



**BYLAW NO. 2023-03
OF THE
VILLAGE OF MYRNAM**

**A BYLAW OF THE VILLAGE OF MYRNAM, IN THE PROVINCE OF ALBERTA,
RESPECTING THE SUPPLY OF WATER AND SANITARY SEWER SERVICES**

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

AND WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as may be amended from time to time, 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 may be amended from time to time, Municipal Council for the Village of Myrnam, duly assembled enacts as follows:

1. Title

1.1 This Bylaw may be referred to as the “Water and Sewer Services Bylaw”.

2. Definitions

2.1 In this Bylaw, words have the meanings set out in the Act, except that:

- (a) “Appurtenance” means any fixture, receptacle, apparatus or other device which is attached to and forms a part of a Service Connection, or the Water System, as applicable.
- (b) “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.
- (c) “Backflow” means the reversal of the direction of flow within a Service Connection.
- (d) “Back Siphonage” means a Backflow caused by negative pressure within the Water System.
- (e) “Blackwater” means domestic wastewater containing human excrement or matter contaminated with human excrement, discharged from a toilet.
- (f) “Bylaw Enforcement Officer” means a Person appointed pursuant to the *Municipal Government Act*.

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- (g) “CAO” means the Chief Administrative Officer of the Municipality, or their delegate;
- (h) “Consumer” means any Person whose Premises is connected to the Water System; in whose name an account has been opened with the Village for the purpose of providing a Utility Service under this Bylaw.
- (i) “Cross-Connection” means any temporary, permanent or potential connection to a Service Connection or Appurtenance of a Service Connection that may allow Backflow to occur and includes, but is not limited to swivel or changeover devices, removable sections, temperature connections and bypass arrangements.
- (j) “Designated Officer” means a Person appointed pursuant to the *Municipal Government Act*, and includes for the purpose of this Bylaw, an Authorized Person and Bylaw Enforcement Officer.
- (k) “Development Authority” shall have the meaning set out pursuant to the *Municipal Government Act*.
- (l) “Dwelling Unit” means a building intended for residential purposes.
- (m) “Greywater” means domestic wastewater from a hand basin, bath, shower, kitchen or laundry, excluding Blackwater.
- (n) “Infrastructure Charges” means a fee collected from Consumers to be used towards the future replacement or repair of aging and/or new infrastructure.
- (o) “Inspector” means those Persons approved by the CAO for the purpose of inspecting or installing Testable Cross-Connection Control Devices.
- (p) “Land Use Bylaw” means the Land Use Bylaw of the Village passed pursuant to the *Municipal Government Act*.
- (q) “Master Rates Bylaw” means the Master Rates Bylaw of the Village passed pursuant to the *Municipal Government Act*.
- (r) “Meter” means a device installed on a water Service Connection for the purpose of measuring the volume of water supplied to a Consumer and includes a read-out device and associated wiring.
- (s) “Meter Reader” means a Person employed or contracted to the Village for the purpose of gathering the information recorded by a Meter.
- (t) “*Municipal Government Act*” means R.S.A. 2000, Chapter.M-26, as may be amended from time to time, and any regulations thereunder.

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- (u) “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.
- (v) “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.
- (w) “Owner” means the registered owner of real property.
- (x) “Person” includes any individual, firm, partnership or corporation and the heirs, executors, administrators or other legal representatives of an individual.
- (y) “Plumbing Code” means the National Plumbing Code of Canada 1995, adopted and in force in the Province of Alberta pursuant to Alberta Regulation 119/2007, as may be amended from time to time.
- (z) “Premises” or “Property” means real property and all buildings, structures and improvements thereon.
- (aa) “*Provincial Offences Procedure Act*” means R.S.A. 2000 Chapter P-34, as may be amended from time to time, and any regulations thereunder.
- (bb) “*Safety Codes Act*” means R.S.A. 2000, Chapter S-1, as may be amended from time to time, and any regulations thereunder.
- (cc) “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*.
- (dd) “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 includes parts or works such as the pipes, wires, couplings, meters and other apparatus.
- (ee) “Service Connection” means that lateral pipe which connects a Consumer’s Premises to a Village main line of the Water System or Sanitary Sewer System, as applicable.
- (ff) “Service Connection Fee” means that fee set out in the Master Rates Bylaw charged by the Village for the connection of Premises to the Water System or Sanitary Sewer System, as applicable.

