service of such notice (or such other time period as may be specified in the Violation Ticket), together with payment of the sum specified in Schedule "F" to a person authorized by the City of Lethbridge or Province of Alberta to receive such payment, an official receipt for such payment shall be issued, and subject to the provisions of this section, such payment shall be accepted in lieu of prosecution. If payment is not received within the allotted time, the provisions of this section shall no longer apply.

43.5 Any person or Customer who contravenes any provision of this bylaw is guilty of an offence and is liable on summary conviction to a fine of

no more than TWO THOUSAND FIVE HUNDRED (\$2,500) DOLLARS and in default of payment is liable to imprisonment for a term not exceeding six (6) months.

- 43.6 The levying and payment of any fine or the imprisonment for any period provided in this bylaw shall not relieve the person or Customer from the necessity of paying any fees, charges or costs for which they are liable under the provisions of this bylaw.”

Bylaw last revised: Nov. 26, 2018  
 Effective: January 1, 2019  
 B/L 6134

"Water Service Bylaw  
SCHEDULE "A"  
FEES AND DEPOSITS

<u>DESCRIPTION</u>	<u>DEPOSIT / FEE</u>
Water meter installation and inspection charge for meter 25 mm (1 inch) or smaller	\$ 350.00
Water meter installation and inspection charge for meter over 25mm (1 inch)	\$ 700.00
Irrigation meter seasonal removal and installation	see 'Non-frost Protected Meter Charge' in Schedule 'B'
Water meter testing charge	
Up to 40 mm	\$ 150.00
50 - 75 mm	\$ 300.00
Over 75 mm	\$ 600.00
Meter replacement charge for meters 25 mm (1 inch) or smaller	\$ 350.00 per each
Meter replacement charge on meters over 25mm (1 inch)	\$ 700.00 per each
Fee for temporary disconnect	\$ 150.00
Cut-off for non-payment	\$ 150.00
Fee for subsequent reconnection during regular hours Monday to Friday 8am to 4pm	No Charge
Fee for subsequent reconnection outside regular hours	\$ 60.00
Fee for disconnecting old water service connection for abandonment	\$ 150.00 plus labour and materials at cost
Water service purging when available for lines 25 mm (1 inch) or smaller	\$ 125.00
Deposit for fire hydrant use	\$ 1,000.00
Rental charge for hydrant with 50mm (2 inch) backflow meter (10 day minimum)	\$ 20.00 per day
Rental charge hydrant with 150mm (6 inch) backflow meter (10 day minimum)	\$ 60.00 per day

Hydrant water consumptive charge

\$ 1.299 per cubic metre”

Last Revised Nov. 26, 2018

Sheet 16-3999

Effective: Jan. 1, 2019

B/L 6134

Water Service Bylaw  
SCHEDULE “B”

WATER SERVICE CHARGE  
Based on Water Meter Size

<u>Size (mm)</u>	<u>Meter Size (inches)</u>	<u>Meter Size (inches)</u>	<u>Service Charge \$ per Day</u>
	15	5/8	\$ 0.35
20		3/4	0.46
25		1	0.75
40		1½	1.44
50		2	2.07
75		3	3.74
100		4	5.74
150		6	11.49
200		8	22.97
250		10	40.19
300		12	63.16

The above charges are applicable to all consumers whether or not any consumption of water is metered during the billing period.

NON-FROST PROTECTED METER CHARGE

In addition to all other applicable charges, a daily Non-Frost Protected Meter charge of \$0.82 per day will be levied to facilitate the necessary seasonal removal and reinstallation of any meter that is not in compliance with Clause 18 (b).

FIRE PROTECTION SERVICE CONNECTION CHARGE  
Based on Service Connection Size

For each service connection eligible under Clause 13(c) the daily service charge shall be based in the size of the first connection dedicated solely to fire protection.

<u>Size (mm)</u>	<u>Connection Size (inches)</u>	<u>Connection Size (inches)</u>	<u>Fire Service Charge \$ per Day</u>
up to 40	up to 1½		\$ 0.00
50	2		\$ 0.50
75	3		\$ 0.80
100	4		\$ 1.15



150	6	\$ 2.20
200	8	\$ 3.33
250 and up	10 and up	\$ 8.00

A daily Fire Service Charge of \$0.13 per day applies to each private fire hydrant not supplied water from a 13(c) fire service connection or a metered connection.”

