



**A BYLAW OF THE TOWN OF LAMONT  
IN THE PROVINCE OF ALBERTA**

**BYLAW NO. 01/19**

**WHEREAS**, pursuant to section 3 of the *Municipal Government Act*, R.S.A. 2000, C. M-26.1, the purpose of a municipality is to provide services, facilities and other things that are necessary or desirable for all or a part of the municipality;

**AND WHEREAS**, pursuant to sections 1 (1) (y) (i) and 7 (g) of the *Municipal Government Act*, Council may pass bylaws respecting public utilities;

**NOW THEREFORE** the Council of the Town of Lamont duly assembled, enacts as follows:

1. This Bylaw is known as "Utility Services Bylaw".

**DEFINITIONS**

2. In this Bylaw, the following terms shall have the following meanings, unless the context specifically requires otherwise:

- a. "Bylaw Enforcement Officer" means any persons authorized by the Town to enforce the bylaws of the Town;
- b. "CC" means a service control cock or a service corporation cock of a service control valve;
- c. "Collection service" means the curbside or roadside collection of garbage;
- d. "Collector" means the person or persons appointed by the town for the purpose of collecting and disposing of garbage;
- e. "Commercial facilities" includes stores, warehouses, commercial, industrial, institutional facilities, RV park and campground;
- f. "Compost materials" means grass cuttings, garden refuse, leaves, or other materials which are easily composted and shall include branches or tree limbs;
- g. "Front yard" that portion of the structure closest to the road.
- h. "Garbage" means discarded crockery, cloth, wrappings, plastics and other items of household refuse, but does not include:
  - i. liquid wastes, dead animals, discarded furniture, discarded automobile parts, tires, construction materials, stoves, fridges, or compost materials;
- i. "Garbage bin" means a metal container as provided by the collector that can be emptied by mechanical means;
- j. "Garbage container" means a container as provided by the collector that can be emptied by mechanical means;
- k. "Occupant" means any owner, lessee or tenant or any other person in charge of any building;
- l. "Occupied property" means any commercial, institutional, or residential property upon which a building exists and is in use;
- m. "Owner" means the person who is registered under the *Land Titles Act*, R.S.A. 2000 c. L-4, as the owner of the fee simple estate in land;

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- n. "Recycle bin" means a container which is specifically intended to hold materials for recycling;
- o. "Recycle materials" means materials which are determined by the Chief Administrative Officer to be recyclable and may include but are not necessarily limited to newspaper, mixed paper, box board, cardboard, tin cans and glass;
- p. "Tippage fees" means the fees charged by the Lamont County Regional Solid Waste Commission for hauling garbage to the landfill;
- q. "Utility bill" means a bill which sets out the fees levied by the Town on an annual, monthly, bi-monthly or quarterly basis for utility services provided by the town;
- r. "Utility invoice" means an invoice which sets out the cost charged by the Town for repairs, maintenance, or installation of any appurtenance of any utility service provided by the Town and for which the owner of a property is responsible;
- s. "Violation notice" means a notice or similar document issued by the Town pursuant to the *Municipal Government Act*; and
- t. "Violation ticket" means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34.

**GARBAGE COLLECTION**

- 3. The Town may contract with any person or company and may grant an exclusive or non-exclusive right to any person or company for the collection, removal and disposal of garbage upon such terms and conditions as are considered expedient.
- 4. Collection Services charges apply to:
  - a. Any property that receives water services will be subject to collection service charges as established by Council as set out in Schedule A; and
  - b. All occupied properties that are not connected to the Town water system are subject to collection service as established by Council as set out in Schedule A.
- 5. The occupant of every dwelling, multiple family dwelling, or commercial premise shall use Town contractor supplied garbage containers or garbage bins. Care and replacement of the garbage and recycling containers shall be the responsibility of the occupant.
- 6. Despite section 5, if the Chief Administrative Officer determines that a garbage bin is required for a commercial facility, dwelling, or multiple family dwelling, then the occupant of the premises will be required to use a garbage bin and be subject to the collection service charges as established by Council and set out in Schedule A.
- 7. Despite sections 5 and 6, a commercial facility that requires a garbage bin(s) may haul their own garbage provided the Chief Administrative Officer provides written permission to do so. Written permission shall not exceed three (3) years.
- 8. Council may decide that certain types of recyclable materials or garbage will be not be picked up by the collector or place conditions on the packaging of garbage for collection as per Schedule A.
- 9. All persons shall permit collectors to enter their yards and premises at all reasonable times for the purpose of carrying out their duties.