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- (gg) “Stop Valve” means a valve located on the Village owned portion of the water Service Connection, located between the main line and the property line of a road or easement, installed for the purpose of enabling the Village to turn on or shut off the supply of water to a Premises.
- (hh) “Testable Cross-Connection Control Device” or “Device” means a device capable of being tested and inspected, approved for the prevention of Backflow pursuant to the provisions of this Bylaw.
- (ii) “Utility” means the system or works of a public utility operated by or on behalf of the Village.
- (jj) “Utility Service” means the supply of water or the disposal of sewage to a Premise by the Village pursuant to this Bylaw.
- (kk) “Village” means the Corporation of the Village of Myrnam, or the geographical area of the Village, as applicable.
- (ll) “Violation Ticket” means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act*.
- (mm) “Water Main” means those pipes, wires or other apparatus installed for the delivery of water to which a Service Connection may be connected.
- (nn) “Water Service” means the Utility provided by the Village to provide water to the Property through a Water Main to a Service Connection.
- (oo) “Water System” means that system of water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, portions of Service Connections, valves, fittings, hydrants, Meters, Cross-Connection Control Devices and all other equipment and machinery of whatsoever kind owned by the Village, which is required to supply and distribute water to Consumers, and which is deemed to be a Public Utility within the meaning of the *Municipal Government Act*.

3. Water

- 3.1 The Village shall, in accordance with the terms and conditions prescribed in this Bylaw, be responsible for the operation and management of all Water Service facilities and equipment utilized for the distribution of water.
- 3.2 The use and control of the Water Service shall be in accordance with this Bylaw.
- 3.3 The Water Service shall be under the direct control and management of the CAO, subject to the provisions of this Bylaw and applicable policies of the Village.

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- 3.4 The Village shall supply Water Service so far as there is sufficient capacity, upon such terms, costs or charges as established by Council to any Owner.
- 3.5 The provisions of this Bylaw shall apply to any property obtaining water from and/or adjacent to the water supply distribution system, operated by the Village of Myrnam.
- 3.6 No Person shall construct or install any manner of connection, whether on a permanent or temporary basis, to any part of the Water System, without first having obtained permission, in writing, from the Village, in the manner prescribed in this Bylaw.
- 3.7 Each property obtaining water from the water supply distribution system operated by the Village of Myrnam must be equipped with:
- (a) an operational, interior shut-off valve
 - (b) a water meter; and
 - (c) an authorized radio frequency transmitter for remote read; and
 - (d) a security tag, if so authorized by the CAO.
- 3.8 Upon receipt of identification, a completed written application, and the payment of the connection fee, 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 water to the parcel, where the application has been submitted by the Owner of the parcel, whether the property is occupied by the Owner or an Occupant.
- 3.9 The provisions of this Bylaw relating to the supply of water to Consumers shall form part of every contract, written or implied, between the Village and a Consumer for the supply of water.

4. Service Connections

- 4.1 The Owner shall be made responsible for the installation and construction costs of the Service Connection located on Village property which runs from the Village's water main to the property line of the road or the boundary of an easement granted to the Village for its Water System.
- 4.2 Owners requesting a Utility Service outside the Village corporate limits shall provide the Village with all necessary details and make application as set out in Schedule "B". If the service connection is approved by Village Council, the Owners shall be responsible for all installation and construction costs of the Service Connection located on Village property which runs from the Village's water main to the property line of the road or the boundary of an easement granted to the Village for its Water System. The Consumers of the Utility Service shall pay the required charges as set out in the Master Rates Bylaw.

