



TOWN OF HINTON BYLAW No. 2006

BYLAW OF THE TOWN OF HINTON IN THE PROVINCE OF ALBERTA RESPECTING WASTEWATER SERVICES IN THE TOWN OF HINTON

WHEREAS pursuant to Part 2 of the Municipal Government Act, RSA 2000 c.M-26, a Council may pass bylaws for municipal purposes respecting municipal services and public utilities; and

AND WHEREAS Council may provide for the enforcement of such bylaws, including creating offences, specifying penalties, empowering inspections and enabling remedies pertaining to contraventions;

NOW THEREFORE the Municipal Council of the Town of Hinton in session duly assembled hereby enacts as follows:

Part 1: Interpretation

1. TITLE

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

2. DEFINITIONS

2.1. “Act” means the *Municipal Government Act*, R.S.A. 2000 c. M-26, as amended.

2.2. “Account” means an agreement by which a Person agrees to pay for Potable Water supplied to a Premises.

2.3. “Authorized person” means any representative appointed by the Town of Hinton.

2.4. “Council” means the Municipal Council of Hinton

2.5. “Customer” means any Person who is a party to an account within the Town.

2.6. “Owner” means the registered owner of the property or the purchaser thereof who is entitled to occupy and enjoy the property.

2.7. “Designated Officer” means a designated officer as defined in the Municipal Government Act.

2.8. “Director” means the Director of Infrastructure and Development Services

2.9. “Occupant” means a Person using or occupying or in possession of a Premises who is not the Owner of the Premises.

2.10. “Parcel of Land” means a parcel of land as defined in the Municipal Government Act.

2.11. “Peace Officer” means an individual engaged by the Town as a Community Peace Officer or a Bylaw Enforcement Officer, a peace officer as defined in the Peace Officer Act, R.S.A. 2006, c. P-3.5 or a member of the Royal Canadian Mounted Police.

- 2.12. "Person" means firm, corporation, owner, occupier, lessee or tenant.
- 2.13. "Premises" means land, buildings, or both, or a portion of either occupied or used for any purpose within the Town.
- 2.14. "Provincial Offences Procedures Act" means the Provincial Offences Procedures Act, R.S.A. 2000, c. P-34.
- 2.15. "Safety Codes Act" means the Alberta Safety Codes Act, c. S-1 R.S.A. 2000 and all regulations adopted under the Alberta Safety Codes Act
- 2.16. "Self-contained Unit" means a self-contained part of a building having regard to the use of the building, and includes a self-contained dwelling unit in a Residential Premises.
- 2.17. "Service Connection" means a service connection as defined in the Municipal Government Act and includes a Service Connection (Private) and a Service Connection (Town).
- 2.18. "Sewer Utility" means the system of sanitary sewer works owned and operated by the Town and all accessories and appurtenances thereof.
- 2.19. "Town" means the Municipality of the Town of Hinton in the Province of Alberta or, where the context so requires, its municipal boundaries.
- 2.20. "Violation Ticket" means a violation ticket as defined in the Provincial Offences Procedures Act.
- 2.21. "Wastewater System" means those pipes installed by the Town or the developer for the Town for the conveyance of sewage throughout the Town from which wastewater service lines may be connected.

Part 2: Application

3. AUTHORITY

- 3.1. The Town of Hinton has the power and authority to do all things necessary for the general maintenance, management and operation of the Waterworks System.
- 3.2. The Operations Manager shall be the Designated Officer in respect of this bylaw.
- 3.3. The Operations Manager is authorized to:
 - 3.3.1. Carry out administration, control, care and management of the Waterworks System;
 - 3.3.2. Enter into contracts on behalf of the Town in respect of the Waterworks System;
 - 3.3.3. Enter onto land and structures to carry put inspections, remedies, enforcement or any other actions with respect to this bylaw in accordance with the Municipal

Government Act; and

3.3.4. Delegate any or all powers of the Operations Manager to employees of the town.

4. RESPONSIBILITY

- 4.1. The Town, having constructed or caused to be constructed, operated and maintained the Waterworks system, shall supply wastewater services in accordance with this bylaw and the Municipal Government Act.
- 4.2. The Town may supply wastewater services for domestic, commercial, industrial and firefighting purposes to any Premises.
- 4.3. In making an application pursuant to the bylaw, no person shall give false or misleading information.
- 4.4. Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or license.

