

**Town of Bon Accord  
AGENDA  
Special Council Meeting  
April 7, 2020 8:30 a.m.  
Council Chambers**

- 1. CALL TO ORDER**
- 2. ADOPTION OF AGENDA**
- 3. ADOPTION OF MINUTES**
  - 3.1. Regular Meeting of Council – March 31, 2020 (enclosure)
- 4. UNFINISHED BUSINESS**
  - 4.1. Bon Accord Volunteer Appreciation Night, Postponement (enclosure)
- 5. NEW BUSINESS**
  - 5.1. 2019 Audited Financial Statements (enclosure)
  - 5.2. COVID-19 Pandemic Financial Report (enclosure)
  - 5.3. Off Leash Dog Park (enclosure)
- 6. BYLAWS/POLICIES/AGREEMENTS**

**BYLAWS**

  - 6.1. Cancellation of Residential Utility Penalties for COVID-19 Bylaw; Bylaw #2020-17(attachment to be walked on)
  - 6.2. 2020 Tax Penalty Bylaw Amendment for COVID-19 Bylaw; #2020-16 (attachment to be walked on)
  - 6.3. Taxation Bylaw; Bylaw #2020-14 – 2<sup>nd</sup> reading (enclosure)
  - 6.4. Records Retention and Disposition Bylaw; Bylaw #2020-08 (enclosure)
- 7. WORKSHOPS/MEETINGS/CONFERENCES**

None
- 8. CORRESPONDENCE**

None
- 9. CLOSED SESSION**

None
- 10. ADJOURNMENT**

**Town of Bon Accord**  
**Regular Meeting of Council Minutes**  
**March 31, 2020**  
**7:00 p.m.**



**PRESENT**

**COUNCIL**

Mayor David Hutton  
Deputy Mayor Lynn Bidney  
Councillor Tanya May  
Councillor Brian Holden  
Councillor Lacey Laing

**ADMINISTRATION**

Joyce Pierce, Chief Administrative Officer  
Dianne Allen, Planning and Economic Development Manager  
Falon Fayant, Corporate Finance Officer

**OTHERS**

Mark Holtom – Micro Developments  
Mark Swaenepoel – Micro Developments  
Jane Dauphinee, Municipal Planning Services (MPS)  
Kyle Miller, Municipal Planning Services (MPS)

All attendees participated in the meeting electronically and the meeting was streamed live on Youtube.

**CALL TO ORDER**

Mayor Hutton called the meeting to order at 7:06 p.m.

**ADOPTION OF AGENDA**

COUNCILLOR HOLDEN MOVED THAT the agenda for the March 31, 2020 Regular Meeting of Council be adopted as presented.

**CARRIED RESOLUTION 20-128**

**PROCEDURAL BYLAW; BYLAW #2020-15**

DEPUTY MAYOR BIDNEY MOVED THAT the Procedural Bylaw; Bylaw #2020-15 be given 1<sup>st</sup> reading, as presented.

**CARRIED RESOLUTION 20-129**

COUNCILLOR MAY MOVED THAT the Procedural Bylaw; Bylaw #2020-15 be given 2<sup>nd</sup> reading, as presented.

**CARRIED RESOLUTION 20-130**

DEPUTY MAYOR BIDNEY MOVED THAT Council gives unanimous consent to hear three readings of Procedural Bylaw; Bylaw #2020-15 in one meeting.

**CARRIED RESOLUTION 20-131**

**Town of Bon Accord  
Regular Meeting of Council Minutes  
March 31, 2020  
7:00 p.m.**

COUNCILLOR LAING MOVED THAT the Procedural Bylaw; Bylaw #2020-15 be given 3<sup>rd</sup> and final reading, as presented.

**CARRIED RESOLUTION 20-132**

**ADOPTION OF MINUTES**

*Regular Meeting of Council Minutes – March 17, 2020*

COUNCILLOR HOLDEN MOVED THAT the minutes of the March 17, 2020 Regular Meeting of Council be accepted, as amended.