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- 4.3 Service Connections located within the property boundaries of a Premise are owned by the Owner of the Premises, and the Owner shall be responsible for the construction, maintenance and repair of that portion of the Service Connection.
- 4.4 The Village shall, at all times, remain the Owner of that portion of the 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 Water 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.
- 4.5 Nothing in this Bylaw shall be interpreted as preventing the Development Authority from imposing as a condition of subdivision or development approval, an obligation upon the applicant for subdivision and development approval to pay for the cost of installation of a portion of the Water System necessary to service the lands subject to the application, including the main line and those portions of the Service Connection owned by the Village, and located between the Village's water mains and the property line on the road or easement boundary.
- 4.6 As a condition of receiving water from the Village's Water System, the Owner shall maintain, in a state of good repair, free from leakage or other forms of water loss, with sufficient protection from freezing, to the satisfaction of an Authorized Person, all parts of the Service Connection, through which the supply of water is conveyed from the Village's Water System to water supply outlets or fixtures located within the Premises.
- 4.7 Owners must exercise additional precautions to protect the Service Connection from damage and freezing, including but not limited to removing tree roots, contacting the Village before any digging on the Property, or installing a drip line or allowing a drip to occur so as to assist in the mainline from freezing.
- 4.8 All components of the Service Connection located within the boundaries of a Premises shall be of the same material as those components of the Service Connection within the Village unless the use of alternative material has been approved by an Authorized Person or is required by the Plumbing Code.
- 4.9 Where the Owner of a Premises fails or refuses to maintain, repair or replace all, or any component of the Service Connection as required by Section 4 an Authorized Person may:
- (a) shut off the supply of water to the Premises, on 48 hours prior notice to the Owner and any Occupant, until necessary repairs have been made to stop the loss of water, or otherwise restore the Service Connection to a condition satisfactory to the Authorized Person; and
 - (b) may prepare an estimate of the volume of water loss and demand payment from the Owner for the estimated amount of water lost as a result of the lack of maintenance and repair.

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- 4.10 Payment for the amount of water estimated lost pursuant to subsection 4.8.2, shall become due and payable upon receipt of a demand, in writing from the Village, and may be recovered from the Owner in accordance with the terms of this Bylaw and the *Municipal Government Act*.
- 4.11 Applications for the construction of a Service Connection or the commencement of the supply of water to an existing Service Connection shall be submitted, in writing to the Village in a format approved by the CAO.
- 4.12 Where an obstruction exists between the main line and the outlets within a Premises, the Village shall be responsible for all costs incurred in respect to any investigation of the cause, and the repair of the obstruction, where the obstruction is determined to be located between the main line and the property line of the Premises. Where the obstruction is located inside boundaries of the Premises, the Owner of the Premises shall be solely responsible for the costs of investigation of the cause and the repairs.
- 4.13 No person other than an Authorized Person shall turn off or turn on, or attempt to turn off or turn on, the water supply from the Village's water distribution system to the property. Every person who contravenes this section of this bylaw shall pay the required penalty as set out in Schedule "A" of this Bylaw.

5. Water Meters

- 5.1 Unless otherwise approved by Council, all water supplied to a Consumer through the Village Water System shall pass through a water Meter approved and supplied by the Village.
- 5.2 All water Meters supplied to and installed by a Consumer shall, at all times, remain the property of the Village, notwithstanding that the Consumer may have paid an installation fee or any other charge for the provision or installation of the Meter.
- 5.3 The Consumer shall pay the cost of installation or removal of a water Meter pursuant to this Bylaw, in addition to any charge for water supplied to the Water System or any charge for the provision of the Meter by the Village. The cost of installation or renewal shall be that amount set out in the Master Rates Bylaw.
- 5.4 The property owner shall be responsible for the cost of any additional plumbing requirements beyond the installation or replacement, such as cut-ins, modifications or relocations. Should the Village be able to accommodate these requirements as part of the overall project, the cost shall become due and payable upon receipt of a demand, in writing from the Village, and may be recovered from the Owner in accordance with the terms of this Bylaw and the *Municipal Government Act*.
- 5.5 No Person, other than an Authorized Person shall install, test, remove, repair, replace or disconnect a water Meter unless that Person has been granted the authority to do so in writing by an Authorized Person.

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- 5.6 Water meters shall not be tampered with or interfered with at any time by the Owner or any other Person. Any damage to the said meter shall be paid for by the Owner, on the basis of cost of parts required plus a labour charge according to the Public Works Rates Policy.
- 5.7 For the purpose of protecting, testing or regulating the use of any water Meter, an Authorized Person may, after having given reasonable notice to the Consumer, enter into the Premises, and take any action necessary to protect, test or regulate the use of the Meter including setting or altering the position of the water Meter.
- 5.8 No person, shall intentionally alter a meter placed on any service pipe or connected with it inside or outside any house, building or other place so as to lessen or alter the amount of water registered by it, unless specifically authorized, in writing, by the Village. Every person who contravenes this section of this bylaw shall pay the required penalty as set out in Schedule "A" of this Bylaw.
- 5.9 Owners must exercise additional precautions to protect the water meter from damage, including but not limited to the installation and activation of heat tape on the water lines and on the meter; and the enclosure of the water lines and the meter with insulated skirting. Supplies and labour costs for replacement of water meters due to broken frost plates and other preventable damage are the responsibility of the Owner.
- 5.10 Where the Owner of a Premises fails to adhere to Section 5, an Authorized Person may:
- (a) shut off the supply of water to the Premises, on 48 hours prior notice to the Owner and any Occupant, until necessary repairs have been made to stop the loss of water, or otherwise restore the Water Meter to a condition satisfactory to the Authorized Person; and
 - (b) may prepare an estimate of the volume of water loss and demand payment from the Owner for the estimated amount of water lost as a result of the lack of maintenance and repair.
- 5.11 Payment for the amount of water estimated lost pursuant to subsection 5.8 and 5.11(b), shall become due and payable upon receipt of a demand, in writing from the Village, and may be recovered from the Owner in accordance with the terms of this Bylaw and the *Municipal Government Act*.