5. USE AND PROTECTION OF WATERWORKS SYSTEM

- 5.1. The Owner and Occupant of a Premises shall not throw, deposit, or leave in or upon any Town sewer, or any trap, basin, grating, manhole, or other appurtenance of the Town sewer, any of the following: butcher's offal, garbage, litter, manure, rubbish, street sweepings, sticks, stones, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, paper, rags, cinders, ashes, or any refuse matter of any kind, except for feces, urine, necessary toilet paper, wastewater, and slop, all of which shall be properly discharged through a sewer into the Town sewer.
- 5.2. No Person shall permit the discharge into any sewer of any liquid or liquids which may prejudicially affect the sewers, or any trade waste, waste steam, condensing water, heated water, or other liquids with a temperature exceeding eighty degrees (80°C).
- 5.3. No Person shall make or cause to be made any connection with any Town sewer, house drain, or appurtenance thereof for conveying, or which may convey, any inflammable or explosive material.
- 5.4. No Person shall allow water collected from weeping tiles, sump pumps, roof drains, eaves troughs, yard drains, or roof spouts to enter the wastewater system of the Town.
- 5.5. No Person shall discharge the contents of any privy, vault, manure pit, or cesspool, directly or indirectly, into any Town sewer, or house drain connected therewith, unless authorized by the Town.
- 5.6. No Person shall turn, lift, remove, raise, or tamper with the cover of any manhole, ventilator, or other appurtenance of the Town Wastewater System, except for duly authorized employees of the Town.
- 5.7. No Person shall cut, break, pierce, or tap into the Town Wastewater System or appurtenance thereof, or introduce any pipe, tube, trough, or conduit into the Town Wastewater System, except for duly authorized employees of the Town.

- 5.8. No Person shall interfere with the free discharge of the Town wastewater system, or part thereof, or do any act or thing which may impede or obstruct the flow or clog the Town wastewater system or any appurtenance thereof.
- 5.9. An authorized person shall have the right, provided there is evidence of a violation of any provision of this bylaw, at all reasonable times to enter houses or other places connected with the Town wastewater system. Facilities must be provided to allow the authorized person to ascertain whether any improper material or liquid is being discharged into the wastewater system, and to stop or prevent such discharges from entering the system if necessary
- 5.10. No Person, other than those authorized by the Town, shall make any connection to, or cut, tamper with, or otherwise alter the Town wastewater system.

6. OBLIGATIONS OF AN OWNER

- 6.1. If a wastewater service connection is made or continued pursuant to this Bylaw, an owner of a premises must do all of the following:
 - 6.1.1. provide the wastewater connection from the property line, or from the boundary of an easement granted by The Town for the wastewater system, to the owner's plumbing system;
 - 6.1.2. ensure that the connection referred to in subsection (a) complies with the provisions of this Bylaw;
 - 6.1.3. ensure that the connection referred to in subsection (a) and the remainder of the owner's plumbing system complies with the Safety Codes Act;
 - 6.1.4. ensure that any permits, inspections or approvals required pursuant to the Safety Codes Act, the Environmental Protection and Enhancement Act, or any bylaw or any other applicable legislation, have been conducted or obtained and are valid and subsisting prior to connection to the wastewater system;
- 6.2. An owner of a premises that is serviced by a wastewater connection must notify the Director, in writing when the wastewater connection is being discontinued and requires disconnection.
- 6.3. An owner is responsible for all costs associated with any of the following:
 - 6.3.1. the implementation of any measures taken, or required to be taken, by either the owner or The Town to meet the requirements of this Bylaw;
 - 6.3.2. damage or harm to the wastewater system resulting from the owner's contravention of the requirements of this Bylaw.

7. COMMERCIAL OR INDUSTRIAL WASTE

- 7.1. No waste or discharge resulting from any trade, industrial manufacturing process, shall be directly discharged to any Town wastewater system without approval of the Town. As a condition of such approval, the Town may require such pre-treatment of the effluent as is deemed necessary. The pre-treatment facilities required shall be completely installed by the applicant, at his expense, prior to the construction of the wastewater connection, and

thereafter shall be continuously maintained and operated by the applicant.

