



**BYLAW NO. 2017-924
OF THE
VILLAGE OF RYLEY**

**A BYLAW OF THE VILLAGE OF RYLEY, IN THE PROVINCE OF ALBERTA,
RESPECTING THE SUPPLY OF SANITARY SEWER SERVICES
WITHIN THE VILLAGE OF RYLEY**

WHEREAS Municipal Council has determined it is expedient to establish a Sewer Service Bylaw for the Village of Ryley;

AND WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as amended, provides Municipal Council with the authority to provide public Utility Services subject to any terms, costs or charges as may be established by Municipal Council;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as amended, Municipal Council for the Village of Ryley, duly assembled enacts as follows:

PART I – INTERPRETATION

Division 1

1. This Bylaw may be referred to as the “Sewer Services Bylaw”.

Division 2 – Definitions

2. Definitions

- 2.1 “*Administrator*” means the Village Chief Administrative Officer. “*Authorized Person*” means a Person employed or under contract to the Village for the purposes of inspection and enforcement, and shall include a Bylaw Enforcement Officer.

- 2.2 “*Authorized Person*” means a Person employed or under contract to the Village for the purposes of inspection and enforcement, and shall include a Bylaw Enforcement Officer.
- 2.3 “*Backflow*” means the reversal of the direction of flow within a Service Connection.
- 2.4 “*Blackwater*” means domestic wastewater containing human excrement or matter contaminated with human excrement, discharged from a toilet.
- 2.5 “*Bylaw Enforcement Officer*” means a Person appointed pursuant to the *Municipal Government Act*.
- 2.6 “*Consumer*” means any Person whose Premises is connected to the Sewer System, in whose name an account has been opened with the Village for the purpose of providing a Utility Service under this Bylaw.
- 2.7 “*Designated Officer*” means a Person appointed pursuant to the *Municipal Government Act*, and includes for the purpose of this Bylaw, an Authorized Person and a Bylaw Enforcement Officer.
- 2.8 “*Development Authority*” shall have the meaning set out pursuant to the *Municipal Government Act*.
- 2.9 “*Dwelling Unit*” means a building intended for residential purposes.
- 2.10 “*Greywater*” means domestic wastewater from a hand basin, bath, shower, kitchen or laundry, excluding Blackwater.
- 2.11 “*Inspector*” means those Persons approved by the Administrator for the purpose of inspecting or installing Testable Cross-Connection Control Devices or other aspects of water supply within a property in the Village.
- 2.12 “*Land Use Bylaw*” means the Land Use Bylaw of the Village passed pursuant to Part 17 of the *Municipal Government Act*.
- 2.13 “*Municipal Government Act*” means R.S.A. 2000, Chapter.M-26, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.14 “*Municipal Tag*” means a notice issued by the Village pursuant to the *Municipal Government Act*, for the purpose of providing a Person with an opportunity to acknowledge a contravention of this Bylaw, and to pay a penalty directly to the Village, in order to avoid prosecution for the contravention.
- 2.15 “*Occupant*” means a Person occupying a Premises or Dwelling Unit, including a lessee or licensee, who has actual use, possession or control of the Premises or Dwelling Unit.

- 2.16 “*Owner*” means the registered owner of real property to which a Utility Service is provided pursuant to this Bylaw, and includes a purchaser under an agreement for sale of real property.
- 2.17 “*Person*” includes any individual, firm, partnership or corporation and the heirs, executors, administrators or other legal representatives of an individual.
- 2.18 “*Plumbing Code*” means the most current edition of the National Plumbing Code of Canada, adopted and in force in the Province of Alberta.
- 2.19 “*Premises*” or “*Property*” means real property and all buildings, structures and improvements thereon.
- 2.20 “*Provincial Offences Procedure Act*” means R.S.A. 2000 Chapter.P-34, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.21 “*Safety Codes Act*” means R.S.A. 2000, Chapter S-1, as amended or repealed and replaced from time to time, and any regulations thereunder.
- 2.22 “*Sanitary Sewer System*” means that system of pipes, fittings, fixtures, Appurtenances, treatment plants, pumping stations, feeder mains, portions of Service Connections, and all other equipment and machinery of whatever kind owned by the Village which is required for the collection and disposal of sewage, and which is deemed to be a Public Utility within the meaning of the *Municipal Government Act*.
- 2.23 “*Service Connection*” means the part of the system or works of a Utility that runs from the Water Main of the Utility to a building or other place on a parcel of land for the purpose of providing Water Service to the parcel and
- 2.24 “*Sewer Main*” means those pipes, or other apparatus installed for the removal of sewer from a property to which a Service Connection may be connected.
- 2.25 “*Village*” means the Corporation of the Village of Ryley, or the geographical area of the Village, as applicable.
- 2.26 “*Utility*” means the system or works of a public utility operated by or on behalf of the Village.
- 2.27 “*Utility Service*” means the supply of water or the disposal of sewage to a Premise by the Village pursuant to this Bylaw.
- 2.28 “*Violation Ticket*” means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act*.