6. Frozen or Blocked Water Lines

- 6.1 The Owner of the Property shall be responsible for the costs associated with frozen or blocked water lines, including but not limited to, thawing the line, removing the blockage or repairing the line when the portion of the line frozen or blocked is between the property line and the Water Meter or when, although the location of the frozen or blocked line is between the Water Main and the property line, in the opinion of the CAO, was caused by the actions or results of the Consumer, Owner or Occupant.

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7. Private Meters

- 7.1 A Consumer may, with the approval of the Village, install at his or her own risk and expense, additional water Meters for the purpose of recording the volume of water supplied to Dwelling Units located on a parcel.
- 7.2 Additional water Meters installed pursuant to section 7.1 shall be installed downstream of the water Meter supplied and installed by the Village.
- 7.3 Responsibility for maintenance and repair of downstream water Meters installed pursuant to section 7.1 shall be the sole responsibility of the Owner.
- 7.4 Information recorded by private water Meters shall be for the sole use of the Owner and shall not be used for the purpose of generating utility accounts by the Village.

8. Testing and Repair of Water Meters

- 8.1 A Consumer that has reasonable grounds to believe that a Meter is not operating correctly, or is damaged or broken, shall immediately notify the Village of the condition of the Meter, its location and the estimated length of time that the Meter has been inoperable, damaged or broken.
- 8.2 Water Meters may be removed by the Village for the purposes of maintenance and testing on a periodic basis. The Village may require that a Meter be tested on site, or that the Meter be removed from the Premises for the purpose of testing.
- 8.3 A Consumer may request that the Village test a water Meter located on the Consumer's Premises. If the water Meter is found to be measuring correctly within three (3) per cent of the actual amount of flow as determined by the Village, the Consumer shall pay the testing fee set out in the Master Rate Bylaw. Where the Meter is registering in excess of three (3) per cent accuracy, the Consumer shall not be charged for the cost of testing the Meter.
- 8.4 A Meter Reader may enter the Premises of a Consumer on a periodic basis for the purpose of reading the water Meter. The frequency of Meter reading may be established by the CAO, but shall occur at least once every two (2) consecutive months.
- 8.5 Where a Meter Reader is unable to access the Premises of a Consumer, the Meter Reader may leave a card at the Premises advising of the need to conduct a Meter reading, and requesting the Consumer notify the Village of the water Meter reading within the time period indicated.
- 8.6 In the event that a Consumer refuses to allow a Meter to be read or fails to provide a water Meter reading as requested by the Village, for a period in excess of two (2) months, the CAO may direct that the water supply to the Premises be shut off, after providing forty-eight (48) hours written notice to the Consumer.

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- 8.7 Where the Village is unable to obtain a water Meter reading, or where a water Meter fails to properly register the volume of water consumed within a Premises, the amount of water consumed during the time period in which the Village has been unable to obtain a water Meter reading or the water Meter has failed to properly register, may be estimated by an Authorized Person based on the average daily consumption for the Premises for a period of three (3) months, if known or, in the event that such information is not available, on the basis of the average daily consumption over a three (3) month period, for a comparable residence or business operation within the Village.
- 8.8 No Person shall construct or alter a Service Connection so as to bypass a water Meter.
- 8.9 Where a water Meter is approved without the authority of the Village, or stolen, the Owner of the Premises in which the Meter is located shall be responsible for paying the replacement cost of the Meter, including installation. Where costs pursuant to this section are not paid within sixty (60) days of the date on which the Owner is notified of the amount owing, the costs may be added to the tax roll for the Premises and collected in the same manner as municipal property taxes pursuant to the *Municipal Government Act*.
- 8.10 No Person shall interrupt, interfere or tamper with the operation of a water Meter, reading device, or seals placed by the Village on water Meter components.