Initials     *EA* *BY*



10. For properties served by front street collection:
  - a. no garbage bins or garbage stands are allowed in the front yard;
  - b. no garbage containers are allowed in the front yard except on collection day; and
  - c. on collection day, garbage containers are to be located for collection as close as possible to the curb or traveled portion of the adjacent roadway, but not on the sidewalk or in such a location as to interfere in any way with vehicular or pedestrian traffic.
11. In any area served by rear lane collection (commercial), garbage containers and garbage bins shall be located and maintained and be readily accessible from the property line at lane level and placed so that the garbage containers may be easily removed by the collector without having to open gates, climb or descend stairs or lift garbage containers over fences.
12. Any owner or occupant who puts out garbage for collection shall provide unobstructed and convenient access for collection of such waste.
13. Despite section 10 and 11, the Chief Administrative Officer may allow garbage containers, garbage bins or garbage stands to be placed on a lane if he determines that it is appropriate.
14. Garbage containers and garbage stands shall be maintained in good condition.
15. All garbage will be securely deposited in suitable garbage bag(s) and then placed in the garbage container.
16. No occupant will place, permit to be placed, or mix any of the following materials for removal:
  - a. any highly combustible or explosive waste, including, without restricting the generality of the foregoing, such materials as hot ashes, powder, dynamite, motion picture film or toxic materials;
  - b. any compound that may be considered dangerous or hazardous under the provisions of any other legislation whether Provincial or Federal;
  - c. hypodermic needles;
  - d. sharp objects or broken glass unless packaged to allow safe handling; and
  - e. compost materials.
17. Collection service will not be provided if:
  - a. the garbage container is not a proper container as described in Section 2 (h and i);
  - b. the contents are compacted such as to prevent easy dumping of the garbage container;
  - c. the condition of the garbage container is deteriorated such as to contain sharp edges or other defects which may be hazardous to the collector;
  - d. the container contains materials which are not to be picked up by the collector; and
  - e. the garbage containers cannot be easily removed by the collector.
18. The days and times of collection service will be approved by the Chief Administrative Officer.
19. Garbage shall be ready for pickup by 7:00 a.m. on collection day.

#### RECYCLING/COMPOSTING

20. The Town may contract with any person or company and may grant an exclusive or non-exclusive right to any person or company for the recycling of waste upon such terms and conditions as are considered expedient.
21. The Town may provide recycling bins in any manner they deem expedient.



- 22. No person shall place any material in a recycling bin other than the materials for which that bin is designated.
- 23. No person is to place any material other than compost materials on compost piles.

**WATER SERVICES**

- 24. The Town will provide water services to a parcel of land only at the request of the owner of that parcel of land. Other charges when it is applicable and subject to any terms, costs or charges as established by Council by way of a Development Agreement or as set out in Schedule A.
- 25. The Owner of any land abutting on any road or easement wherein a water main now exists or is hereafter located shall:
  - a. install in any Building and between the building and the boundary of the road or easement in which the water main is located (up to the point of the curb cock valve), connections with the water system and any other apparatus and appliances required to ensure the proper sanitary conditions of the building and premises, excluding a water meter which will be installed by the Municipality. All services shall be installed to the Municipality's satisfaction. The owner shall ensure that the water service shall be inspected by the Municipality prior to backfilling of the trench and prior to connection to the water system; and
  - b. submit an application for a Contract for Water Service Installation and pay to the Municipality the amount owing under that Contract. The written application shall contain information as prescribed by the Town Manager and shall be subject to the approval of the Chief Administrative Officer.
- 26. The Owner, (as a term of being supplied with water services) is responsible for the cost of construction, maintenance and repair of these portions of the service connection both above, on, or underneath the premises to the boundary of the road or easement, but only to the point (but excluding) the curb cock valve.
- 27. Title to the water supplied by the Municipality shall pass from the Municipality to the Customer at the point of the curb cock valve.
- 28. The water meter shall become part of the fixtures of the structure. Damage to the meter caused by the occupant shall be chargeable to the owner.
- 29. All owners shall provide for a convenient outside location for the installation of a remote reading device.
- 30. No person shall obstruct, interfere with or impede direct and convenient access to a meter for the purpose of installation, inspection, removal, repair, replacement or reading.
- 31. The Chief Administrative Officer or the Public Works Foreman or his/her designate may, without notice, shut off the water supply to any part of the Town should he/she decide an emergency makes such action necessary.
- 32. The Chief Administrative Officer or the Public Works Foreman or his/her designate may, without notice, shut off the water supply to any property should water charges be in arrears greater than thirty (30) days.
- 33. The Chief Administrative Officer or the Public Works Foreman or his/her designate may, without notice, shut off the water supply to any property for violation of any provision of this Bylaw.



