

CITY OF SPRUCE GROVE

BYLAW C-866-14

MUNICIPAL UTILITY SERVICES BYLAW

Being a bylaw of the City of Spruce Grove, in the Province of Alberta, to regulate and provide for the supply and use of the water, wastewater and waste management utilities of the City of Spruce Grove.

WHEREAS under the authority of the *Municipal Government Act*, R.S.A 2000, c. M-26 and amendments thereto the Council has the power to enact bylaws for the purpose of operating a public utility;

WHEREAS under the authority of the *Municipal Government Act*, and amendments thereto, the Council has the power to enact for the enforcement of bylaws;

WHEREAS the City of Spruce Grove owns and operates a water distribution system, a sewage collection and treatment system, and a solid waste management system as public utilities for the benefit of its residents;

WHEREAS the City of Spruce Grove is committed to offering its services in a manner that does not negatively impact the environment;

WHEREAS it is deemed just and proper to levy rates and charges on all persons to whom such utility services are provided and to set forth the terms and conditions under which such utility services will be provided;

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled hereby enacts as follows:

1. BYLAW TITLE AND PARTS

1.1. This bylaw is called the “Municipal Utility Services Bylaw,” and is composed of ~~six~~seven parts:

- a. Part I Definitions
- b. Part II Utility Administration
- c. Part III Water Utility
- d. Part IV Wastewater Utility
- d.1 Part V Stormwater Utility
- e. Part ~~V~~VI Solid Waste Management Utility
- f. Part ~~VI~~VII Enforcement

2. GENERAL

2.1. All references in this bylaw shall be read with such changes in number and gender as may be considered appropriate according to whether the reference is made to a male or female, or a corporation or partnership.

- 2.2. Every provision of this bylaw is independent of all other provisions and if any provision of this bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this bylaw shall remain valid and enforceable.

3. **PART I - DEFINITIONS**

- 3.1. Unless the context specifically indicates otherwise, the meaning of the terms used in this bylaw shall be as follows:

a.0 "Animal Waste" means all forms of waste from animals or the treatment of animals, and includes animal carcasses or parts.

- a. "Application" means an application made by a customer to the City for the supply of utility services.
- b. "Black Waste Cart" means the City supplied roll-out cart provided for the collection and disposal of domestic garbage.
- c. "Biodegradable Bag" means a bag capable of being decomposed by bacteria or other living organisms, but which has not been certified as meeting the criteria of biodegradability, disintegration and eco-toxicity for compostable plastic established by the Standards Council of Canada (CAN/BNQ 0017 008/2010), or certified by the Biodegradable Products Institute.

c.1 "Biomedical Waste" means medical waste that requires proper handling and disposal because of environmental, aesthetic, health or safety concerns and includes, but is not limited to:

- (i) human anatomical waste;
- (ii) infectious human waste;
- (iii) infectious animal waste;
- (iv) microbiological waste;
- (v) blood and body fluid waste; and
- (vi) medical sharps, such as needles, syringes, blades, or other clinical or laboratory materials capable of causing punctures or cuts.
- d. "City" means the City of Spruce Grove.
- e. "City website" means the website operated by the City of Spruce Grove and located at <http://www.sprucegrove.org>, as amended from time to time, or such other website as may replace it.

- f. “Compostable Bag” means a bag made of compostable plastic certified as meeting the criteria of biodegradability, disintegration and eco-toxicity established by the Standards Council of Canada (CAN/BNQ 0017-008/2010), or certified by the Biodegradable Products Institute.
- g. “Condominium” means a residential building containing three or more dwelling units that share common property and each dwelling unit has a separate owner.
- h. “Condominium Corporation” means a body incorporated by section 25 of the *Condominium Property Act*, R.S.A. 2000, C. C-22 as amended.
- i. “Cross Connection” means actual or potential connections between a potable water supply and a non-potable water source where it is possible for a contaminant to enter the drinking water supply.
- j. “Customer” means a person who has entered into a service account with the City for the supply of utility services, or who is the owner or occupant of any property connected to or provided with a utility and stormwater utility.
- k. “Dangerous Goods” shall have the meaning set out from time to time in the *Dangerous Goods Transportation and Handling Act*, R.S.A. 2000, C. D-4, as amended, and the regulations thereunder.
- l. “Designated Officer” means the Chief Administrative Officer of the City or such other person as may be appointed from time to time by the Chief Administrative Officer. For the purposes of this bylaw, peace officers, including members of the Royal Canadian Mounted Police and City bylaw enforcement officers, shall be Designated Officers.
- m. “Easement” means an easement, interest or right held by a municipality for the purpose of locating the system or works of a utility service.
- n. “Eco Centre” means the facility designated by the City to temporarily retain collected waste prior to disposal at the appropriate site. Waste may include but is not limited to garbage, recyclables, household hazardous waste, and organics. The Eco Centre is designed to complement the City’s curbside program while providing enhanced waste management services to all residents.
- n.1 “Foundation Drainage” means water collected beneath the surface of the ground by a foundation drain or weeping tile.

- o. “Garbage” means discarded non-recyclable and non-organic material or waste of any kind which is permitted to be disposed of through the solid waste management systems as provided by the City.
- o.1 “General Medical Waste” means non-hazardous medical waste and includes, but is not limited to, soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubing’s, filters, towels and disposable sheets, but excludes Biomedical Waste.
- p. “Green Organics Cart” means the City supplied roll-out cart provided for the collection and disposal of organic waste materials.
- q. “Hazardous Waste” shall have the meaning set out from time to time in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12, as amended, and the regulations thereunder.
- r. “Health Officer” means the medical officer of health appointed or designated for the area in which the City is located, pursuant to the *Public Health Act*, R.S.A. 2000, c. P-37, or the health officer’s duly authorized representative.
- s. “Industrial Waste” means the liquid waste that is different in composition than domestic wastewater, from industrial manufacturing processes, trades, or businesses.
- t. “Interceptor” means a receptacle that is installed to prevent oil, grease, sand or other material from entering the City’s sewerage system and storm sewer system.
- u. “Meter” means meters and all other equipment and instruments supplied and used by the City to measure or calculate the amount of water consumed on a property serviced by the City water system.
- v. “Natural Outlet” means any outlet into a watercourse, pond, ditch, lake, or other body of water of surface or ground water.
- v.1 “Negative Impact” means impairment of or damage to, or the ability to cause impairment to:
 - (i) the storm sewer system;
 - (ii) human health or safety;
 - (iii) property; or

(iv) the environment.

- w. “Once Through Cooling System” means cooling, air conditioning or refrigeration systems which rely upon the temperature of the water for cooling and do not recycle the water, but does not include emergency or back up cooling systems.
- x. “Organic Waste” means food waste, leaf and yard waste, boxboard, soiled and non-recyclable paper, branches and bushes, and other material of organic origin as designated by the City and identified on the City’s website.
- y. “Overstrength” means wastewater released into the sanitary sewer that is higher in concentration for one or more constituent concentrations defined by the Alberta Capital Region Wastewater Commission’s Wastewater Bylaw.
- z. “Owner” means the registered owner of property in the City.
- aa. “Person” includes any individual, partnership, firm, corporation, municipality, association, society, political or other group, and the heirs, executors, administrators or other legal representatives of a person to whom the context can apply according to law.
- bb. “pH” means the logarithm of the reciprocal of the hydrogen ion concentration in moles per litre denoting the degree of acidity or alkalinity.

bb.1 “Prohibited Material” means any substance that may directly or indirectly obstruct the flow of Stormwater within the Storm Sewer System or may have a Negative Impact and includes but is not limited to:

- (i) soil, sediment, waste or other solid matter;
- (ii) fecal matter or Animal Waste;
- (iii) chlorine and chloramines;
- (iv) cooking oils and greases;
- (v) gasoline, motor oil, transmission fluid, and antifreeze;
- (vi) solvents;
- (vii) paint;

- (viii) hydrovac waste;
- (ix) cement or concrete wastes;
- (x) sawdust, wood, fibreboard or construction material;
- (xi) Yard Waste;
- (xii) pesticides, herbicides, insecticides or fungicides except chemicals contained in Stormwater emanating from trees or vegetation treated in accordance with any Federal or Provincial legislation;
- (xiii) Biomedical Waste or General Medical Waste;
- (xiv) Hazardous Waste;
- (xv) Industrial Waste;
- (xvi) soaps or detergents;
- (xvii) any substance or combination of substances that emits an odour; and
- (xviii) aquatic fauna and flora not authorized by the City.