9. Cross Connections and Backflow Prevention

- 9.1 No Person shall connect, cause to be connected or permit a Cross-Connection to a Water System, or allow an existing Cross-Connection to remain.
- 9.2 Where an Authorized Person suspects that a Cross-Connection exists in contravention of section 9.1, the Authorized Person may carry out an inspection:
- (a) upon reasonable notice to the Consumer; or
 - (b) without notice to the Consumer, where the CAO has reasonable grounds to believe, in his sole discretion, that an immediate threat of contamination exists so as to pose a danger to public safety.
- 9.3 Where, as a result of an inspection, it has been determined by an Authorized Person that a Cross-Connection exists, the Authorized Person may issue an Order pursuant to the *Municipal Government Act*, as applicable, to the Owner or any other Person responsible for the Cross-Connection, requiring the Person to whom the Order is issued to remedy the contravention in the manner, and within the time period, set out in the Order.
- 9.4 Where an Order has been issued pursuant to section 9.3, the Order may direct the Owner or any other Person responsible for the Cross-Connection to:

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- (a) remove the Cross-Connection;
- (b) install a Testable Cross-Connection Control Device, approved by the Village; or
- (c) take any other action determined by the Authorized Person to be reasonable and prudent in the circumstances.

10. Testable Cross-Connection Control Devices

10.1 If a Consumer is authorized or instructed to install a Testable Cross-Connection Control Device, the Testable Cross-Connection Control Device shall:

- (a) be installed in accordance with any instructions provided by the Village, the Plumbing Code, and the latest edition of the Cross- Connection Control Manual published by the AWWA (Western Canada);
- (b) ensure that only those Testable Cross-Connection Control Devices approved by the Village are installed;
- (c) that the Testable Cross-Connection Control Device is installed by a qualified Person approved by the CAO; and
- (d) be installed at the Consumer's expense.

10.2 Where a Testable Cross-Connection Control Device has been installed, the Owner of the Premises shall ensure that it is inspected on a periodic basis by an Inspector approved by the CAO.

10.3 The results of the periodic inspection shall:

- (a) be recorded on a card provided by the Village, attached to the Testable Cross-Connection Control Device; and
- (b) reported to the Village on a form approved by the CAO, within fifteen (15) days of the date of testing, containing the results of the tests performed on the Device.

10.4 The record card required pursuant to section 10.3(a), shall remain affixed to Testable Cross-Connection Control Device and shall contain the following information:

- (a) The name and address of the Owner of the Premises;
- (b) The location, type, manufacturer, serial number and size of the Device;
- (c) The date of testing;
- (d) The name of the Inspector testing the Device if self-employed, or the name of the Employer of the Inspector testing the Device;

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- (e) The signature of the Inspector conducting the test; and
- (f) The approval number issued by the Village to the Inspector testing the Device.

10.5 Where, as a result of the testing performed pursuant to this section, an Owner has reasonable grounds to believe that the Testable Cross-Connection Control Device is not functioning properly, the Owner shall:

- (a) immediately advise an Authorized Person of the condition of the Testable Cross-Connection Control Device; and
- (b) if directed by the CAO, replace the Testable Cross-Connection Control Device or have the Device repaired, within eleven (11) business days of being instructed to do so by the CAO.

10.6 Where, as a result of testing performed pursuant to section 10.2, an Inspector has reasonable grounds to believe that the Testable Cross-Connection Control Device is not functioning, or functioning properly, the Inspector shall immediately advise the CAO of the condition of the Testable Cross-Connection Control Device, regardless of whether the Inspector believes that the Owner has complied with section 10.5(a).

10.7 The CAO is authorized to:

- (a) establish the criteria for the approval of the Testable Cross-Connection Control Devices;
- (b) establish the criteria for the approval of Inspectors for the installation or inspection of Testable Cross-Connection Control Devices and the provision of approval numbers to such Inspectors; and
- (c) maintain a list of approved Inspectors for the installation and inspection of Testable Cross-Connection Control Devices, to be made available to the public on request.

11. New Construction

11.1 No Person shall open a Stop Valve to provide water to the Owner or Occupants of any newly renovated, constructed or reconstructed Premises, until the Service Connection and plumbing in the Premises has been inspected for Cross-Connections and approved by an Authorized Person.