- 34. The Chief Administrative Officer or Public Works Foreman or his/her designate may shut off the water supply to any part of the Town in a non-emergency situation provided reasonable notice of such intended shutoff is given.
  
- 35. The Chief Administrative Officer or the Public Works Foreman or his/her designate may regulate the use of or the hours or times during which water may be used for any purpose other than firefighting.
  
- 36. After notification of a restriction or regulation of water use, it shall be an offence for anyone to use water except in conformity with the declared restriction or regulation.
  
- 37. The Town is not liable for damage caused by:
  - a. a break in a water main or service pipe;
  - b. the cessation of water supply necessary in connection with the repair or maintenance of the waterworks system;
  - c. any accident due to the operation of the waterworks system unless such action has been shown to be directly due to the negligence of the Town or its employees; or
  - d. the restriction or regulation of the use of water.
  
- 38. No person:
  - a. other than Town employees or agents shall operate, handle or interfere with the Town's provision of water services;
  - b. other than Town employees or agents shall make, keep, use, or dispose for any key or wrench for the purpose of operating any valve, cc, hydrant or other appurtenance of the Town's waterworks system;
  - c. shall obstruct or impede access to any water main, valve, cc, fire hydrant or any other appurtenance of the Town's waterworks system;
  - d. shall use a water meter not approved and/or installed by the town without the express written consent of the Chief Administrative Officer; and
  - e. shall use water not metered by the Town.
  
- 39. Repairs to the water service line required from CC valve to the building, will be the expense of the land owner. Repairs required from main line to the CC valve will be at the expense of the Town.

**SEWER SERVICES**

- 40. The Town may provide sewer services to a parcel of land only on the request of the owner of the parcel of land, when the Town is able to do so and subject to any terms, costs or charges as established by Council by way of a Development Agreement or as set out in Schedule A.
  
- 41. The Town is not liable for damage caused by:
  - a. a break or obstruction in a sewer main or service pipe;
  - b. the cessation of sewer services necessary in connection with the repair or maintenance of the sewer system;
  - c. any accident due to the operation of the sewer system unless such action has been shown to be directly due to the negligence of the Town or its employees; and



- d. sewer backups unless such action has been shown to be directly due to the gross negligence of the Town or its employees.
- 42. No person:
  - a. other than Town employees or agents shall operate, handle or interfere with the Town's provision of sewer services;and
  - b. shall obstruct or impede access to any sewer main, or any other appurtenance of the Town's sewer system.
- 43. Repairs to the sewer service line is required:
  - a. Blockages on the property to the main line will be at the owner's expense;
  - b. Blockages created in the main line will be the Towns expense;
  - c. Damaged sewer line on the homeowner's property will be the owner's expense; or
  - d. Damaged sewer line beyond the property line will be the Towns expense.

**UTILITY BILLS/INVOICES**

- 44. All utility bills and utility invoices will be due and payable when rendered by the Town.
- 45. Payment of a utility bill can be made at the Town office or an agent of the Town. Payment of a utility invoice must be made at the Town office.
- 46. Utility bills must be paid in full by the last day of the month following the billing period.
- 47. In the event a utility bill or utility invoice remains unpaid after the date fixed for payment, a penalty as stated in Schedule A will be added to the principal outstanding amount thereto and form part of the rates levied.
- 48. In the event that the utility bill remains unpaid after the date fixed for payment, a written notice may be served by way of mail on the owner at the last known address advising that unless the account is paid in full within a minimum of ten (10) days from the date of mailing the said notice, the Town will proceed with collection measures as provided in Section 52.
- 49. Any utility bill or utility invoice remaining unpaid constitutes a debt owing to the Town and is recoverable by any or all of the following methods, namely:
  - a. by action in any court of competent jurisdiction;
  - b. by distress and sale of the goods and chattels of the person owing the utility bill or utility invoice, wherever they may be found;
  - c. by shutting off or discontinuing any utility services provided by the Town;and
  - d. by being added to taxes and collecting in a like manner as municipal rates and taxes.
- 50. In the event that the water service is shut off due to non-payment or non-compliance with this Bylaw, a reconnection fee as stated in Schedule A will be charged and payable in advance of the reconnection of the water service. Reconnection shall only occur during regular office hours. There shall be no after hour's reconnection of water service.
- 51. The Chief Administrative Officer or his designate may add any outstanding utility amounts or utility invoices to taxes and has the power to waive penalties and reconnection charges if deemed necessary to do so.