- cc. “Property” means a parcel of land including any buildings.
- dd. “Property Line” means the boundary of a parcel of land described in a certificate of title by reference to a plan filed in a land titles office. For the purposes of the administration of this bylaw, the location of a property line may be determined by the location of the water service valve (curb cock). However, in the event of any inconsistency between the location of the water service valve and the property line as defined by this bylaw, the latter shall prevail.
- ee. “Public Property” means property owned by, or under the direction, control or management of the City, Her Majesty the Queen in the right of Alberta, or Her Majesty the Queen in right of Canada.
- ff. “Recyclables” means any household waste material that may be re-used in some fashion and that is acceptable through the City’s blue bag curbside program or at the Eco Centre, as identified on the City’s website.

- gg. “Road” means land located in the City and shown on a road plan or survey that has been filed or registered in a land titles office.
- hh. “Sanitary Sewer” means a sewer located on public property which is designated by the City to carry sewage and clear water that is not ground water from weeping tiles, or storm water from roof drains.
- ii. “Service Account” means an agreement between a customer and the City for the supply of utility services, which is non-transferable. A service account is considered active while utility services are being provided.
- jj. “Service Connection” means all that portion of the pipes, or things that provide a public utility, situated between the public utility main and the property line of the property to which such utility is supplied.
- kk. “Service Valve” means the valve (curb cock) on a water service pipe, located on or close to the property line, which is used to isolate the property’s water service from the rest of the City’s water distribution system.
- ll. “Sewage” means any liquid waste from a plumbing system.
- mm. “Sewer Mains” means those pipes installed by or for the City and located above, on or underneath a road or easement, for the collection of sewage and stormwater.
- nn. “Sewerage System” means all sewers and facilities for collecting, pumping, treating, and disposing of wastewater.
- oo. “Special Waste” means waste which requires special disposal treatment at the disposal grounds but does not include garbage, hazardous waste or dangerous goods.
- oo.1 “Storm Sewer” or “Storm Sewer System” means the works provided for the acceptance, collection, transmission, storage, treatment and disposal of stormwater, or any one or more of them, as well as any related services, not limited to surface runoff and service connections.
- oo.2 “Stormwater” means surface runoff and uncontaminated water when discharged to the storm sewer system from foundation, roof and underground drains, weeping tile, and groundwater.
- oo.3 “Stormwater Management Facility” means any storm sewer, ditch, culvert, catch basin, manhole, channel, inlet, outfall, main, pond, or depression created to divert or collect and manage stormwater quantity and/or quality on public or private property.

oo.4 “Stormwater Utility Fee” means the fee charged to property owners to manage the storm sewer system.

oo.5 “Stormwater Utility” means the provision of storm sewer services including acceptance, collection, transmission, storage, treatment and disposal of stormwater.

oo.6 “Surface Runoff” means rain water, melted snow and ice that flows over the ground surface.

- pp. “Utilities” and “Utility Services” mean and include, as the context may require:
- (v) the supply of water;
 - (vi) the provision of wastewater collection and treatment; or
 - (vii) the provision of waste management services including garbage collection and disposal, organic waste collection, and recycling services.
- qq. “Valve” means a mechanical device that controls the flow of liquids, gas or loose material in bulk by a movable part that opens, shuts or partially obstructs one or more ports of passageways.
- rr. “Wastewater” means sewage or a combination of water carried wastes from all properties in the City including without limiting the generality of the foregoing residences, business buildings, institutions, and industrial establishments.
- ss. “Water Demand Managements Measures” means restrictions upon the use of water for non-essential purposes, including but not limited to irrigation and washing of vehicles, driveways, or sidewalks.
- tt. “Water Main” means those pipes installed by the City and located above, on or underneath a road or easement, for the conveyance of water throughout the City to which water service pipes may be connected.
- uu. “Water Service Pipes” means those pipes installed to convey water from a public water main to the main shut off valve inside a building.
- vv. “Water Utility” means the system of water works owned and operated by the City and all accessories and appurtenances thereto.

vv.1 “Yard Waste” means waste from gardening or horticultural activities and includes, but is not limited to, grass, leaves, plants, tree and hedge clippings and sod.

4. PART II - UTILITY ADMINISTRATION

- 4.1. As provided under Section 33 of the *Municipal Government Act*, the City shall be the sole provider of utility services within the corporate limits of the City of Spruce Grove. No person other than the City shall provide utility services in any part of the City other than by express written agreement with the City, to be entered into by the City at its sole discretion.
- 4.2. Fees, charges, fines and penalties pertaining to utility services in the City and referenced in this bylaw are as set out in the Fees and Charges Bylaw and elsewhere in this bylaw.
- 4.3. Whenever necessary to make a scheduled inspection, an inspection to enforce any provision of this bylaw, or whenever there is reasonable cause to believe that there exists a violation of this bylaw in any structure or upon any property within the City, the City’s designated officer may, upon presentation of proper credentials and identification, enter such property at any reasonable times to carry out an inspection, enforce any provision of this bylaw, or to perform any other action authorized by this bylaw. In the event that the owner or occupant of the structure or property refuses to allow or interferes with the entry, inspection, enforcement or any other action of the designated officer, the City may apply to the Court of Queen’s Bench of Alberta for an order restraining any person from preventing or interfering with the entry, inspection, enforcement or action, or requiring the production of anything to assist in the inspection, remedy, enforcement or action.
- 4.4. The City shall not be liable for any loss, injury, damage, expense, charge, costs or liability of any kind, whether of direct, indirect, special or consequential nature, arising out of or in any way connected with:
 - a. Any failure, defect, fluctuation, reduction or interruptions in the provision of utility services by the City to its customers, howsoever caused;
 - b. The interference or cessation of utility services in connection with the repair or maintenance of the utility services systems, which include but are not limited to the sewerage system and water utility;
 - c. The break or failure of any portion of the utility service systems, which include but are not limited to the sewerage system and water utility; or

- d. Generally any accident or incident due to the provision of utility services or operation of the utility systems, which include but are not limited to the sewerage system and water utility,

unless such costs or damages have been shown to be directly due to the willful act of the City or its employee or agent in relation to the provision of utility services to a customer. All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be applicable to and shall benefit the City in respect of any action brought or contemplated in respect of the provision of utility services.

5. PART III – WATER UTILITY

5.1. Connection to City's Water Utility

- a. Any person wishing to connect any piping to the City's water system to obtain a supply of water, must first apply to the City for approval and pay the prescribed water and sewer connection fee as indicated in the Development Fees Bylaw. An application must be consistent with an approved development permit.
- b. All water service pipes laid on private property, between the water meter and the property line, shall be of the same material as the portion of the water service pipe located between the property line and the water main.
- c. All water service pipes shall be installed in accordance with the City's Municipal Development Standards.
- d. Any owner who desires a new water service connection from the City shall be responsible for all associated costs. The installation of all water service connections above, on or underneath a road or easement shall only be performed by the City and will terminate at a service valve at or near the property line, with costs charged to the owner that requested the new water service connection. The owner of the property is responsible for the construction and installation of the water service pipes located above, on or underneath the parcel. This construction and installation must be in accordance with the City's municipal development standards, and shall be at the sole cost and expense of the owner.

