

TOWN OF REDWATER

BYLAW 894

BEING A BYLAW OF THE TOWN OF REDWATER, IN THE PROVINCE OF ALBERTA, TO ESTABLISH BILLING PROCESSES THAT ENSURE A CONSISTENT METHOD IS USED TO INVOICE CUSTOMERS FOR THE UTILITIES THEY CONSUME AND TO SET RATES TO ENSURE COLLECTIVELY, THE FEES CHARGED COVER THE COSTS OF DELIVERING THE UTILITIES.

WHEREAS by virtue of the power conferred upon it under the *Municipal Government Act*, R.S.A. 2000, c. M-26, the Council of the Town of Redwater, duly assembled, enacts as follows:

1. TITLE

- 1.1 This Bylaw may be referred to as the "Utility Rates, Fees and Billings Bylaw" of the Town of Redwater.

2. INTERPRETATION

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

- (a) "Annexed" means the Town area annexed per the Order in Council number 394/2007;
- (b) "Council" means the Council of the Town of Redwater;
- (c) "Customer" means any person to whom the Town supplies Utility Services and/or Waste Collection Services, and in whose name an account has been opened with the Town for the purpose of providing Utility Services under the Utilities Bylaw and the Waste Collection Bylaw;
- (d) "ERT" means Encoder, Receiver & Transmitter;
- (e) "Garbage Permit" means the permit issued to the Customer for use at the Transfer Station and Roseridge regional landfill;
- (f) "Owner" means the registered owner of a real property to which Utility Services are provided pursuant to the Utilities Bylaw;
- (g) "Town" means the Town of Redwater;
- (h) "Town Manager" means the Chief Administrative Officer as appointed by Council, or the Chief Administrative Officer's designate;
- (i) "Utility Services" means the provision of water, sewer, gas, disposal of garbage

and recycling pursuant to the Town Waste Collection Bylaw and the Town Utilities Bylaw;

- 2.2 Nothing in this Bylaw relieves a Person from complying with any Federal or Provincial legislation or regulation or Municipal bylaw, or any requirement of any lawful permit, order or license.
- 2.3 Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 2.4 All headings and subheadings in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- 2.5 Specific references to statutes, regulations and other bylaws in this Bylaw are meant to refer to the current laws applicable within the Province of Alberta as at the time this Bylaw was enacted and as they are amended from time to time, including successor legislation.

3. METER READING

- 3.1 Gas and water meters shall be read at the end of each month in which the Utility Services were consumed.

4. BILLING

- 4.1 Customers shall be invoiced within the first 10 days of the month immediately following the month the Utility Services were consumed or used. The billing will include natural gas, water, sewer, garbage and recycling collection Utility Services.

5. FEES AND CHARGES

- 5.1 Gas Services - The fees for gas services shall be:
 - a) Per gigajoule commodity purchase price charge as set monthly by Gas Alberta Inc., plus;
 - b) \$2.10 per gigajoule variable rate charge. The variable rate represents costs associated with delivering the natural gas to the Customer, plus;
 - c) \$18.00 per month service charge for meters under 415 Series and \$36.00 per month service charge for meters 415 Series and above. The service charge represents costs associated with delivering gas to each meter and includes administration. The service charge is invoiced each month as long as the meter is present, whether gas is consumed or not;
 - i. Included within the monthly service charge is a \$2.50 fee for future capital investment which will be transferred to reserves upon collection, plus;
 - d) Carbon tax levy will be applied to natural gas consumption charges at the rate set by the Government of Canada or Government of Alberta; except where the Customer provides a copy of a valid Carbon Tax Levy Exemption Certificate to the Town.

- e) Upon submission of a request for installation of gas services, as detailed in Policy 504, the following fees will be applicable:
- i. Prior to construction, the applicant must pay a deposit equal to 50% of the estimated installation expenses.
 - ii. After completion of the infill, all construction and material information is compiled and reported to the Town Administration Office for final invoicing purposes.
 - iii. All costs are calculated as follows:
 1. Equipment plus operator: as per the Alberta Road Builders Association
 2. Labour: at cost
 3. Other equipment: as per the Alberta Road Builders Association
 4. Materials and supplies (including meter, regulator, and piping): cost plus 25%
 5. If the installation is scheduled for out of business hours, the Owner will contact the Town on-call employee, any additional charges will be applied
 6. A 25% frozen ground surcharge will be applied on equipment and operator costs for utility installations between the dates of November 1 to April 30.
- f) G.S.T. on all fees.