PART II – SEWER SERVICES

Division 1 – Provision of Sewer Service

3.0 Terms of Service

- 3.1 All Premises within the Village shall be required to connect to the Sanitary Sewer System, unless an alternative means of sanitary sewage disposal has been approved by the Administrator, in writing.
- 3.2 All work performed on any portion of the Sanitary Sewer System, pursuant to the terms of this Bylaw by a Consumer shall be performed in accordance with the required standards set out in the Plumbing Code, and any other applicable Code under the *Safety Codes Act*.
- 3.3 Upon receipt of a completed written application and the payment of the Development Permit fees as set out in the Master Rates Bylaw, the Village, where the main line is adjacent to the Premises subject to the application, shall provide Sanitary Sewer Services to the parcel, whether the property is occupied by the Owner or Occupant.
- 3.4 The Owner shall be made responsible for the installation and construction costs of the sewer Service Connection located on Village property which runs from the Village's sewer main line to the property line of the road or boundary of an easement granted to the Village for its Sanitary Sewer System.
- 3.5 Those portions of the sewer Service Connection located within the boundaries of the Premises shall be constructed by the Owner at his or her sole expense, pursuant to the terms of this Bylaw and any specifications provided by the Village. The Owner shall be responsible for the continued maintenance and repair of the sewer Service Connection thereafter.
- 3.6 The Village shall, at all times, remain the Owner of that portion of the Sewer Service Connection between the Village's main line and the property line of the road or boundary of an easement granted to the Village for its Sewer System, notwithstanding that the Village's portion of the Service Connection may have been constructed by, or its construction funded by, an applicant for a subdivision or development approval.
- 3.7 To prevent or reduce flooding, an Owner shall install a backflow valve or other mechanical device in accordance with the National Plumbing Code, and the *Safety Codes Act*, for the purpose of preventing Backflow into the Premises.
- 3.8 Owners of existing Dwelling Units and Premises without a suitable backflow valve or other mechanical device approved by the Village, for the purpose of preventing Backflow into the Premises, shall be responsible for costs of any damages that may have been caused by flooding.

Division 2 – Use and Protection of Sewer System**4.0 Prohibitions**

- 4.1 No Person shall dispose of, or permit the disposal of, any chemical, toxic or dangerous substance, or other form of pollutant into the Sanitary Sewer System.
- 4.2 No Person shall connect, or permit the connection of, a weeping tile system to the sanitary sewer, unless approved in writing by the Administrator.
- 4.3 No Person shall construct or maintain on their Premises, any privy or pit toilet, septic tank, cesspool, or other facility intended or used for the collection or disposal of waste water, human waste or sewage, unless approved in writing by the Administrator.
- 4.4 No Person shall dispose of any substance other than Black Water or Grey Water into any sewage Service Connection connected to the Sanitary Sewer System.
- 4.5 Except as authorized by the Administrator, no Person shall turn, lift, remove, raise or tamper with the cover of any manhole or other Appurtenance of the Sanitary Sewer System.
- 4.6 No Person shall cut, break, connect to or otherwise interfere with any part of the Sanitary Sewer System, except as authorized by the Administrator.
- 4.7 No Person shall interfere with the free discharge of the Sanitary Sewer System, or any part thereof, or do any act or thing which may impede or obstruct the flow of substances within the Sanitary Sewer System.
- 4.8 For the purpose of determining compliance with the provisions of this Bylaw, an Authorized Person may, upon providing reasonable notice to the Owner or Occupant, enter into any Premises for the purpose of conducting an inspection pursuant to the *Municipal Government Act*.
- 4.9 Where an Authorized Person finds that a Person is contravening a provision of Part III of this Bylaw, the Authorized Person may issue an Order pursuant to the *Municipal Government Act*, as applicable directing that the Owner, Occupant, Person responsible for the contravention or any or all of them take the steps necessary to remedy the contravention in a time period set by the Authorized Person.