5.2. Water Supply

- a. The City has the authority to restrict, limit or control water usage at any time it deems necessary to do so. The City, in imposing such limitations, shall notify affected persons of the restrictions by public address.
- b. The City does not guarantee the pressure or the continuous supply of water and the City reserves the right at any and all times without

notice to change the operating water pressure and to shut off water.

- c. The City assumes no responsibility for customers dependent upon a continuous and uninterrupted supply or pressure of water, or having processes or equipment that require particularly clear or pure water. These customers shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply, pressure or quality of water required for this use.
- d. The City shall not be liable for any loss, injury, damage, expense, charge, costs or liability of any kind, whether of direct, indirect, special or consequential nature, arising out of or in any way connected with:
 - (i) A break within the City's water distribution system;
 - (ii) The interference or cessation of water supply including in connection with the repair or maintenance of the City's water distribution system;
 - (iii) The disconnection of the supply of water; or
 - (iv) Water containing sediments, deposits, or other foreign matter.

5.3. Meters

- a. A meter shall measure all water, except the water flowing through fire lines, supplied by the City through a water service pipe to a property. This shall hold true unless otherwise provided for under this bylaw, or a special agreement is entered into between the City and a customer.
- b. All meters shall be installed to the City's meter setting guidelines, and specifications as identified on the City's website.
- c. Once installed, meter locations shall not be changed without express written permission by the City.
- d. The meter shall remain the exclusive property of the City and as such may be removed or replaced at any time by the City or its employee or agent.
- e. Only the meter and the adapter tailpieces connected to it are the City's property and responsibility. All other plumbing, piping, valves, and appurtenances that exist or are installed on a property are the responsibility of the owner.
- f. The City shall determine the metering device that will be installed within a serviced property. Failure to allow the installation of a

specified meter will result in the discontinuation of water service to that property.

- g. The City's costs associated with supplying and installing meters to a property including necessary additional meters as determined by plumbing design are an amount owing to the municipality by the owner of the property.
- h. A consumer may, at his own expense, install a meter between the meter supplied and installed by the City and the point of use of the water supply. Such meters shall not be maintained or read by the City and will remain the property of the property owner. The City will bill for water consumption to the serviced property using the consumption recorded on the primary City owned water meter. Billing for water metered by subsidiary meters shall remain the responsibility of the property owner.
- i. Access to the meter must be maintained and granted to any City employee or City official for the purpose of obtaining water usage reading, inspection, maintenance, replacement or repair at all times upon reasonable notice. If access is not granted within (ten) 10 days of notice being given, the water service to that property will be discontinued until access is granted.
- j. When, in the opinion of the City, the building or property intended to be supplied with water is too far from the City service to conveniently install a meter for any reason, the owner of the property shall, at his sole cost, construct and maintain a meter chamber. This meter chamber shall be constructed to the City's satisfaction in all respects, including but not limited to: location, construction, size, and access.
- k. A property with multiple City meters must provide an area that:
 - (i) Will house all of the meters with adequate room between each meter to perform maintenance, repair, and/or replacement;
 - (ii) Has limited access from the public; and
 - (iii) That can be accessed by City employees at any given moment, with current keys if necessary.
- l. Meters supplied by the City being one and a half (1.5) inches (38mm) in size or smaller shall be supplied and installed by the City. Meters larger than one and a half (1.5) inches (38mm) shall be supplied by the City and installed by the customer.
- m. Any customer having a meter two (2) inches (50 mm) in size or larger shall, at the customer's sole cost and expense, supply and

maintain valves on both sides of and within twelve (12) inches (300 mm) of the meter, to the City's satisfaction.

- n. Any customer requiring an uninterrupted water supply, having a meter two (2) inch (50 mm) in size or larger shall, with the City's express written approval and at customer's expense, construct and maintain a bypass with adequate number of valves to the satisfaction of the City. This bypass shall be sealed by the City and shall be opened only by the City for meter maintenance, repair or replacement. The customer shall notify the City within twenty-four (24) hours if the seal on the bypass is broken by someone other than the City. Failure to notify the City may cause the water to the property to be shut off until satisfactory arrangements have been made for the calculation of and payment for water supplied and not recorded on the meter.
- o. Condominium developments shall be metered in one of the following manners:
 - (i) For condominium developments completed prior to January 1, 2014, the Condominium corporation may serve as the service account customer with one meter and one service valve installed for the entire condominium area;
 - (ii) For condominium developments completed on or after January 1, 2014, the Condominium corporation may serve as the service account customer with one meter and each unit having a separate service valve; or
 - (iii) For condominium developments completed on or after January 1, 2014, the individual dwelling owners may serve as the service account customers with each unit containing a separate meter and a separate service valve.
- p. The customer shall permit the City to perform meter reading using automated monitoring equipment and shall ensure that access to the meter is safe, well lit, and free of hazards to the person reading the meter.
- q. The City shall read the meters of all customers every month, or at such other intervals as it in its sole discretion deems reasonable and practical under the circumstances. If the City cannot safely gain access to read the meter as aforesaid, the consumption of the utility shall be estimated upon such basis as the City in its sole discretion considers to be fair and equitable and the account rendered in accordance with such estimate. Each meter shall be read at least twice per year and if such reading cannot be obtained, the City may discontinue any or all utility services supplied to the property until such time as the City is able to obtain an actual meter reading.

- r. If, for any cause, a meter is found to be not functioning properly, then estimation shall be made as to the amount charged for that billing period, upon such basis as the City in its sole discretion considers to be fair and equitable.
- s. Any owner may, upon written application to the City and pre-payment of the prescribed fee, have the service site's meter tested for accuracy of registration. If the meter is found to register a quantity within three per cent (3%) of what is actually used when tested at a flow rate of one gallon (4.54 litres) per minute, the customer's pre-payment shall be forfeited towards the cost of the test. At the discretion of the City, any additional expense of removing and testing of the meter will be paid for in full by the customer. If the meter is found to register a quantity in excess of three per cent (3%) of that actually used, a refund will be made to the customer equal to such excess percentage of the amount of the account for the period of four (4) months prior to such testing of the meter and the customer's pre-payment for the test will be returned.
- t. Each customer shall provide adequate protection for a meter supplied by the City against freezing, heat or any other internal or external damage. Any customer who fails to provide adequate protection in accordance with the foregoing shall pay to the City all costs associated with the repair or replacement of such meter and such charges shall be an amount owing to the City by the customer and will be recoverable in the same manner as all other utility costs and charges.
- u. Where the water meter is equipped with a remote read-out unit of any type and a discrepancy occurs between the reading at the register of the water meter itself and the reading on the read-out device, the City will consider the reading at the meter to be correct, and will adjust and correct the customer's account accordingly.
- v. Any leaks that may develop at the water meter or its couplings must be reported immediately to the City. The City is not liable for damages caused by such leaks.
- w. No person other than an authorized City employee or agent shall remove, disconnect, reconnect or tamper with a meter. If a meter is removed, disconnected, reconnected or tampered with by someone other than an authorized City employee or agent, the City may impose a fine against the owner of the property on which the meter is located or the person responsible for the removing, disconnecting, reconnection, or tampering with the meter.
- x. No person shall bypass a meter resulting in inaccurate water consumption data. If a meter is bypassed, the City may impose a fine against the owner of the property on which the meter is located or the person responsible for bypassing the meter.