5.2 Water Services - The fees for water services shall be:

- a) Per cubic meter commodity purchase price charge as set monthly by the CRNWSC, plus;
- b) \$1.40 per cubic meter variable rate charge. The variable rate represents costs associated with delivering the water to the Customer, plus;
- c) \$15.00 per month service charge. This service charge represents costs associated with delivering water to each meter and includes administration. The service charge is invoiced each month for as long as the meter is present, whether water is consumed or not;
 - i. Included within the monthly service charge is a \$2.50 fee for future capital investment which will be transferred to utility reserves upon collection;
- d) Upon submission of a request for installation of a water & sewer service, as detailed in Policy 504, a \$900 fee is payable. This fee will cover the following services:
 - i. \$600 in the form of a deposit; refundable upon the Town's satisfactory inspection of the service installation in accordance with Policy 504;
 - ii. \$200 to cover 3 months of construction water, prior to the ability to install a meter. If the meter installation is not completed within 3 months, the Town Manager has the authority to provide for an extension beyond this period, where

further construction water fees shall be charged at \$75 per month. The Town Manager also has the authority to require a mobile water meter be installed to ensure an accurate accounting of water volumes;

- iii. \$100 to cover the Town employee installation of the meter, ERT and inspection of the service installation.
- iv. A 25% frozen ground surcharge will be applied on equipment and operator costs for utility installations between the dates of November 1 to April 30.

5.3 Sewer Services – The fees for sewer services shall be:

- a) \$15.00 per month service charge. The service charge represents costs associated with removing sewage from the Customer and includes administration. The service charge does not apply to those services provided in section (b) below. The service charge is invoiced each month for as long as a water meter is present, whether water is consumed or not;
 - i. Included within the monthly service charge is a \$1.00 fee for future sewer capital investment and \$1.00 fee for future storm sewer capital investment which will be transferred to utility reserves upon collection, plus;
- b) A fee of 45% of the costs of water consumed by the Customer. This fee represents costs associated with removing the volumes of sewage which is linked to the volumes of water consumed by the Customer.

5.4 Curbside Waste Collection - The fees for curbside waste collection are charged only to residential Customers and shall be:

- a) Curbside Garbage Collection: The commodity purchase price charge as set by the service contractor. This charge is for one garbage bin and one organic bin. This fee shall apply whether the service is being used or not, plus;
- b) Curbside Recycling Collection: The commodity purchase price charged as set by the service contractor. This fee shall apply whether the services if being used or not, plus;
- c) \$7.00 per month service charge. The service charge represents the Town's costs associated with providing the waste and recycling to each Customer, Roseridge Commission tipping fees and administration. This fee shall apply whether the service is being used or not;
 - i. Included within the monthly service charge is a \$1.00 fee for future capital investment which will be transferred to utility reserves upon collection;
- d) Any additional bins requested will be charged at \$7.00 for garbage and \$3.50 for organic per month service charge. This fee represents the additional tipping fees and administration;
- e) If additional commodity purchase price charges are added by the service contractor for the additional bins; this fee shall also be charged to the Customer, in addition to the service charge.

Residential Customers shall include single, two and three family dwelling units. Curbside pickup does not include Annexed residential Customers or multi-family units (apartment units or condominiums). Any pickup at residential units greater than two family prior to

the passing of this Bylaw shall be grandfathered, no change in service delivery will be administered.