B/L 6134  
1/1/19

Water Service Bylaw  
SCHEDULE “C”

WATER CONSUMPTION CHARGES

Domestic Water Consumption Charge

All domestic consumption of water shall be charged at a rate of **\$1.249** per cubic metre.

Commercial Water Consumption Charge

<u>Monthly Consumption</u> <u>(Cubic Metres)</u>	<u>Rate per Cubic Metre</u> <u>(Cumulative)</u>
From 0	to 750 \$1.102
From 751	to 25,000 \$0.768
From 25,001	to 50,000 \$0.661
From 50,001	and upwards \$0.501

Irrigation Water Consumption Charge

All consumption of water registered on a lawn service meter (Section 36) shall be charged at a rate of **\$1.299** per cubic metre.

Regional Water Consumption Charges

All consumers located outside the legal boundaries of the City shall pay Commercial Water Consumption Charge and are subject to an additional Water Transmission Capital Surcharge of **\$ 0.023** per cubic metre.”

## **SCHEDULE "D"**

### **CUSTOMER ACCOUNT TERMS AND CONDITIONS**

#### **General Provisions**

1. The application when accepted by the Retail Services Agent shall be a contract between the customer and the City by which the customer agrees to be bound by all the provisions of this bylaw or any other bylaws or regulation of the City in connection with the supply of Utility Provision within the City of Lethbridge. The said contract shall not be transferable.
2. A site owner, landlord or tenant shall apply for Utility Provisions and the applicant will be considered the Customer. During periods where no customer has an active Account for Utility Provision for a Premise, the Premise owner or landlord will be considered the Customer. Fixed charges will not be discontinued for short term vacancies or during the period of a temporary disconnect of services.
3. In a landlord-tenant situation, the application fee will be waived when the Premise owner or landlord is signed on for Utility Provision for the Premise.

#### **Application**

4. Any applicant who requires Utility Provisions shall apply to the City and pay an application fee of \$20.00. The applicant may be required to sign an application or a contract for service, to supply information with respect to load and the manner in which the services will be utilized, and credit references.
5. The utility account shall be set up:
  - a. In the name of the owner of the property to which the utilities are to be supplied, or;
  - b. In the name of the purchaser of a property who is entitled to occupy the premises, or;
  - c. Where there is evidence of a landlord-tenant situation, in the name of the tenant or;
  - d. In the name of the general contractor in the case of a new building under construction.
6. An application shall be supported by such identification and legal authority of the applicant as the Retail Services Agent may require.
7. Upon making application, providing all information required by the City, and paying the application fee, deposit and any other sums herein required, there shall thereupon be a binding agreement between the customer and the City, for the Utility applied for, and the provisions of the application and this bylaw shall constitute the terms and conditions of such agreement.

8. Where the applicant is indebted to the City for any Utility Provisions previously provided by the City, the applicant may not be allowed to complete their application, or be entitled to receive Utility Provisions, until satisfactory arrangements have been made for payment of such outstanding account and any deposit required.

### **Deposits**

9. No deposits are required in order to establish a utility account where:
  - a. The applicant has had a utility account with the City of Lethbridge over the past 12 months and has a satisfactory credit history or;
  - b. The applicant can establish and maintain a credit worthiness satisfactory to the City of Lethbridge or;
  - c. The Retail Services Agent waives the requirement for a deposit.
10. Before obtaining a utility account or commercial landfill accounts, applicants who are not in the foregoing categories shall pay all arrears or previous balances owing, and shall also provide a guarantee of payment in the form of a cash deposit or irrevocable letter of guarantee from a financial institution, in a form suitable to the City, in the amount equal to the greater of:
  - a. 2 times the average monthly utility bill for the premises over the past 12 months for utility accounts; or,
  - b. \$150 for each metered utility; or,
  - c. 2 times the estimated monthly landfill billing for commercial landfill accounts
11. The Retail Services Agent may waive the requirement for a deposit or adjust those requirements as appropriate to the perceived credit worthiness of the applicant.
12. Interest on each customer's cash security will be calculated using a prescribed rate set by the City Treasurer. Simple interest will be calculated annually and then the interest will then be credited to the customer's utility bill when the deposit is credited to the account.
13. The utility account deposit paid by such customer will be refunded with any accrued interest that has not already been credited to the customer's account when the customer has:
  - a. has maintained an account with the City of Lethbridge for the past 12 months and has a satisfactory credit history or;
  - b. established and maintains a credit worthiness satisfactory to the City of Lethbridge or;
  - c. terminated their contract,
14. A customer has a satisfactory credit history with the City when the customer has:

- a. been issued no more than ONE (1) disconnect notice,
- b. not had utilities disconnected for non-payment of account, and
- c. made no more than ONE (1) dishonoured payment to the City for utilities

in the preceding twelve (12) months.