- y. If under any circumstances, a person other than an authorized agent of the City prevents a meter from accurately recording the total volume of water supplied, the City may disconnect the service connection, or take such other actions as it deems appropriate to ensure access to accurate meter data. The City may at its sole discretion estimate the demand and amount of water supplied but not recorded by the meter at the service connection. The cost of the estimated water consumption, plus all costs related to the investigation and resolution of the matter shall be a cost owing to the municipality by the customer.
- z. The City is hereby authorized and directed to enter upon and in any property upon which a meter or service valve is situated for the purpose of terminating the supply of a utility to that property, or for the purpose of supplying a utility to that property.

5.4. Water for Building Construction

- a. Water supply to a building that is under construction shall not commence until a meter has been installed. For a meter to be installed, a building must:
 - (i) Have a permanent source of heat;
 - (ii) Have a shut off valve;
 - (iii) Have a 90° plumbing elbow fixture as per meter setting guidelines found on the City's website; and
 - (iv) Be at lock up stage.
- b. The person responsible for the construction of a building on a property, including but not limited to a property owner, builder, or developer, or their designate, is required to make contact with the City and obtain an appointment to install a water meter into the building that is under construction and to have the water supply turned on to the property.
- c. No property owner, builder or developer, or any person other than authorized City personnel, shall operate a service valve without the express prior written approval of the City. In the event that the City determines that a service valve has been operated other than by authorized City personnel, the City may impose a fine upon any one or more of: the person responsible for the unauthorized operation; the property owner; and any person who in the opinion of the City has direction, control or management of the property, including but not limited to a builder or developer.

- d. The person responsible for the construction of a building on a property, including but not limited to a property owner, builder or developer, or their designate is required to obtain a final construction read before the transfer of possession of the building occurs.

5.5. Conservation Measures

- a. No person or entity shall:
 - (i) Lend, sell or otherwise dispose of water unless specifically licensed to do so;
 - (ii) Give away or permit water to be taken;
 - (iii) Use or apply any water to the use or benefit of others or to anything other than his/her own use and benefit; or
 - (iv) Increase the usage of water beyond that agreed upon with the City.
- b. No person shall waste any water in any way, whether by improper or leaky service pipes, fixtures or taps, by freezing, or by improper or excessive use of water.
- c. No person shall install, cause, or permit to be installed:
 - (i) A toilet having a water usage of greater than 6.0 litres per flush;
 - (ii) A urinal having a water usage of greater than 3.8 litres per flush;
 - (iii) A shower head having a rate of water flow greater than 9.5 litres per minute;
 - (iv) A faucet, other than a public restroom, having a rate of water flow greater than 8.3 litres per minutes;
 - (v) A faucet in a public restroom having a rate of water flow greater than 1.9 litres per minute; or
 - (vi) A Once Through Cooling System;

in any new residential, industrial, commercial, or institutional construction, or renovation project that requires a plumbing permit pursuant to the *Alberta Safety Codes Act*, R.S.A. 2000, c. S-1, as amended, or any successor legislation.

5.6. Water Demand Management Measures

- a. The City may, at such times and for such lengths as is considered necessary or advisable, implement water demand management measures which restricts water usage to any or all parts of the City.
- b. If water demand management measures are implemented, the City shall notify affected persons of the restrictions by public address via the City's website, reader boards or temporary subdivision signs.
- c. No person shall contravene the terms or conditions of any water demand management measures, without the City's express prior written authorization.
- d. The City may discontinue water supply to any property where contravention of any water demand management measures has occurred. The length of discontinuation of water supply to the property will be the City's sole discretion.

5.7. Valves and Hydrants

- a. No persons other than authorized employees or agents of the City shall open, close, operate or interfere with any valve, hydrant or fire plug, or draw water therefrom.
- b. No person shall in any manner obstruct the free access to any hydrant or valve. No person shall place or allow to be placed any vehicle, building, rubbish, fence, trees or plantings, snow, or any other matter which would cause such obstruction within two (2) metres of the hydrant; nor within 4.6 metres of the hydrant in a direction parallel with the roadway or vehicle access.
- c. The obstruction of a hydrant or valve in contravention of s. 5.7(b) of this bylaw is an offence and shall be fined. Exceptions may be made as authorized by the City and in compliance with Emergency Services requirements.
- d. Obstructions as defined in s. 5.7(b) of this bylaw shall be removed at the request of the City, at the sole expense of the owner of the property on which the obstruction is located or the person responsible for the placement of the obstruction.
- e. If a property owner on which an obstruction is located or the person responsible for the placement of an obstruction fails to remove the obstruction within the time requested by the City, the City may remove the obstruction at the expense of the property owner or responsible person. The property owner or responsible person shall upon receipt of an invoice from the City, be liable for the payment of any and all costs associated with the removal of the obstruction, in addition to any fine imposed under this bylaw.

- f. The residents of a property where there is a fire hydrant located adjacent to the property shall not place any snow removed from that property within two (2) metres of the hydrant, so as to ensure the maintenance of free access to and visibility of the hydrant. A fine, as outlined in the Fees and Charges Bylaw, may be assigned if snow is placed within two (2) metres of the hydrant.

5.8. Service Valves

- a. Service valves shall be turned on or off only by an authorized employee or agent of the City. If in the opinion of the City a service valve has been operated by any person other than an authorized employee or agent of the City, the owner of the property associated with the service valve shall be subject to a fine.
- b. One (1) service valve, one (1) meter, and one (1) remote reading device shall be installed per property unless otherwise indicated by the City.
- c. Each water service pipe shall be provided with a service valve placed at a point of entry to the property approved by the City. The property owner is responsible for keeping the service valve clear of above ground obstructions at all times.

5.9. Number of Services

- a. Unless otherwise approved by the City, there shall not be more than one private water service from the main or under the road to any building or property.
- b. If a building or a property has more than one (1) self-contained living unit, the property will be serviced in one of the following manners:
 - (i) For new construction, the water service line will be split at the property line and separate service valves will be installed on separate water lines for each dwelling; or an independent meter room that is insulated, heated and has an independent entrance will be constructed; or
 - (ii) For existing construction an independent meter room that is insulated, heated and has an independent entrance will be constructed.
- c. In a row housing condominium development where there will be more than one (1) self-contained living unit, a separate meter shall be installed in each individual unit. A separate service valve or equivalent shall be installed for each individual unit, to City standards. The City and persons authorized by the City shall be allowed access to the property and shall be provided clear and

free access to the service valve at all reasonable times for the purposes of any necessary repair, maintenance, and operation.

- d. In an apartment-style condominium development that has one (1) meter servicing the whole complex, plumbing will be installed in a secure portion of the building to accommodate the future installation of a separate meter for each individual unit. This plumbing will include valves on either side of the meter. In the event that the individual units become privately owned and separate billing occurs, the meters shall be installed in accordance with this bylaw and the City and persons authorized by the City shall be allowed access to the secure portion of the building at all reasonable times for the purposes of any necessary repair, maintenance, and operation of the valves or meters.
- e. No person or owner shall extend a private service line, before or after the meter, into another property.

5.10. Cross Connections and Backflow Prevention

- a. No customer or other person shall install or allow to exist any equipment, appliance or piping configuration that could produce a cross connection without expressed consent from the City.
- b. Wherein the opinion of the City, there is a perceived or imminent danger of contamination of the water works system from a source other than the City's water supply system, the customer may be required to install appropriate backflow prevention devices to prevent such contaminations due to backflow into the system.
- c. The customer shall, at his expense, arrange for the installation, inspection, and testing of backflow prevention devices as may be required by applicable regulations and the City.
- d. Inspection and testing of backflow prevention devices shall be conducted annually by a Certified Cross Connection Control Tester at the sole expense of the property owner. Inspection and testing shall be performed annually between September 1 and December 31, and results shall be submitted to the City no later than December 31 of each year.
- e. Failure to submit the results of the annual inspection and testing of backflow devices may result in the discontinuation of water service to the property, until such time as the documents may be produced certifying the reliability of the backflow prevention device.