5.5 Charges for delivering waste directly to Roseridge Landfill and/or Transfer Station

- a) Any Town residential Customer taking waste directly to the Roseridge Landfill and/or Transfer Station may deliver up to 500 kg per calendar year, covered through taxation.. Any Town residential Customer taking more than 500 kg of waste per calendar year directly to the Roseridge Landfill and/or Transfer Station will be charged at the commodity rate invoiced by Roseridge.
- b) Any Town Annexed residential Customer taking waste directly to the Roseridge Landfill and/or Transfer Station may deliver up to 1500 kg per calendar year covered through taxation. Any Town Annexed residential Customer taking more than 1500 kg of waste per calendar year directly to Roseridge Landfill and/or Transfer Station will be charged at the commodity rate invoiced by Roseridge.
- c) Garbage Permits issued for use at the Transfer Station and Roseridge Landfill will be issued to Town residential Customer free of charge in the first instance. Any replacement Garbage Permits will be issued for a fee of \$5.00.

5.6 Charges for bulk sales

- a) Water purchased at the Bulk Water Station shall be charged at the rate set by Council or, if it is being operated by a third party contractor, by the third party contractor who operates the Bulk Water Station.
- b) Water purchased through a water hydrant will be charged at a rate of \$5.00 per cubic meter. The Town will install a meter at the hydrant to ensure an accurate accounting of water volumes. This practice shall be at the discretion of the Infrastructure Manager. The purchaser will be responsible for any and all damages to the Town infrastructure and meter as a result of obtaining water through the hydrant. It will be at the discretion of the Town Manager if a deposit is required. It will be at the discretion of the Town Manager as to the amount of deposit but will be no less than \$3,000. The deposit must be paid in advance.
- c) A fee of 45% of the water rate established for hydrant sales will be charged per m3 for disposal of sewage directly into the sanitary sewer system. This practice shall be at the discretion of the Infrastructure Manager at a designated disposal area. This fee represents costs associated with processing the sewage.

5.7 Account Change Process Fee – The following fee shall apply each time there is a change in Customer on a utility account (including owner changes and/or renter changes and/or renter changes back to owner's name):

- a) \$30.00 administration fee: this administration fee represents costs associated with the account processing changes required when there is a Customer change on a utility account. This process includes final meter reading, generation of final bill, administration of new utility agreements, generation of new utility account, issuing a new Garbage Permit and related administration.



- b) If the utility account is set up in more than one Customer's name, this administration fee will not be charged in the event that the change on the account is due to the death of one of the Customers on the account. The Town may request documentation for verification.

5.8 Service Disruption Fee – In the event that Utility Services are disconnected due to non-payment, the following fees will be applied to the utility account for each occurrence:

- a) \$100.00 total fee for disconnecting and reconnecting the water service.
- b) \$100.00 total fee for disconnecting and reconnecting the gas service.

These fees must be paid prior to services being reconnected.

Disconnections and reconnections shall only be performed during normal business hours.

5.9 Disconnections – In the event the Customer requests utilities be disconnected, the following fees will be applied to the utility account for each occurrence:

- a) \$75.00 fee for disconnecting the water service.
- b) \$25.00 fee for disconnecting the gas service.

Disconnections shall only be performed during normal business hours.

5.10 Reconnections – In the event the Customer requests utilities be reconnected, the following fees will be due and payable prior to reconnecting the utilities:

- a) \$25.00 fee for reconnecting the water service.
- b) \$75.00 fee for reconnecting the gas service.

Reconnections shall only be performed during normal business hours.

5.11 Arrears Fee – The following fee will be added to the utility account each time a 48 hour Notice of Disconnection is issued more than 2 times for the same account in the preceding 12 month period:

- a) \$25.00 administration fee: this administration fee represents costs associated with the administration associated with producing the Notice of Disconnections and the Public Works costs with delivering to properties.

6. PAYMENT

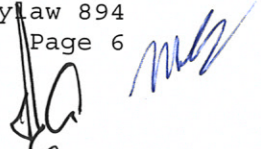
6.1 Payment can be made at the Town Administration Office, the Customer's bank, pre-authorized plan or through on-line banking services. Credit card payments are only accepted for utilities through the PaySimply service on the Town website.

7. DUE DATE

7.1 The due date for payment of utilities bills is the last day of the month in which the Customer was invoiced for the utilities.

8. ARREARS

8.1 If a utility bill remains unpaid after the last day of the month in which they were invoiced,

Handwritten signature and initials in blue ink, likely representing the Town Clerk or a representative.

a 2.6% penalty will be applied against the outstanding amount.

