

## BYLAW 1048/UTIL/2018

### A BYLAW OF THE TOWN OF FAIRVIEW, IN THE PROVINCE OF ALBERTA, FOR THE PURPOSE OF REGULATING AND CONTROLLING WATER, SEWER, SANITATION AND RECYCLING SYSTEMS.

WHEREAS the Town owns and operates Water, Sewer, Sanitation and Recycling systems as public utilities, AND

WHEREAS pursuant to Section 7 of the Municipal Government Act, R.S.A. 2000 Chapter M-26, of the Province of Alberta, Council has the authority to pass a bylaw controlling public utilities;

NOW THEREFORE, The Council of the Town of Fairview, in the Province of Alberta, enacts the following:

1. This Bylaw may be referred to as the Town of Fairview “Utility Accounts Bylaw”.
2. Definitions – This bylaw uses the following terms, as well as other terms defined in the Enforcement and Penalties Bylaw.
  - (a) *Council*: the Municipal Council for the Town of Fairview.
  - (b) *Designated Officer*: as defined in the Enforcement and Penalties Bylaw.
  - (c) *Outstanding Account*: any account which remains unpaid after one month from the last day of the billing period.
  - (d) *Overdue Account*: any account which remains unpaid after three months from the last day of the billing period.
  - (e) *Town*: The Town of Fairview, in the Province of Alberta.
3. Application for Services
  - (a) All Owners must complete the Utility Application. Changes in utility accounts will not come into effect until the completed Utility Application is received by the Utilities Department.
  - (b) As of the date that this Bylaw comes into effect, applications for a new Utility Account will only be accepted from the Owner of the parcel of land.
  - (c) Existing Utility Accounts, in good standing, in the name of a Person other than the Owner shall be maintained but cannot be assigned or transferred to any Person other than the Owner.
  - (d) Owners may apply to have a copy of the bill sent to another mailing address.
  - (e) A Utility Application shall be in a form approved by the Chief Administrative Officer and shall state:
    - (i) The address for utility services;

- (ii) The name of the property owner;
- (iii) Contact information for the property owner;
- (iv) If the property owner requires a duplicate bill to be sent, contact information for person to send the duplicate bill; and
- (v) Any other information as may be required by the Chief Administrative Officer or Utilities Department.

#### 4. Owner Responsibilities

- (a) Failure to receive a utility invoice is not considered sufficient reason for non-payment of an account.
- (b) The Owner is responsible to advise the Town in writing of any sale of property and to provide the contact information of the new Owner.
- (c) An Administration Fee as per Schedule A will be levied to both the current Owner and new Owner of the property for costs associated with finalizing and creating accounts.
- (d) The Owner of a new building must acquire a water meter from the Town, the cost of which is borne by the Town. It is the Owner's responsibility to have a meter installed by a qualified individual.
- (e) Notwithstanding Section 3(a), if the Town has not received a Utility Application for a new water meter installation, an account will be set up immediately in the property Owner's name.
- (f) Notwithstanding Section 3(a), if the Town becomes aware of a change in Owner, such as from a notification from Land Titles, an account will be set up immediately in the property Owner's name.

#### 5. Water Disconnection

- (a) An Owner may request that water service be disconnected by paying the fee in Schedule A.
- (b) If water service is disconnected, the Owner will continue to be invoiced for sanitation, recycling and capital replacement fees.

#### 6. Water Meters and Readings

- (a) If an existing building requires a replacement water meter for any other reason than a faulty meter, regular maintenance or obsolescence, the property owner will be responsible for the cost of the new meter.
- (b) If the Owner requests to have the water meter read for any reason other than a change in the utility account, an Administration Fee as per Schedule A will be levied.

- (c) If the Owner requests to have the water meter removed and inspected and the water meter is found not faulty, an Administration Fee as per Schedule A will be levied.
7. Overdue and Outstanding Utility Accounts
- (a) An interest charge of two percent (2%) per month will be added to an Outstanding Account.
  - (b) Pursuant to Section 553(1)(b) of the Municipal Government Act, the entire Utility Account balance of an Overdue Account will be added to the tax roll of the property.
  - (c) If the Owner of a property is changing, any Utility Account balance will be added to the new Owner's utility account.
8. Fees
- (a) Monthly rates for Water shall be set as per Schedule A.
  - (b) Monthly rates for Sewer shall be set as per Schedule B.
  - (c) Monthly rates for Sanitation and Recycling shall be set as per Schedule C.
9. Interpretation and Coming into Force
- (a) Should any provision of this Bylaw be deemed by a competent court to be invalid, then the invalid provision shall be severed, and the remainder of the Bylaw shall be maintained.
  - (b) Bylaws 981/UTIL/2011 and 1035/UTIL/2017 are hereby repealed.
  - (c) This Bylaw shall come into force on January 1, 2019.

Read a first time this 16<sup>th</sup> day of October 2018  
Read a second time this 6<sup>th</sup> day of November 2018  
Read a third time this 6<sup>th</sup> day of November 2018

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Gordon Macleod, Mayor

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Daryl Greenhill, Chief Administrative Officer

**Schedule A  
Water Rates**

Capital replacement fees are applicable to all developed lots, regardless of service use.

	Water Usage (per cubic meter)	Capital Replacement
Residential	\$2.95	\$18.95 / month
Commercial / Institutional	\$2.95	Varies, see table below
Water Co-op / Bluesky	\$2.95	\$1.45 / cubic meter
Water Loading Station	\$2.95	\$4.25 / cubic meter
Woodmere Nursery	\$0.70 (raw water)	\$11,850.00 / year

Commercial Capital Replacement Fees (billed monthly)

Motel / Hotel	\$7.55 / unit, maximum of \$125.00
Apartment	\$7.55 / unit, maximum of \$125.00
Mobile Home Park	\$7.55 / unit, maximum of \$125.00
Restaurant / Café	\$50.50
Car Wash / Laundry	\$75.80
R.V. Park	\$50.50
Other Commercial	\$25.25

Institutional Capital Replacement Fees (billed monthly)

School / College	\$378.90
Health Complex	\$378.90
Provincial Building	\$378.90
Garrison Manor / Harvest Lodge	\$378.90

Other Fees

Administration Fee	\$20.00
Extra Printed Copy	\$2.00 / month
Meter Reading	\$30.00
Paperless Billing (e-Billing) discount	\$1.00 / month (maximum of one discount per account)
Water Disconnection & Reconnection	\$100.00
Water Meter Inspection	\$50.00

**Schedule B  
Sewer Rates**

Residential	\$18.95 / month
Hotel / Motel	\$17.65 / unit / month
Apartment	\$17.65 / unit / month
Mobile Home Park	\$17.65 / unit / month
R.V. Park	\$6.30 / unit / month
Restaurant / Café	\$75.80 / month
Car Wash / Laundry	\$113.65 / month
Other Commercial	\$37.90 / month
School	\$315.75 / month
College	\$1894.50 / month
Health Complex	\$947.25 / month
Provincial Building	\$606.25 / month
Garrison Manor / Harvest Lodge	\$17.65 / unit / month

**Schedule C**  
**Sanitation and Recycling Rates**

The following fees are payable to cover the costs of garbage, landfill and recycling. The fees are applicable to all developed lots, regardless of service use.

Garbage and Landfill	\$28.30 / month
Residential Recycling	\$5.20 / month
Downtown Commercial Recycling	\$5.20 / month