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**OFFENSES AND PENALTIES**

- 52. Any person who contravenes a provision of this Bylaw is guilty of an offence and is liable to a penalty as set out in Schedule B.
- 53. Any person who commits a second or subsequent offence under this Bylaw within one (1) year of committing the first offence is liable to a fine as set out in Schedule B.
- 54. Under no circumstances will any person contravening any provision of this Bylaw be subject to the penalty of imprisonment.
- 55. Nothing in this Bylaw will be construed as curtailing or abridging the right of the Town to obtain compensation for or to maintain an action for loss of or damage to property from or against the person or persons responsible.
- 56. The Bylaw Enforcement Officer is hereby authorized and empowered to issue a violation notice to any person who the Bylaw Enforcement Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 57. A violation notice may be issued to such person:
  - a. either personally; or
  - b. by mailing a copy to the last known mailing address.
- 58. The violation notice will be in a form approved by the Chief Administrative Officer and will state:
  - a. the name of the person;
  - b. the offence;
  - c. the appropriate penalty for the offence as specified in Schedule B;
  - d. that the penalty must be paid within thirty (30) days of the issuance of the violation notice;and
  - e. any other information as may be required by the Chief Administrative Officer.
- 59. Where a contravention of this Bylaw is of a continuing nature, further violation notices may be issued by the Bylaw Enforcement Officer provided, however, that no more than one (1) violation notice will be issued for each day that the contravention continues.
- 60. Where a violation notice is issued pursuant to this Bylaw, the person to whom the violation notice is issued may, in lieu of being prosecuted for the offence, pay to the Town the penalty specified on the violation notice.
- 61. If the penalty specified in a violation notice is not paid within the prescribed time period, then the Bylaw Enforcement Officer is hereby authorized and empowered to issue a violation ticket.
- 62. The Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a violation ticket to any person who contravenes any provision of this Bylaw.

**GENERAL**

- 63. Nothing in this Bylaw will operate to relieve any person from complying with any Federal, Provincial legislation or regulation or Municipal Bylaw, or any requirement of any lawful permit, order or licence.

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- 64. Should any provision of this Bylaw be deemed invalid, then such invalid provision may be severed, and the remaining Bylaw shall be maintained.
- 65. That Bylaw 02/18 and any amendments are hereby repealed.
- 66. This Bylaw shall come into force and effect upon third and final reading.

READ a first time on this 22 day of January, 2019

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

READ a second time on this 22 day of January, 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

Proceed to third reading with the unanimous consent of all members present, this 22 day of January 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer

READ a third and final time on this 22 day of January, 2019

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Chief Administrative Officer





**SCHEDULE A**

All rates are for a two (2) month period.

**Garbage Collection Rates**

Residential	\$ 58.98
Commercial	\$ 95.85
Restaurants	\$171.67

**Garbage Bins**

2 yd	\$219.60
4 yd	\$348.48
6 yd	\$511.38
8 yd	\$681.49

The following materials will not be picked up by the collector:

- i. Compost materials

**Water Charges**

Minimum rate: 3,000 gallons	\$ 63.56
Each additional 1,000 gallons or portion thereof	\$ 16.61 / 1,000 gallons
Reconnection fee	\$ 100.00
Smart meter plus readout and labour if damaged or tampered with	\$ 420.00
Smart meter head only includes labour	\$ 310.00
Construction Water Deposit (payable upon request)	\$ 950.00

Breakdown as follows:

- \$600.00 deposit and is refundable at Town's satisfaction
- \$250.00 to cover three (3) months of construction water (prior to meter installation) if not completed after three (3) months the Chief Administrative Officer has the authority to charge \$75.00 per month thereafter or request that a meter be installed immediately to ensure accurate usage.
- \$100.00 labour installation of meter and inspection of service installation

**Sewer Charges**

For properties connected to both the water and sewer system	30% of the water consumption billing
For properties that are only connected to the sewer system	\$39.00
Snaking of sewers (minimum of two(2) hours)	\$120.00 per hour/person
Snaking of sewers after hours (minimum of two hours)	\$240.00 per hour/person

**Utility Penalties**

Any utility invoice amount outstanding after the date fixed for payment shall incur a penalty of:	2.5%
Any utility service invoice amount outstanding after the date fixed for payment shall incur a penalty of:	2%

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