5.11. Private Water Sources

- a. Private water sources within the City's corporate limits are prohibited, unless approved by the City.

- b. If at any time an unapproved private source of water is found, notice to discontinue use will be given by the City. Should the use of such water continue forty-eight (48) hours after the notice, such source or supply of water will be declared a nuisance and danger to public health and safety, and will be removed, filled up or otherwise abated.
- c. All cost associated with the elimination of the private water source shall be the responsibility of the owner of the private water source.

5.12. Use of City's Truckfill Station

- a. The City may at its discretion make water available for sale at the Spruce Grove Truckfill Station. The City is not obligated to supply water for sale at the Truckfill Station and the supply of water may be interrupted for any reason.
- b. The City does not guarantee the suitability of water obtained through the Truckfill Station for the intended purpose for which it may be obtained.
- c. Any person wishing to use the City's Truckfill Station to obtain a supply of water shall submit a completed application form and pay a fee to the City for the desired amount of water. Access to station will be given only upon receipt of completed form and advance payment. Notwithstanding the foregoing, the City may for any reason and in its sole discretion refuse to supply water to any person.
- d. Truckfill Station water fees are set in accordance with the Fees and Charges Bylaw, and are subject to change from time to time.
- e. The customer shall be responsible for providing any additional length of hose beyond that installed on the Truckfill Station.
- f. The customer must ensure the hose is not submersed in the water tank. An air gap must be maintained between the hose and the receiving vessel to prevent back siphoning and cross contamination.
- g. Contamination of station equipment is strictly prohibited. A fine will be imposed on any person responsible for such contamination.

6. **PART IV – WASTEWATER UTILITY**

6.1. Connection to City's Wastewater Utility

- a. Any person or entity wishing to connect any piping to the City's wastewater system, must first apply to the City for approval and pay the prescribed application fee. An application must include:

- (i) Construction drawings identifying the proposed connection, associated piping and installations, and any other information required by the City;
- (ii) A written statement describing the applicant's interest in the land; and
- (iii) Payment of any off site levies or any other outstanding amounts in relation to the property that are owed to the City.

b. No person shall:

- (i) Produce or operate a private sewerage system within the corporate limits of the City, unless authorized by the City;
- (ii) Tamper in any way with any part of the City's sewerage system or appurtenance thereof, including manholes and ventilators. This prohibition does not apply to duly authorized employees or agents of the City;
- (iii) Introduce any pipe, tube, trough, or conduit into the sewerage system, except as authorized by the City;
- (iv) Interfere with the free discharge of the sewerage system or any part thereof;
- (v) Remove, regrade, alter or obstruct any drainage swale or ditch whose construction has been approved by the City;
- (vi) Discharge any sanitary sewage, industrial waste, or other polluted water to any natural outlet within the City, or any area within the jurisdiction of the City, except where suitable pre-treatment has been approved in accordance with subsequent provisions to this bylaw;
- (vii) Construct or maintain any private septic tank, cesspool, or other facility intended or used for the disposal of sewage, except as permitted by this bylaw, the *Safety Codes Act*, R.S.A. 2000, c. S-1 and *Plumbing Code Regulation*, A.R. 119/2007, or the Alberta Health Services Board or an official administrator appointed pursuant to s. 11 of the *Regional Health Authorities Act*, R.S.A. 2000, c. R-10.
- (viii) Release or allow the release of any matter containing a hazardous waste into a sanitary sewer; or
- (ix) Release or allow the release of prohibited wastes, as designated by the Alberta Capital Region Wastewater Commission's Wastewater Bylaw, to the City sewage system. A fine will be imposed on any person responsible of releasing

or allowing the releasing of a prohibited waste into the sewage system.

6.2. Private Sewage Disposal System

- a. Where a public sanitary sewer is not available, the owner of a building shall connect the building sewer to a private sewage disposal system. This system shall be constructed in accordance to City's specification and approval. It will also comply with the provisions of this bylaw and all applicable provincial legislation and regulations.
- b. Nothing contained in this bylaw shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.
- c. The owner shall, at no expense to the City, operate and maintain the private sewage disposal facilities in a sanitary condition at all times.
- d. At such time a public sewer becomes available to a property served by a private sewage disposal system, the owner shall apply to the City and a direct connection to the public sewer shall be made at the owner's expense. Any and all septic tanks, cesspools, or similar private sewage disposal facilities shall be removed and filled with suitable materials at the owner's expense.

6.3. Backwater Valve

- a. Every new building constructed shall have a backwater valve or other approved device installed to protect the building from possible sewer back up.

6.4. Interceptors

- a. The owner of any of the following properties must install, operate, and maintain an interceptor on the property:
 - (i) Any property in which there is commercial or institutional food preparation;
 - (ii) Any commercial laundry or hotel;
 - (iii) Any petroleum yard, or property in which vehicles or equipment are repaired or washed;
 - (iv) Any type of businesses or residential properties where, in the opinion of the City, an interceptor is necessary for the proper handling of liquids containing grease or solids in excessive

amounts, any flammable waste, sand, and other harmful ingredients; and

- (v) Any property for which the City at its sole discretion deems it reasonable to require an interceptor.
- b. The owner of every interceptor shall be responsible for the operation and maintenance of such appliance. Any owner not operating and maintaining the interceptor that is shown to effect any part of the sewerage system shall be responsible for sole costs of clearing the impacted area, as it may extend into the main wastewater collection system.
- c. Every grease, oil, sand and silt interceptor shall be:
 - (i) Of a design sufficient to perform the service for which it is intended, and
 - (ii) Located such as to be readily and easily accessible for cleaning, maintenance, and inspection.
- d. All owners and operators of any interceptors must maintain the records of maintenance for the interceptor.
- e. The records of maintenance for the interceptor may be requested by the City at all reasonable times to confirm compliance with this bylaw.
- f. Failure to maintain and provide adequate records for the operation and maintenance of any interceptor may result in a fine.

6.5. Sewerage System Releases

- a. The sewerage system release guidelines of this bylaw shall be in accordance with wastewater discharge regulations as established by the Alberta Capital Region Wastewater Commission's Wastewater Bylaw and in compliance with any applicable standards established the City of Spruce Grove or the Province of Alberta.
- b. The following may be released into the City's sewerage system:
 - (i) wastewater that does not contain:
 - (I) a hazardous waste;
 - (II) a prohibited waste (as designated by the Alberta Capital Region Wastewater Commission's Wastewater Bylaw); or
 - (III) a restricted waste (as designated by the Alberta Capital Region Wastewater Commission's Wastewater Bylaw).

- c. No person shall release or permit the release of the following into the City's sewerage system:
 - (i) Any matter containing a hazardous waste;
 - (ii) Storm water, including water from drainage of roofs or land and uncontaminated water;
 - (iii) Sub surface drainage, including weeping tile drainage, except:
 - (I) from buildings constructed prior to 1990; or
 - (II) if the connection is approved by the City;
 - (iv) Water that has originated from a source separate from the water distribution system of the City;
 - (v) Hauled wastewater, except for the volume of wastewater that is generated via a recreational vehicle and released through a properly constructed, and monitored City approved SaniDump; or
 - (vi) Any substance which matches the characteristics of a prohibited or restricted waste as designated by the Alberta Capital Region Wastewater Commission.
- d. Failure to prevent or control the release of prohibited wastes may result in fines.
- e. Release of overstrength wastewater will be subject to surcharges as designated by the Alberta Capital Region Wastewater Commission.
- f. No person shall dilute wastewater so as to avoid the requirements of this bylaw.
- g. No waste or discharge resulting from any trade, industrial or manufacturing process shall be directly released into the City wastewater system without such previous treatment as prescribed by the City for such case. The customer shall install and maintain the prescribed treatment works at his sole expense, and to the satisfaction of the City. Prescribed treatment works are determined on a case by case basis through the development process.