15. Should a customer's bank refuse to honour a payment because of non-sufficient funds or any other reason the customer's account will be charged a \$45.00 handling fee plus any other penalties or charges resulting from late payment. The Retail Service Agent may waive this charge at their discretion.

### **PAYMENT OF UTILITY ACCOUNTS**

16. Invoices for Utility Provisions shall be forwarded monthly to the customer and shall be payable at the office of the Retail Services Agent and such other places as may be designated by him.

17. Final Utility accounts with debit balances or credit balances less than or equal to \$2.00 will not be collected or refunded.

18. Invoices shall be deemed rendered and other notices duly given when delivered to the customer personally, when mailed to or left at the premises where the Utilities are provided, or the last known address of the customer, or when e-mailed to the customer.

19. All charges and rates payable under this Bylaw shall be paid to the office of the Retail Services Agent and the collection of all disbursements connected with the operation of the Utility and supervision of books of account shall be under the immediate control and direction of the Retail Services Agent.

20. The Retail Services Agent shall be promptly notified of all connections made or of any discontinuance of Utility Provisions so that the proper charges or allowances may be made against or to any person or persons liable to pay for the Utility Provisions consumed or who is entitled to a refund where the Utility Provisions are disconnected. The Retail Services Agent may base the final charge for service on an estimated meter reading which will be prorated from the time of an actual meter reading.

21. Where any service rate or charge is designated by reference to a certain period of time, the charge for a lesser period of time shall be calculated on a proportionate basis.

22. An administration fee of \$7.00 will be charged for each utility invoice issued. The Retail Services Agent shall attempt to consolidate the utility service charges associated with one premises on a single invoice.

23. A credit of \$1.00 will be applied to each utility invoice issued where an administration fee is applicable and the customer has selected the electronic utility invoice option in lieu of a paper invoice.

24. The entire utility account invoice is due and payable when rendered.

25. If the utility account invoice is not paid on or before the penalty date the account is deemed to be in arrears.

26. Failure to receive a utility account invoice will not entitle the customer to any delay in the settlement of each account or to any extension of the penalty date after which a penalty charge becomes applicable.
27. In the case of a dispute between the customer and the city, the customer shall be expected to make payment or settlement as originally arranged and agreed to, pending the resolution of the dispute.
28. A customer who has not paid the full utility account invoice on or before the penalty date may have the supply of all or any Utility Provisions discontinued without notice and such service will not be reinstated until all arrears and charges owed to the City are paid.

### **LATE PAYMENT PENALTY**

29. When the customer pays the utility account invoice after the penalty date, the customer shall pay a penalty charge of 3.0% of the total amount due. Payments must be received by the Retail Services Agent on or before the penalty date in order for the customer to avoid the penalty. Payments made at a financial institution must be received by the Retail Services Agent on or before the penalty date in order for the customer to avoid the penalty.
30. For greater certainty, a customer is obliged to pay for utilities when the invoice is rendered and it is a breach of the Utility Provisions agreement to make a late payment. The late payment penalty is not to be construed as permission for the customer to pay late but is rather a penalty for breaching the terms of the Utility Provision agreement.

### **ENFORCEMENT**

31. A customer who fails to make payment on time will be subject to normal credit action, which may include, but is not limited to:
  - a. Disconnection Notice;
  - b. Notification by telephone;
  - c. Use of collection agencies;
  - d. Requiring prepayment before additional service;
  - e. Withholding of additional service and
  - f. Legal action
32. A fee of \$15.00 will be charged for each Disconnection Notice issued when a customer has been issued at least one other disconnect notice in the preceding six (6) months. Disconnection Notices are issued when a customer account is in arrears.
33. The payment of any rates, charges, tolls, fares, or rents as provide by this Bylaw may be enforced by all or any of the following methods, namely:
  - a. By action in any Court of competent jurisdiction.
  - b. By suspending the delivery of Utility Provisions

- c. By distress and sale of the goods and chattels of any persons owing such rates, charges, tolls, fares, or rents wherever the same may be found in the City.
34. Where the customer is the owner or purchaser of a building lot or part of a lot served by Utilities, the sum payable by him for the Utility Service supplied by the City to him or for his use, and all rates, costs and charges or loans made to him imposed under this Bylaw are a preferential lien and charge on the building, lot or part of a lot, and on the personal property of the debtor and may be levied and collected in like manner as municipal rates and taxes recoverable.
35. Where the customer to whom the Utility has been supplied is a person other than the owner or purchaser of the building, lot or part of a lot, the sum payable by the person is a debt due by him and shall be a preferential lien and charge on his personal property and may be levied and collected with costs by distress.