8. REPLACEMENT OR REPAIR OF WASTEWATER SERVICES

- 8.1. The Owner shall be responsible for the cost and completion of any work required to unplug or repair the wastewater lines extending from the sewer main to the building, ensuring that all work complies with Town specifications or is carried out by the Town.
- 8.2. In situations where the repair or replacement of wastewater service lines necessitates the opening or excavation of a street, boulevard, sidewalk, or other Town property, the Owner shall, prior to commencing any such work, deposit with the Town an amount sufficient to cover the estimated cost of restoring the Town property to its original condition, as determined by the Director.
- 8.3. Upon completion of the restoration of the Town property to its original condition, the deposit will be refunded to the Owner. In the event that the Town property is not restored to its original condition, the Town shall complete the necessary restoration work, with the actual cost of such work being covered by the deposit. Any excess funds will be refunded to the Owner, while any shortfall will be collected in the same manner as water and wastewater charges.
- 8.4. The Director may, at their discretion, waive the deposit requirement. If the Town property is not restored to its original condition, the Town shall complete the restoration work, and the actual cost of such work will be collected in the same manner as water and sewer charges.

9. GREASE TRAPS

- 9.1. Grease traps of adequate size and approved design shall be installed on the waste pipes of all hotels, restaurants, laundries, and any other establishments as directed by the Town. These traps shall be installed prior to any connection to the Town wastewater system.

10. SEWER RATES AND CHARGES

10.1. SEWER RATES

- 10.1.1. A Customer shall pay all applicable rates and charges for all wastewater services to the Premises for which the Customer has an Account.
- 10.1.2. Where wastewater services are supplied to a Premises, the rates and charges payable pursuant to section 9.1.1 of this Bylaw shall be as follows:
 - a) Where a property has a water meter, the charge will consist of a flat rate, plus a variable rate for wastewater services supplied to the premises. Such amounts are subject to change without notice and variations from the established rates schedule shall only be made by the Council in accordance with the Fees, Rates, and Charges Bylaw. The volume of wastewater shall be considered equal to the volume of water measured by the water meter.
 - b) Where a property does not have a water meter, the charge will consist of one flat rate per Self-contained unit.
- 10.1.3. Failure of a person to receive an account shall in no way affect the liability to pay the account.

10.2. UTILITY BILLS

10.2.1. The Director of Corporate Services shall issue a utility bill for each Account, on a monthly basis or such other periods as determined in the discretion of the Director of Corporate Services.

10.2.2. A utility bill issued pursuant to this Bylaw shall specify the date on which it is payable.

11.CONVICTIONS AND ENFORCEMENT

11.1. A Person who:

- a) does something that is prohibited in this Bylaw;
- b) fails to do something that is required in this Bylaw; or
- c) does something in a manner different from that which is required or permitted in this Bylaw;

is guilty of an offence.

11.2. Where a contravention of this Bylaw is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which the offence continues and any person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day or part of a day.

12.Enforcement

12.1. Where a Peace Officer believes that a Person has contravened any provision of this Bylaw, that Peace Officer may serve that Person with a Violation Ticket in accordance with the Fees, Rates, and Charges Bylaw.

12.2. Notwithstanding section 10.3 of this Bylaw, where a Peace Officer believes that a Person has contravened any provision of this Bylaw, that Peace Officer may serve that Person with a Bylaw Violation Ticket, in a form approved by the Operations Manager, by personal service or by regular or registered mail.

12.3. A Bylaw Violation Ticket issued pursuant to section 10.4 of this Bylaw shall specify the minimum penalty payable as set out in the Fees, Rates, and Charges Bylaw.

12.4. A Person who has been issued a Bylaw Violation Ticket pursuant to section 10.4 of this Bylaw and has paid it to the Town prior to the date specified on that Bylaw Violation Ticket shall not be liable to prosecution for the subject contravention.

12.5. Nothing in this Bylaw shall prevent a Bylaw Officer from issuing a summons for the mandatory court appearance of any Person who the Officer has reason to believe is committing, or has committed, a breach of any provision of this Bylaw, or from laying an information as set out in the Provincial Offences Procedure Act (POPA).

13. SEVERABILITY

13.1. If any portion of this Bylaw is found by a court of competent jurisdiction to be invalid, such portion shall be severed from the Bylaw, and the remainder is to remain valid.

14. REPEALS AND COMING INTO FORCE


14.1. Bylaw No.858 and all amendments thereto are hereby repealed upon the coming into force of this Bylaw.

12.1 This bylaw shall take effect on the final day of passing.

READ A FIRST TIME THIS 3rd DAY OF DECEMBER 2024.

READ A SECOND TIME THIS 3rd DAY OF DECEMBER 2024.

READ A THIRD TIME THIS 17th DAY OF DECEMBER 2024.



Mayor

Chief Administrative Officer