6.6. Sewer Backup

- a. Should any customer claim that a sanitary sewer service line is plugged, the City shall respond by investigating for free flow in the sanitary sewer mains. In the event that no blockage is observed in the mains, the customer shall be instructed to contact a plumber

certified in the Province of Alberta to open the service line, from the house clean out to the City's sanitary sewer main.

- b. Should the plumber determine the cause of the obstruction is from grease, ice, any foreign object that entered the sewer service line from within the building, or tree roots on any section of the service line, the customer shall be responsible for the costs of the repair.
- c. Should the plumber determine the obstruction is from anything other than grease, ice, or a foreign object that entered the sewer service line from within the building, or tree roots on any section of the service line, the customer shall provide a video record of the obstruction and the prescribed deposit payment to initiate a City investigation. This video may be produced by a contracted service provider.
- d. If the customer wishes to have a video inspection performed by the City, the customer shall:
 - (i) Place a written request for said service. This request may be submitted electronically;
 - (ii) Provide the City with the prescribed deposit prior to commencing the video inspection;
 - (iii) Provide clear access to the house clean out. The inspection shall not take place if access to the clean out is not granted; and
 - (iv) Have the service line free of obstructions. If service line is not free of obstruction the City will remove said obstruction and the customer will be responsible for all costs of doing so.
- e. If an investigation by the City determines the obstruction is from anything other than grease, ice, or a foreign object that entered the sewer service line from within the building, or tree roots on any section of the service line, the following guidelines shall be adhered to:
 - (i) Should the cause of the claim be determined to be situated on the portion of the service line from the sanitary main to the property line, the City shall refund the deposit to the customer and assume costs incurred by the customer for the opening of the sewer by the plumber. The City will also assume costs of repair.
 - (ii) Should the cause of the claim be determined to be situated on the portion of the service line from the property line to the residence, the City shall retain the deposit, if one had been submitted, and advise the customer to obtain the services of

a private contractor to repair service if necessary. The costs of any repair shall be assumed by the customer.

- (iii) Should no problem be detected or is caused by grease, ice, a foreign object that entered the sewer service line from within the building, or tree roots on any section of the service line the City shall retain the deposit, if one had been submitted, and advise the customer to obtain the services of a private contractor to repair service if necessary. The costs of any repair shall be assumed by the customer.
- (iv) Should the problem co-exist on private property and between the main and property line, the City shall in its sole discretion determine a fair apportionment of the costs of the deposit and repair between the City and the customer.
- (v) Prior to execution of any work on private property that is of a nature that may be identified as customer services in the Fees and Charges Bylaw or required as a means of investigation, a deposit shall be paid to the City.
- (vi) In addition to the required deposit, a letter of acknowledgement shall be in place to authorize the activity required to complete any custom services as identified in the Fees and Charges Bylaw or investigative work. This letter shall identify responsibility to pay as may be determined subsequent to the work being executed.
- (vii) Repairs made by the City or on behalf of the City by contracted services, pursuant to this bylaw, shall be invoiced as required to recover actual costs for the repair.

7. PART V – STORMWATER UTILITY

7.1. Releases to Storm Sewer System

- a. No person shall release or allow or cause to be released any hazardous waste into the storm sewer system.
- b. No person shall release or allow or cause to be released any Prohibited Material into the Storm Sewer System except as permitted in subsection 7.1(c).
- c. The following may be released into the Storm Sewer System unless the release could cause a Negative Impact:
 - (i) foundation drainage;

- (ii) water from a tank, pond, reservoir or other containment device or structure that does not include chlorine, chloramine or chemical agents used for maintenance (sanitizer, algae control and acidic/alkaline balance);
 - (iii) water resulting from extinguishing fires and street cleaning;
 - (iv) materials used for snow and ice control; or
 - (v) a discharge to the storm sewer system which has been approved in writing by the City.
- d. Any person who releases or allows or causes a release into the storm sewer system any matter contrary to the provisions of this bylaw shall:
- (i) notify the City immediately upon becoming aware of the release;
 - (ii) provide the City with information respecting the release, to the satisfaction of the City;
 - (iii) be liable for all cost incurred by the City for containment, sampling, testing, removing, clean-up, disposal, and any other related activity and environmental damages including fish kill.

7.2. Prohibition of Dilution

- a. No Person shall release or allow or cause to be released any material into the Storm Sewer System that has been diluted in order to achieve compliance with this Bylaw.

7.3. Storm Sewer Regulations

- a. Stormwater must not be diverted, or used for any purpose without express written permission by the City.
 - (i) Approval from the City is not required for the use of stormwater captured by one or more barrels located above ground and intended for outdoor use.
- b. No person shall wade, swim, boat, fish, skate or carry on other recreational activities on or in a stormwater management facility except as permitted by the City.

- c. No person shall obstruct any drain, ditch, culvert or watercourse in the City.
- d. Any Person who causes damage to or interferes with the Storm Sewer System shall be guilty of an offence, and shall be liable to the City for all costs incurred by the City in making repairs or taking remedial action.

7.4. Connections

- a. No person shall install, alter or remove, or permit installation, alteration or removal of any service connection to the storm sewer system without written approval of the City.
- b. Applications for the installation, alteration or removal of a service connection shall be made in writing to the City.
- c. The City may approve the installation, alteration or removal of a service connection upon such terms and conditions as the City considers necessary and the payment in advance of the cost or estimated cost of the installation, alteration or removal of the service connection.
- d. The installation, alteration or removal of a service connection shall be carried out at the expense of the applicant.
- e. No person shall reuse a service connection that has been discontinued, altered or removed without first obtaining the written consent of the City.
- f. Where the use of a service connection is discontinued, the owner of the property which was serviced by such service connection shall immediately notify the City in writing.

7.5. Disconnections

- a. The City may, in addition to any other remedy available, disconnect or seal off the property from the storm sewer system or take such other action as is necessary to prevent a discharge of stormwater from entering the storm sewer system where the discharge:
 - (i) contains a prohibited material;
 - (ii) creates an immediate danger to any person;

- (iii) interferes with or endangers the operation of the storm sewer system; or
- (iv) may otherwise cause or result in a Negative Impact.
- b. Where the City has taken action pursuant to subsection 7.5(a), such action may be maintained or continued until evidence satisfactory to the City has been produced to assure that no further harmful discharge will be made.
- c. Where the City has taken action pursuant to subsection 7.5(a), the City may, by notice in writing, advise the owner or occupier of the property from which the discharge was emanating, of the cost of taking such action and the owner or occupier shall forthwith reimburse the City for all such costs which were incurred.

7.6. Proper Use of Storm Sewer System

- a. The owner assumes full responsibility for the proper use of the service connection and storm sewer system provided by the City.
- b. The owner must maintain the condition, suitability and safety of any stormwater management facility on the owner's property or on the property the owner controls but does not own.
- c. The owner shall be liable for any loss, damage, expense, charge, cost or other liability of any kind, whether to the City, its agents or employees, City property or otherwise, arising directly or indirectly by reason of:
 - (i) the routine use of the storm sewer system;
 - (ii) the owner's improper or negligent use of the storm sewer system; or
 - (iii) the negligent acts or omissions or willful acts or omissions of the owner or any person permitted on the owner's property.

7.7. Deterioration of the Drainage Systems

- a. If there is significant deterioration to the Storm Sewer System, beyond reasonable projections, remediation costs will be considered as non-routine.