12. Fire Hydrants and Stop Valves

12.1 No Person shall, in any manner, obstruct free access to any hydrant, valve or Stop Valve.

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- 12.2 All Persons who own property on which a fire hydrant is located, or property which is adjacent to property on which a fire hydrant is located:
- (a) shall maintain a five (5) metre clearance on each side of the fire hydrant on which the ports are located, and a five (5) metre clearance from the side of the hydrant opposite to the road, easement, or municipal right-of-way; and
 - (b) Shall not permit anything to be constructed, erected, placed or planted within the required setbacks provided in subsection 12.2(a) above.
- 12.3 Where an Authorized Person finds a hydrant obstructed contrary to section 12.2, the Authorized Person may direct the Owner or Person responsible for the obstruction, or any or all of them, to remove the obstruction in the manner directed by the Authorized Person.
- 12.4 Where a Person fails to remove an obstruction as directed by an Authorized Person, the Authorized Person may have the obstruction removed at the expense of the Owner, or Person responsible for the obstruction, and the Village may recover any expenses or costs incurred in accordance with the provisions of the *Municipal Government Act*, against any or all of them.
- 12.5 Except where authorized by the CAO, no Person shall open, operate, alter or remove any Stop Valve, access cover, valve or hydrant or draw water from a fire hydrant.

13. General Prohibitions

- 13.1 No Person shall damage, destroy, remove or interfere with, in any way, any pipe, connection, valve, water Meter, seal or other Appurtenance forming a part of the Water System.
- 13.2 No Person shall connect to any part of the Water System or a Service Connection, any device or mechanism which may result in Backflow or Back Siphonage.
- 13.3 No Person shall tamper with, break or remove any seal installed by the Village on any valves, Meters or other Appurtenance connected to a Service Connection or the Village Water System, except in the case of an emergency.
- 13.4 Where the supply of water has been shut off pursuant to this Bylaw, no Person shall, without the express authorization of an Authorized Person, open a Stop Valve or otherwise restore the supply of water.
- 13.5 No Person shall trespass on any Village property that forms a part of the Water System, without the express consent of the CAO.

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- 13.6 No Person shall, in any manner, cause or permit the contamination of water or the Water System or commit any act which results in the contamination of water supplied by the Water System.
- 13.7 For the purpose of determining compliance with the provisions of this Bylaw, an Authorized Person may make reasonable inquiries in writing, to any Consumer requiring the provision of information relating to a Service Connection and Appurtenances thereto, located within the Premises owned or occupied by the Consumer.
- 13.8 Where a Consumer receives a written request for information pursuant to section 13.7 above, the Consumer shall, within the timeframe specified in the request, provide the required information to an Authorized Person.
- 13.9 No Person shall:
- (a) re-sell water supplied by the Village through its Water System except as otherwise authorized by the Village;
 - (b) supply water obtained from the Water System to any Person who intends to sell the water, except as otherwise authorized by the Village;
 - (c) use water in a manner that, in the opinion of an Authorized Person, is wasteful;
 - (d) make a connection to, cut or otherwise tamper with, in any way, the Water System, without first having obtained written permission from the Village;
 - (e) obstruct a Village employee or Authorized Person in the performance of his or her duties pursuant to this Bylaw; or
 - (f) supply water from the Water System, by any means, to any Premises, other than in strict concordance with this Bylaw.
- 13.10 Any Person who contravenes a provision of this Bylaw, in addition to any other action taken by the Village, or penalty imposed, may be declared by the CAO to have forfeited the right to be supplied with water.

14. Water Restrictions

- 14.1 Where the CAO or designate determines that there is a water shortage, the CAO or designate may declare that water restrictions are in effect, and shall provide notice to the public of such restrictions.
- 14.2 Where water restrictions have been declared in effect pursuant to this Bylaw, no Person shall:

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- (a) wash any vehicle;
- (b) wash the exterior of any house or other building; or
- (c) water any lawn or garden; or
- (d) as otherwise determined by the Village,

except in accordance with a watering schedule as adopted by the CAO.

14.3 Where water restrictions have been declared in effect pursuant to this Bylaw, no Owner, Occupant or any other Person shall use water in excess of such limits for the duration of the time period in which the water restrictions are in effect.

14.4 The CAO may discontinue the provision of water service to a Consumer, where the CAO has reasonable grounds to believe that the Consumer or the Occupant of a Dwelling Unit or Premises for which a Consumer has an account for Utility Services, has violated the water restrictions in force.