#### **ARREARS**

36. Any Utility Provision expenses, rates or rents that may be charged as taxes against a person may be entered on the assessment and tax roll at any time.

#### **TERMINATION BY CITY**

37. The city may discontinue the supply of all Utility Provisions or landfill dumping privileges for any of the following reasons:
- a. Non payment of any utility accounts or commercial landfill account; or
  - b. Inability of the City to obtain access to a residential premises to read any meter for a period of six months, or inability to access a non-residential premises to read any meter for a period of three months; or
  - c. Failure by, or refusal of, a customer to comply with any provision of this bylaw; or
  - d. Failure by, or refusal of, a customer to comply with any provisions of any Provincial Acts, the Building code, or any regulations thereunder; or
  - e. At the owner's request to have services discontinued, provided the premises are not lawfully occupied; or
  - f. In any other case provided for in this bylaw.
38. The following fees will be charged if the city disconnects services for non payment of a utility account:
- a. \$45.00 for each electric service disconnection
  - b. \$45.00 for each electric service reconnection
  - c. A fee as stated in Schedule A of the Water Service Bylaw for water service shut off for non payment.

SCHEDULE "E"  
WATER RATIONING ORDERS

**STAGE 1** Outdoor Water Rationing

**PROHIBITED:**

- Water that results in runoff, including ditches, swales, storm drains, and gutters.
- Water for washing vehicles at locations other than commercial car washes.
- Washing down any outdoor surfaces
- Water used for decorative features and fountains

**RESTRICTED:**

Irrigation restricted to no more than **2 hours**, between 6pm and 10am

- City Residents on your Garbage Collection Day Only
- Commercial, Industrial and Institutional on Saturday Only
- Regional Residents on Monday Only

**STAGE 2** Outdoor Water Rationing

**PROHIBITED:**

- Water that results in runoff, including ditches, swales, storm drains, and gutters.
- Water for washing vehicles at locations other than commercial car washes.
- Washing down any outdoor surfaces
- Water used for decorative features and fountains

**RESTRICTED:**

Irrigation restricted to no more than **1 hour**, between 6pm and 10am

- City Residents on your Garbage Collection Day Only
- Commercial, Industrial and Institutional on Saturday Only
- Regional Residents on Monday Only

**STAGE 3** Outdoor Water Rationing

**PROHIBITED:**

- Water that results in runoff, including ditches, swales, storm drains, and gutters.
- Water for washing vehicles at locations other than commercial car washes.
- Washing down any outdoor surfaces
- Water used for decorative features and fountains
- Any irrigation with a sprinkler or hose
- Water for pools, ponds, and hot tubs

**RESTRICTED:**

Irrigation restricted to **hand watering only**, between 6pm and 10am

- City Residents on your Garbage Collection Day Only

- Commercial, Industrial and Institutional on Saturday Only
- Regional Residents on Monday Only

#### **STAGE 4** Outdoor Water Rationing

##### **PROHIBITED:**

- Water that results in runoff, including ditches, swales, storm drains, and gutters.
- Water for washing vehicles at locations other than commercial car washes.
- Washing down any outdoor surfaces
- Water used for decorative features and fountains
- Water for pools, ponds, and hot tubs
- Water for construction purposes
- **All irrigation** (sprinkler, hose, or watering can)



**SCHEDULE "F"**  
**SPECIFIED PENALTIES FOR BYLAW VIOLATIONS**

VIOLATION	PENALTY
Non-compliance with the outdoor water use Prohibitions and restrictions associated with:	
6(b)i.            Stage 1 Water Rationing Order	\$100.00
6(b)ii.           Stage 2 Water Rationing Order	\$200.00
6(b)iii.          Stage 3 Water Rationing Order	\$300.00
6(b)iv.           Stage 4 Water Rationing Order	\$400.00
6(b)v.            Non-compliance with any and all water use Prohibitions and restrictions associated with the declaration of a Water Emergency Rationing Order	\$500.00