PART III – ADMINISTRATION AND UTILITY CHARGES**Division 1 – Charges and Fees**

- 5.0 All Consumers receiving Utility Services pursuant to the provisions of this Bylaw shall pay the required charges, levies and fees set out in the Master Rates Bylaw, which may be amended by from time to time.
- 6.0 No account can be transferred to any Occupant or opened in the name of any Person except the Owner.
- 7.0 The Village may prepare and issue invoices for utility charges supplied to Consumers on a yearly basis.
- 8.0 The invoices prepared and issued by the Village pursuant to Section 7.0, may include all services for which fees and charges apply, including but not limited to Sanitary Sewer Service and garbage disposal, provided by the Village to the Consumer. If the Village includes the fees and charges for more than one service on a single invoice, the invoice shall provide information on the fees and charges due by the Consumer for each service.
- 9.0 Utility charges issued pursuant to this Bylaw to a Consumer shall be issued for the address of service provided by the Consumer at the time of application for the Utility Service, and shall be deemed to have been received within seven (7) days of the mailing thereof.
- 10.0 The Consumer shall remit the applicable Utility charge issued under Section 7.0 the Village within thirty (30) days of the last day of the billing period for which the utility charge was issued. In the event that the end of the thirty (30) day period is not a business day, utility charges must be remitted on the next business day.
- 11.0 A Consumer is not relieved from paying the applicable utility charge by reason of non-receipt of an invoice for that utility charge. A Consumer who does not receive a utility charge for an applicable billing period shall contact the Village as soon as that Consumer is aware, or ought to have been aware, that a utility charge has become due and payable.

Division 2 – Non Payment

- 12.0 Utility charges remaining in arrears for ninety (90) days shall be subject to penalties as outlined in the Master Rates Bylaw.
- 13.0 Utility charges outstanding on January 1 of the following year in which they were levied will be transferred to the Tax Roll in accordance with the *Municipal Government Act* Section 553 for the Premises for which the meter is located on, once timely notice has been given. Utility charges transferred will be recovered in the same manner as any property tax in accordance with the provisions of the *Municipal Government Act*. For the purposes of this bylaw, timely notice shall be thirty (30) days written notice.

Division 3 – Authority of Administrator and Authorized Persons

- 14.0 The Administrator is responsible for the administration and enforcement of this Bylaw, and may delegate this authority.
- 15.0 The Administrator may establish standards, guidelines, and specifications for the design, construction and maintenance of the Sanitary Sewer System that are in accordance with the *Public Health Act* and *Safety Codes Act*.
- 16.0 For the purpose of inspection and enforcement under this Bylaw, the Administrator and any Authorized Person are Designated Officers of the Municipality.
- 17.0 In the event of an emergency, an Authorized Person as appointed by the Administrator, may enter onto any Premises, without prior notice to any Person, to prevent the release of sewage from the Sanitary Sewer System.
- 18.0 The Administrator shall be responsible for establishing the Schedules of Meter reading, the advertising of the Schedules to the public, and the amending of such Schedules from time to time, as determined to be necessary by the Administrator in his or her sole discretion.
- 19.0 Where an Authorized Person finds that a Person is contravening any provision of this Bylaw, in addition to any other remedy provided, the Authorized Person may issue an Order to the Owner or Person responsible for the contravention pursuant to the *Municipal Government Act*, as applicable, directing that the Owner or Person responsible for the contravention or any or all of them take the steps necessary to remedy the contravention in a time period set by the Authorized Person.

PART VI – OFFENCES AND PENALTIES**Division 1 – Offences**

- 20.0 Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to the applicable penalties set out in Schedule “B” herein, which may be amended by Council from time to time.
- 21.0 Any Person who provides false information to the Village, the Administrator, Authorized Person, or to any other Person empowered to enforce the terms of this Bylaw, is guilty of an offence and, upon summary conviction, shall be liable to the applicable penalties set out at Schedule “B” herein.