7.8. Interceptors

- a. Any owner of a property on which the City has directed that an Interceptor be installed, or a practice be implemented in order to control or reduce the amount of surface runoff or improve water quality or infiltration, must:
 - (i) keep the Interceptor in good working condition at all times;
 - (ii) service the Interceptor often enough so that it does not become overloaded;
 - (iii) ensure the practice operates efficiently and effectively at all times; and
 - (iv) keep maintenance record for a minimum of two years and provide such maintenance record to the City upon request.
- b. No person shall release any prohibited material from an interceptor or implementation of a practice, into the storm sewer system.

7.9. Stormwater Utility Fee

- a. The stormwater utility fee is charged to property owners in accordance with the Fees and Charges Bylaw.

8. **PART ~~V~~VI – SOLID WASTE MANAGEMENT UTILITY**

- 8.1. The City hereby establishes the waste management utility system for the collection, removal, and disposal of all garbage, recyclables, and organic waste within the City's corporate limits. In order to administer and enforce the provisions as established in this bylaw, the City may:
 - a. Divide the City into areas for the purpose of collecting garbage, recyclables, and organic waste from eligible properties on various days of the week;
 - b. Designate a particular day of the week for collection of garbage, recyclables, and organic waste in each designated collection area;

- c. Alter the boundaries of collection areas as deemed necessary on reasonable notice to the public;
 - d. Administer and liaise with any collection contractor who may be hired by the City to carry out the collection of garbage, recyclables, or organics within the City;
 - e. Assign a green organics cart for organic waste collection to eligible properties;
 - f. Assign a black waste cart for garbage waste collection to eligible properties;
 - g. Determine the frequency of collection of garbage, recyclable, and organic waste in each designated collection area of the City; and
 - h. Designate the conditions and guidelines relating to the acceptance of waste materials at waste management facilities.
- 8.2. Garbage, recyclables, or organic waste collected at curbside shall be delivered to the respective disposal locations by the collection contractor.
- 8.3. Eligible Properties
- a. Eligible properties for garbage, recyclable and organic waste collection include the following:
 - (vi) Single family dwellings including mobile homes; and
 - (vii) Residential dwellings that constitute a unit in a duplex.
 - b. Eligible properties with an active utility service account shall be assigned only one (1) black waste cart per account for garbage collection.
 - c. Eligible properties with an active utility service account shall be assigned only one (1) green organics cart per account for organic collection.
 - d. All black waste carts and green organics carts shall remain the property of the City.
 - e. Each eligible property will be charged for solid waste collection once a water utility service account is activated.
 - f. Black waste carts and green organics carts shall not be delivered to a new eligible property until the home builder has requested a final water meter read and a new utility service account has been established.

- g. Owners and occupants of properties not defined herein as eligible properties shall not place any waste materials at the curbside of such properties for collection.
- h. Owners of eligible properties are responsible for the assigned cart being used by tenants.

8.4. Customer Responsibilities

- a. The customer shall:
 - (i) Utilize the regulated carts provided by the City for the storing and collection of garbage and organic waste, and ensure that all garbage and organic waste collected is held in such carts at all times so as to prevent the escape of waste materials into the environment;
 - (ii) Ensure that the carts are not loaded beyond capacity by volume or weight. The lid must be closable even when the carts are fully loaded;
 - (iii) Gather all garbage and organic material that escaped from the carts onto public or private property;
 - (iv) Maintain supplied carts in good repair and in a sanitary condition;
 - (v) Ensure carts remain on the properties to which they were assigned by the City;
 - (vi) Store collected garbage, recyclable, and organic waste in carts that are made inaccessible to pests or animals;
 - (vii) Ensure the proper preparation of all collectible garbage, recyclable, and organic waste in accordance with this bylaw;
 - (viii) Ensure that collected garbage, recyclable and organic waste is placed for collection at the curb or laneway of the property, off the sidewalk and not obstructing pedestrian traffic;
 - (ix) Make the assigned cart available to the City or its agents within a reasonable time frame upon request for inspection or for the purpose of repair or identification of serial number or identification feature; and
 - (x) Be responsible for the repair of damage or replacement of assigned cart due to misuse or alterations involving the customer.

8.5. Regulation Containers for Garbage and Organic Collection

- a. Only carts supplied by the City shall be utilized for the purposes of garbage and organic collection:
- (i) For garbage waste, the ridged reusable cart shall be black in color with pigment throughout the construction material;
 - (ii) For organic waste, the ridged reusable cart shall be green in color with pigment throughout the construction material;
 - (iii) The carts shall be constructed of injection molded UV stabilized high-density polyethylene, containing recycled material where possible. All carts shall be of uniform design and construction (North American style roll out carts with blow molded wheels) and be either two hundred and forty litres (240 L) or one hundred and twenty litres (120 L) in size;
 - (iv) The body of the cart shall be tapered, with a smooth surface and free of internal obstruction, to allow all materials to be removed from the cart during the tipping process;
 - (v) All metal parts shall be constructed of stainless steel to resist corrosion;
 - (vi) Each cart shall be capable of holding a minimum of forty-five kilograms (45kg) or one hundred pounds (100 lbs) during the tipping cycle, without structural damage or deformation;
 - (vii) The carts shall be balanced in such a way to reduce the possibility of tipping over while being moved, whether full or empty. Handles for moving the carts shall be at the opposite sides of the lifting area; and
 - (viii) The cart wheels must be:
 - (I) Two hundred and fifty millimeters (250 mm) in diameter; an
 - (II) One piece blow molded;
 - (III) Snap on style;
 - (IV) Attached to the axle in such a way to restrict removal and serviceable for fully automated systems; and
 - (V) Be attached to an axle made of solid steel.
- b. No material shall be considered to be “garbage” within the meaning of this bylaw unless and until the customer has placed the waste material in a regulation cart.
- c. No person shall put out or permit to be put out animal feces or any other manure type waste unless packaged separately from other waste in a securely tied compostable bag free of punctures, tears, and leaks.

- d. The City and its contractor are not required to handle, collect or remove a black waste cart, or the contents of such, which does not comply with this bylaw.
- e. No person shall dispose of any waste in a receptacle or cart owned or leased by another person without the express written consent of the owner of the receptacle or cart.
- f. Recyclable materials shall be accepted for collection at curbside only if placed in a blue bag.
- g. Cardboard shall be accepted for collection at curbside only if placed in a blue bag or flattened and neatly stacked.
- h. Any recyclable material that is over 1.2 meters in length or is not neatly stacked will not be collected.

8.6. Use of Eco Centre

- a. All garbage, recyclable material, or organic waste disposed of at the Eco Centre is subject to the regulations established by the City, and therefore:
 - (i) No person shall deposit or dispose of waste at any location in the City except the Eco Centre; and
 - (ii) A disposal fee may be charged.
- b. All owners or occupants of properties shall remove and dispose of all garbage originating or placed on the properties which are not collected, removed and disposed of pursuant to this bylaw. If any owner or occupant fails to remove and dispose of garbage in contravention of the foregoing, the City may remove and dispose of such garbage at the owner or occupant's expense and the cost of removing and disposing of such garbage shall become an amount owing by the owner or occupant to the municipality.
- c. All City residents have access to the Eco Centre for the disposal of household recyclables. Acceptable items include but not limited to:
 - (i) Mixed paper such as:
 - (I) Boxboard;
 - (II) Paper;
 - (III) Magazines;
 - (IV) Corrugated cardboard; and
 - (V) Newspaper.
 - (ii) Tin cans and metal containers.
 - (iii) Other materials as expressed by the City and its contractor.