15. Shutting off Water Supply

15.1 Where a Person:

- (a) has constructed or altered a Service Connection so as to bypass a water Meter;
- (b) fails to comply with an Order issued pursuant to section 9.3; or
- (c) fails to test, or provide test results for, a Testable Cross-Connection Control Device pursuant to section 10.2 or section 10.3;
- (d) fails to replace or repair a Testable Cross-Connection Control Device pursuant to section 10.5; or
- (e) fails to comply with an Order issued pursuant to sections 13 or 14, the CAO may, in addition to any other remedy pursuant to this Bylaw, order that the Water Services to a Premises be shut off until such time as the Person has complied with their duties or obligations pursuant to this Bylaw or an Order issued against that Person.

16. Discontinuance of Service

16.1 A Consumer who wishes to discontinue receiving water from the Village as a result of the Owner's or Occupant's intention to vacate the Premises, shall provide the Village with notice of two (2) business days prior to the date of discontinuance of service.

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16.2 A Consumer who fails to provide notice pursuant to section 16.1 above, shall be liable for those charges in relation to the provision of water to the Premises, notwithstanding that the Owner or Occupant no longer occupies the Premises that accrue up to the date that notice is provided by the Consumer.

16.3 Upon notice of a sale of property, the final utility amount owing will automatically be transferred to the respective tax roll.

17. SEWER SERVICES

17.1 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 CAO, in writing.

17.2 The provisions of this Bylaw shall apply to any property obtaining sewer service from and/or adjacent to the main sewer system, operated by the Village of Myrnam.

17.3 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*.

17.4 Upon receipt of a completed written application and the payment of the connection fee, 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.

17.5 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.

17.6 Owners requesting a Utility Service outside the Village corporate limits shall provide the Village with all necessary details and make application as set out in Schedule "B". If the service connection is approved by Village Council, the Owners shall be responsible for all installation and construction costs of the Service Connection, which may include a manhole connection point, located on Village property which runs from the Village's sewer main to the property line of the road or the boundary of an easement granted to the Village for its Sewer System. The Consumers of the Utility Service shall pay the required charges as set out in the Master Rates Bylaw.

17.7 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.

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- 17.8 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.
- 17.9 To prevent or reduce flooding, an Owner shall install a suitable gate valve or other mechanical device approved by the Village, for the purpose of preventing Backflow into the Premises.
- 17.10 Owners of existing Dwelling Units and Premises without a suitable gate 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.

18. Use and Protection of Sewer System

- 18.1 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.
- 18.2 No Person shall connect, or permit the connection of, a weeping tile system to the sanitary sewer, unless approved in writing by the CAO.
- 18.3 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 wastewater, human waste or sewage, unless approved in writing by the CAO.
- 18.4 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.
- 18.5 Except as authorized by the CAO, no Person shall turn, lift, remove, raise or tamper with the cover of any manhole or other Appurtenance of the Sanitary Sewer System.
- 18.6 No Person shall cut, break, connect to or otherwise interfere with any part of the Sanitary Sewer System, except as authorized by the CAO.
- 18.7 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.
- 18.8 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*.

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18.9 Where an Authorized Person finds that a Person is contravening a provision of section 17 or 18 of this Bylaw, the Authorized Person may issue an Order pursuant to the *Municipal Government Act*, as applicable directing that the Owner, Occupant, 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.

19. Administration and Utility Charges

19.1 All Consumers receiving Utility Services, and Owners pursuant to the provisions of this Bylaw shall pay the required charges, levies and fees set out in the Village Master Rates Bylaw.

19.2 All properties, whether receiving water and/or sewer services, or whether the property is vacant or occupied, shall pay the required charges, levies and fees set out in the Village Master Rates Bylaw. Properties not adjacent to a water distribution main line will not be invoiced for consumption or the flat water fee. Properties not adjacent to a sewer main line will not be invoiced the flat sewer fee.

19.3 The invoices prepared and issued by the Village pursuant to section 19.1 and 19.2, may include all services for which fees and charges apply, including but not limited to Water Service, Sewer Service, garbage fees, penalties, and infrastructure related costs.

19.4 No account can be transferred to any Occupant or opened in the name of any Person except the Owner. Occupants may receive a copy of invoices under the direction of the Owner.