Division 2 – Enforcement

- 22.0 Municipal Tags
- 22.1 A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

- 22.1.1 A Municipal Tag shall be served upon such a Person personally, or in the case of a corporation, by serving the Municipal Tag personally upon the Administrator, Secretary or other Officer of the corporation, or a Person apparently in charge of a branch office, or by mailing a copy to such Person by registered mail.
 - 22.1.2 Where personal service cannot be effected upon a Person, the Bylaw Enforcement Officer may serve the Municipal Tag by leaving the Tag with a Person on the Premises who has the appearance of being at least eighteen (18) years of age.
- 22.2 A Municipal Tag shall be in a form approved by the Administrator and shall contain the following information:
- 22.2.1 The name of the Person to whom the Municipal Tag is issued;
 - 22.2.2 The date of issuance;
 - 22.2.3 A description of the offence, the section number of the Bylaw, and the date on which the offence occurred;
 - 22.2.4 The appropriate penalty for the offence as specified at Schedule “B” of the Bylaw;
 - 22.2.5 That the penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag, in order to avoid prosecution; and
 - 22.2.6 Any other information as may be required by the Administrator from time to time.
- 22.3 Where a Municipal Tag has been issued pursuant to Section 21.1, the Person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Village, the penalty specified on the Municipal Tag, within the time period provided.
- 23.0 Violation Tickets
- 23.1 In those cases where a Municipal Tag has been issued and the penalty specified on the Municipal Tag has not been paid within the prescribed time, if authorized by the Solicitor General, a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*.
 - 23.2 Notwithstanding section 22.1 above, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person to whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw, notwithstanding that a Municipal Tag has not first been issued.

23.3 Where a Violation Ticket has been issued to a Person pursuant to this Bylaw, that Person may plead guilty to the offence by submitting to a Clerk of the Provincial Court, the specified penalty set out on the Violation Ticket at any time prior to the appearance date indicated on the Violation Ticket.

PART VII – NOTICES

24.0 Unless a provision of this Bylaw dictates otherwise, any notice required to be given pursuant to this Bylaw may be given by registered mail, personal service, or by posting the notice at a location on the Premises where the notice is likely to come to the attention of the person to whom it has been issued.

PART VIII – GENERAL PROVISIONS

25.0 The Village shall not be liable for any damages caused by the disruption of any supply of a Utility Service where such disruption is necessary for the purpose of inspection, maintenance or repair of the Utility Service, unless such damages or losses are shown to be directly due to the negligence of the Village or a Village employee.

26.0 This Bylaw shall come into full force and effect on June 6, 2017

READ a first time this 6 day of June 2017.

READ a second time this 6 day of June 2017.

READ a third time and finally passed this 6 day of June 2017.



Village of Ryley

Mayor



Chief Administrative Officer



BYLAW NO. 2017-924

SCHEDULE "A"

Village of Ryley
APPLICATION FOR SERVICES

In consideration of the Village of Ryley agreeing at my request, to provide water and/or sewer services as per Bylaw No. 2017-924 on property owned by myself, located at:

Lot _____, Block _____, Plan _____

Legal Description: _____

It is agreed and understood that completion of this application requires a detailed plan of this request to be provided to the Village and the Village's approval. There shall not be any changes including additions/deletions to the approved plan. If the Administrator has reasonable grounds to believe that the approved plan has been modified, the Administrator may discontinue the provision of the services.

I do hereby release and forever discharge the Village of Ryley, its servants and agents from any claim or charge for damages or injuries which may be experienced by myself, my family, my heirs, executors and assigns as a result of the aforementioned materials and services.

It is further agreed and understood that I shall hold the said Village, its officers and servants harmless from any claim that may be brought against them by third persons on account of the aforesaid services.

It is further agreed and understood that the Village of Ryley in no way guarantees or warrants the performance of the aforesaid services.

It is further agreed that this agreement shall be in accordance with Bylaw No. 2017-924 and any amendments thereto.

I (we) further agree to comply with the Village of Ryley Bylaw No. 2017-924 and any amendments thereto.

Date: _____

Signature

Date: _____

Signature

Information being collected via this form, will be used for the Village of Ryley purposes only. It is collected in compliance with section 33 (c) of the Freedom of Information and Protection of Privacy (FOIP) Act



BYLAW NO. 2017-924

SCHEDULE "B"

TAGS AND PENALTIES

Penalties for contravention of this Bylaw:

- (a) For first offences..... \$500.00
- (b) For second offences \$750.00
- (c) For a third or subsequent offence \$1,000.00