- d. All material disposed of through the Eco Centre facility is subject to fees that are subject to change from time to time.
- e. Loitering and scavenging at the Eco Centre are prohibited and will result in the issuance of a fine.
- f. Customers of the Eco Centre shall comply with directions given to them for proper disposal of materials. Failure to dispose of materials as directed shall result in a fine being issued to the customer.
- g. Customers of the Eco Centre who are abusive to the attendants shall be requested to vacate the property. Failure to vacate the property as directed shall result in a fine being issued to the customer.
- h. If in the opinion of the City solid waste materials disposed of on public property are the property of a person, a fine will be issued to that person.
- i. If in the opinion of the City recyclable materials disposed of on public property are the property of a person, a fine will be issued to that person.

8.7. Private Garbage Collection

- a. The owner or occupant of eligible residential properties may remove the garbage therefrom at their own expense and employ some other person for such purpose, but such action shall not relieve the owner or occupant of this liability to pay to the City the rate levied under this bylaw for removing such garbage.

8.8. Use of Organic Waste Collection Service

- a. All sites receiving garbage collection service will receive a green organics cart and may utilize the organic waste collection service at no extra cost.
- b. Branches or bushes may be placed for collection at eligible properties with each bundle no more than 1.2 metres in length and thirty-four (34) kilograms in weight.
- c. All extra organic waste must be placed in a compostable bag that is clearly marked as compostable. Biodegradable bags are considered unacceptable and if used, a fine may be assessed.
- d. The organic waste collection service is limited to all organic and non-hazardous materials, which include food waste, paper waste and natural yard waste.

- e. Unacceptable items for the organics collection service include, but are not limited to, hazardous materials, plastic, glass, metal, styrofoam, ashes, and personal hygiene products.
- f. The City and its contractor are not required to collect the contents of a green organics cart should it contain any unacceptable items. The cart will be tagged to notify the customer of unacceptable use. Repeated inclusion of unacceptable waste materials in routine organic collection will result in a fine being issued to the customer.

8.9. Hazardous Waste, Dangerous Goods, Special Waste

- a. The owner or occupant of properties which produces or possesses any dangerous goods, hazardous waste or special waste shall remove and dispose of such goods in accordance with this bylaw and any applicable provincial and federal legislation, regulation, and guidelines.
- b. Clearly marked and identified household hazardous wastes will be accepted at the Eco Centre. See Schedule A for a list of items accepted as household hazardous waste and a list of items that are not accepted at the Eco Centre.
- c. The owner or occupant of any property from which any dangerous goods, hazardous waste or special waste is removed shall properly identify such waste or goods and shall be responsible for obtaining approvals for the safe transport and disposal thereof.
- d. No person shall deposit or mix with any garbage for collection in the garbage service or delivery to the Eco Centre any dangerous goods or hazardous waste that is not listed in Schedule A.
- e. No person shall place, or cause to be placed, any special waste into the garbage service or Eco Centre without obtaining permission from the City and making payment of the disposal charge.
- f. Any person breaching any part of this section shall be responsible for all costs incurred in eliminating any pollution from, or contamination of, the Transfer Station or any other site in the City and shall make payment of the same to the City on demand.

8.10. Burning

- a. Except as provided in the City's Fire Permit, no person shall burn or attempt to burn any garbage outside of a building in any area of the City.

8.11. Prohibitions

- a. No person shall:
 - (i) Pick over, remove, disturb or otherwise interfere with any waste material that has been set out for municipal collection;
 - (ii) Collect waste material placed for municipal collection; or
 - (iii) Remove a black waste carts or green organics carts placed at curbside.
- b. The prohibitions in 8.11(a) do not apply to the person who placed the waste material for collection or to the City or its contractors.

9. **PART ~~VI~~ VII: ENFORCEMENT**

- 9.1. A designated officer who inspects any property under this bylaw, or any person who takes any actions or performs any work on behalf of the City pursuant to this bylaw, is not liable for any damages caused by the inspection, the work, or the actions.
- 9.2. Any person who contravenes any provision of this bylaw is guilty of an offence.
- 9.3. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount not less than that established by this or any other bylaw for each such day.
- 9.4. Any person found in contravention of a provision of this bylaw and who does not comply with the directions of the City to correct the violation is guilty of an offence and said violation may be remedied by the City to its satisfaction.
- 9.5. A designated officer is hereby authorized and empowered to issue a Violation Ticket, pursuant to either Part II or III of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34, as amended, to any person who the designated officer has reasonable grounds to believe has contravened any provision of this bylaw.
- 9.6. A violation ticket may be issued to a person:
 - a. Either personally; or
 - b. By using regular mail to mail a copy to the person at his last known postal address.
- 9.7. The violation ticket shall state:
 - a. The name of the person;
 - b. The offence;

- c. The appropriate penalty for the offence as specified in the City's Fees and Charges Bylaw or otherwise;
 - d. The location where the violation occurred; and
 - e. Any other pertinent information as per the discretion of the designated officer.
- 9.8. The violation ticket may provide for payment of the specified penalty set out in the City's Fees and Charges Bylaw for the offence, and the recording of such payment by the by the Court shall constitute acceptance of a guilty plea and the imposition of a fine in the amount of the specified penalty.
- 9.9. Section 9.8 shall not prevent a designated officer from issuing a violation ticket requiring a Court appearance of the defendant.
- 9.10. Any person who is guilty of an offence under this bylaw for which a penalty is not otherwise provided is liable to a fine of not less than \$100 and not more than \$3,000.
- 9.11. The conviction of a person under the provisions of this bylaw does not operate as a bar to further prosecution for the continued neglect or failure on the part of the person to comply with the provisions of this bylaw, or anything issued in accordance with this bylaw.
- 9.12. In addition to any other remedy available to the City for non-compliance with this bylaw, the City may correct the violation and the costs incurred therefore shall be paid to the City upon demand and failing payment, are an amount owed to the City.

10. EFFECTIVE DATE

- 10.1. This bylaw shall come into force and effect January 1, 2015.
- 10.2. Where conflict exists, this bylaw supersedes Bylaw C-497-03, as amended.

First Reading Carried 22 September 2014

Second Reading Carried 27 October 2014

Third Reading Carried 24 November 2014

Date Signed 01 December 2014

Mayor

City Clerk

SCHEDULE A – HOUSEHOLD HAZARDOUS WASTE

ACCEPTED HOUSEHOLD HAZARDOUS WASTE

The following items will be accepted without charge as long as the items are clearly marked:

Abrasive cleaners	Laundry stain removers
Acetone	Light bulbs
Aerosol paints and sprays	Lighter fluid
Air fresheners (aerosol)	Liquid cleaners
All-purpose cleaners (solvent based)	Lye
Ammonia	Mercury thermometers
Ant/wasp spray	Mildew removers
Antifreeze	Muriatic acid
Auto body filler	Nail polish and remover
Batteries (car, cell phone, household)	Oil Filters
Barbecue starters	Oven cleaners
Bleach	Paint thinners and strippers
Brake and transmission fluid	Paints (oil and water based)
Butane refills	Photographic chemicals
Carbon tetrachloride	Propane cylinders
Car (lead-acid) batteries	Rubbing alcohol
Car waxes and polishes (solvent and water based)	Shoe polish
Cell phones	Silver and brass polish
Contact cement	Smoke detectors
Degreasers (petroleum based)	Solvents, turpentine, varnish, lacquers
Disinfectants	Spot removers
Drain cleaners	Spa and pool chemicals
Fabric softeners	Toilet cleaners
Floor wax strippers	Tub and toilet cleaners
Florescent light bulbs	Used oil
Hair sprays (aerosol)	Weed killers
Insecticides	Windshield washer solution
Kerosene	Wood preservative

HOUSEHOLD HAZARDOUS WASTE ITEMS NOT ACCEPTED

Explosives and explosives components	Pharmaceuticals
Fireworks	Pharmaceutical needles
Road flares	Railroad ties
Used oil and oil filters	Gasoline
Tar	Diesel
Industrial Waste	