19.5 The Village may prepare and issue invoices for applicable charges on a monthly basis.

19.6 Charges issued pursuant to this Bylaw shall be issued for the address of service provided by the Owner at the time of application and shall be deemed to have been received within seven (7) days of the mailing thereof.

19.7 The Owner or Consumer shall remit the applicable charges issued under section 19 to the Village by the last day of the billing period for the month in which the charges were issued.

19.8 An Owner or Consumer is not relieved from paying the applicable charges by reason of non-receipt of an invoice. An Owner or Consumer who does not receive an invoice for an applicable billing period shall contact the Village as soon as that Owner or Consumer is aware, or ought to have been aware, that the charges has become due and payable.

19.9 Invoices which are not paid within the period set out in section 19.7, may be subject to a late payment penalty set out the Master Rates Bylaw.

19.10 Invoices remaining in arrears for over thirty 30 days following the invoice due date may be added to the tax roll for the Premises and recovered in the same manner as any property tax in accordance with the provisions of the *Municipal Government Act*.

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20. Authority of CAO and Authorized Persons

- 20.1 The CAO is responsible for the administration and enforcement of this Bylaw and may delegate this authority.
- 20.2 The CAO may establish standards, guidelines, and specifications for the design, construction and maintenance of the Water System and Sanitary Sewer System.
- 20.3 For the purpose of inspection and enforcement under this Bylaw, the CAO and any Authorized Person are Designated Officers of the Municipality.
- 20.4 In the event of an emergency, the CAO or an Authorized Person may enter onto any Premises, without prior notice to any Person, for the purpose of disconnecting the supply of water, the prevention of flooding, or to prevent the release of sewage from the Sanitary Sewer System.
- 20.5 The CAO shall be responsible for establishing the schedules of Meter reading, and the amending of such schedules from time to time, as determined to be necessary by the CAO in his or her sole discretion.
- 20.6 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 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.

21. Offences and Penalties

- 21.1 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 the Master Rates Bylaw.
- 21.2 Any Person who provides false information to the Village, the CAO, an 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 in the Master Rates Bylaw.

22. Enforcement

- 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.

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- 22.2 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 CAO, 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.
- 22.3 Where personal service cannot be affected 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.
- 22.4 A Municipal Tag shall be in a form approved by the CAO and shall contain the following information:
- (a) The name of the Person to whom the Municipal Tag is issued;
 - (b) The date of issuance;
 - (c) A description of the offence, the section number of the Bylaw, and the date on which the offence occurred;
 - (d) The appropriate penalty for the offence as specified in "B" of the Bylaw;
 - (e) That the penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag, in order to avoid prosecution; and
 - (f) Any other information as may be required by the CAO from time to time.
- 22.5 Where a Municipal Tag has been issued pursuant to section 22.1, 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. 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, 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 23.1 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.

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24. Notices

24.1 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.

25. General Provisions

25.1 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.

25.2 The Village accepts no financial responsibility or liability for damages incurred to private property while accessing or attempting to access.

25.3 Should any section, subsection, clause or provision of this Bylaw be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this bylaw as a whole or any part thereof, other than the part so declared to be invalid.

25.4 That Bylaw 2021-13 is hereby repealed.

25.5 This Bylaw shall come into full force and effect upon third reading.

READ a first time this 19th day of January 2023.

READ a second time this 19th day of January 2023.

READ a third and final reading this 19th day of January 2023.

VILLAGE OF MYRNAM

DONNA RUDOLF, MAYOR

ELSIE KIZIAK, C.A.O.

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**SCHEDULE "A"
PENALTIES**

Penalties for contravention of this By-law:

- (a) For first offences \$250.00
- (b) For second offences..... \$500.00
- (c) For a third or subsequent offence..... \$1,000.00

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**SCHEDULE "B"
APPLICATION FOR SERVICES**

**Village of Myrnam
APPLICATION FOR SERVICES**

In consideration of the Village of Myrnam agreeing at my request, to provide water and/or sewer services, as per Bylaw No.2021-13 and any amendments thereto, to 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 CAO has reasonable grounds to believe that the approved plan has been modified, the CAO may discontinue the provision of the services.

I do hereby release and forever discharge the Village of Myrnam, 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 Myrnam 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. 2023-03 and any amendments thereto.

I (we) further agree to comply with the Village of Myrnam Bylaw No. 2023-03 and any amendments thereto.

Date: _____

Signature

Date: _____

Signature

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