- 8.2 After two months arrears, a Notice of Arrears letter will be mailed to the Customer providing notice that their account is in arrears and that if these arrears are not paid in the specified time, the Utility Services may be disconnected.
- 8.3 If the utility bill is not paid within the specified time in the Notice of Arrears letter, a 48 hour Notice of Disconnection will be delivered to the Customer's property.
- 8.4 If the arrears owing is \$25.00 or less the Customer will not receive a 48 hour Notice of Disconnection.
- 8.5 If payment for the arrears has not been received by the Town within the 48 hours notice period, or the Customer does not contact the Town to make a payment arrangement within the 48 hour notice period, the utilities may be disconnected.
- 8.6 The utilities will not be reconnected until all utilities arrears owed on the account are paid in full plus the applicable service disruption fees.
- 8.7 As prescribed in Section 553 of the MGA, any utility charges remaining unpaid can be levied and collected in a like manner as municipal taxes. This means that those utilities remaining unpaid can be transferred to the tax roll of the property that the utility service is being provided to. Upon closing a utility account any charges outstanding are automatically transferred to the tax roll.

9. METER DISPUTES

- 9.1 In a situation where a Customer is in disagreement with the amount of gas or water having been reported as having passed through the meter, and if the Town, by reviewing historical data from the meter in question does not agree that there is a fault with the meter, the Customer may request that the meter be tested and proven for accuracy.
- 9.2 The Customer will be responsible for paying, in advance, the costs of the meter inspection plus a \$25.00 removal fee. If the meter is proven to be measuring inaccurately, both the inspection costs and the removal fee will be reimbursed to the Customer. If the meter is proven to be measuring accurately, all fees will be retained by the Town.
- 9.3 In the situation when the meter has proven to be measuring inaccurately, the utility bill will receive a credit adjusted to reflect the overbilling for not more than the three months preceding the inspection. This shall be determined by reviewing the same period in the preceding year. If the meter has proven to be measuring inaccurately resulting in an under-billing, the Customer will not be charged for the amount estimated to be under-billed.

10. ERRORS OR OMISSIONS

- 10.1 The following sections of the Town's Utilities Bylaw must be referenced to clearly illustrate responsibility as it relates to this Bylaw:

Section 10.8 "If the meter is found to be in excess of the prescribed tolerances:

- (a) *the Municipality shall reimburse to the Owner the meter dispute charge; and*



- (b) *the Municipality will correct the Utility Accounts by the appropriate amount for the time during which the meter was registering incorrectly. If such time cannot be determined with reasonable accuracy, the correction will be made for a period of not more than three (3) months immediately preceding the date of the application."*

Section 10.9 "If an error is found in the utility billing charges the Municipality will correct the Utility Accounts by the appropriate amount for the duration of the billing error as follows:

- (a) *If the correction results in an under billing for utility consumption charges to the Customer, the utility billing correction will be made for a period of not more than three (3) months immediately preceding the date of discovery of error, or*
- (b) *If the correction results in an over billing for utility consumption charges to the Customer, the billing correction will be made for the period of the error as long as the start date of the error can be determined with reasonable accuracy. If such time cannot be determined with reasonable accuracy, the correction will be made for a period of not more than three (3) months."*

Section 10.10 "In the event of any refunds being issued to the Customer the Municipality will not be responsible for payment of any lost interest to the Customer."

11. GENERAL

11.1 Bylaw 887 is hereby repealed.

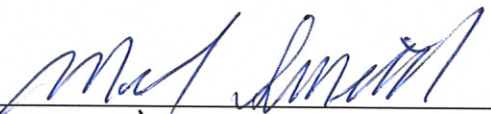
11.2 This Bylaw shall come into full force and effect upon the day it receives third and final reading by Council.

READ A FIRST TIME THIS 2nd day of March, 2021.

READ A SECOND TIME THIS 2nd day of March, 2021.

READ A THIRD TIME AND APPROVED THIS 2nd day of March, 2021.

TOWN OF REDWATER



MAYOR



TOWN MANAGER