**CARRIED RESOLUTION 20-133**

**PUBLIC HEARING**

*Public Hearing – Municipal Development Plan Bylaw #2020-11*

*Public Hearing – Land Use Bylaw #2020-12*

MAYOR HUTTON OPENED THE Public Hearing for Municipal Development Plan Bylaw #2020-11 and Public Hearing – Land Use Bylaw #2020-12 at 7:38 p.m.

As all attendees at this meeting were attending electronically and technical difficulties arose, a suggestion from CAO Pierce was made to postpone the meeting until a later date.

COUNCILLOR HOLDEN MOVED THAT the meeting be postponed until the technical difficulties have been resolved.

**CARRIED RESOLUTION 20-134**

MAYOR HUTTON MOVED THAT the March 31, 2020 Regular Meeting of Council adjourn at 7:46 p.m.

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Mayor David Hutton

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Joyce Pierce, CAO

**TOWN OF BON ACCORD  
Request for Decision (RFD)**

**MEETING:** Special Council Meeting

**MEETING DATE:** April 7, 2020

**AGENDA ITEM:** Postponement of the Volunteer Appreciation Night

**RECOMMENDATION:** THAT ... Council accepts this RFD as information.

**BACKGROUND:**

Due to the Covid-19 pandemic, the Volunteer Appreciate night will be postponed indefinitely. An ad will be placed in the Free Press to recognize our volunteers and a Thank you note will be added in our utility newsletter.

Plans to host the appreciate night will be looked at once the self-distancing protocol has been lifted.

**FINANCIAL IMPLICATIONS:**

Budgeted event \$500

**LEGAL IMPLICATIONS:** *N/A*

**LEGISLATIVE HISTORY:** *N/A*

**ALTERNATIVES:**

**Prepared and Submitted By:** Jenny Larson, Community Services

**Reviewed By:**  
**Date: March 26, 2020**

**TOWN OF BON ACCORD**  
**Request for Decision (RFD)**

**MEETING:** *Special Meeting of Council*

**MEETING DATE:** **April 7, 2020**

**AGENDA ITEM:** **Approve 2019 Audited Financial Statements**

**RECOMMENDATION:**

**THAT** ... Council approve the 2019 audited financial statements as presented at the regular meeting of council on March 17, 2020.

**BACKGROUND:**

The Town's auditor presented the 2019 financial statements during the regular meeting of council on March 17, 2020.

**FINANCIAL IMPLICATIONS:**

Annual financial statements are a requirement of the MGA and provide financial transparency to residents.

**LEGISLATIVE HISTORY:**

Section 276 (1) of the MGA states that each municipality must prepare annual financial statements of the municipality for the immediately preceding year...

**ALTERNATIVES:**

1. That...Council approve the 2019 audited financial statements as presented at the regular meeting of council on March 17, 2020.
2. That...Council does not approve the 2019 audited financial statements as presented at the regular meeting of council on March 17, 2020 and directs administration to...

**Prepared and Submitted By:** Falon Fayant

**Reviewed By:** Joyce Pierce

**Date:** March 18, 2020

# Council Report

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**Date:** April 7, 2020

**Department:** Finance

**Submitted by:** Falon Fayant

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**Recommendation:** That Council receive the COVID-19 Implications and Financial Update report for information.

## General

Administration has provided recommendations to Council regarding deferrals within the utility and taxation departments in order to provide financial relief to those residents and businesses that may be in need during the pandemic COVID-19 situation. Administration is committed to providing support to the Town residents where economically feasible while still maintaining long-term financial viability of the municipality.

Administration is monitoring the Town's cash flows in order to be prepared during this uncertain time, and to determine the impact of the operational decisions regarding utility billing, taxation, and other impacts of COVID-19. Administration will continue to manage the financial challenges in the coming weeks and months keeping in mind the health and safety of employees and residents, the continued delivery of essential municipal services, short-term financial relief, and long-term financial sustainability.

The Province of Alberta has approved immediate financial relief measures in response to the COVID-19 Pandemic, including but not limited to:

- Deferral of utility billing
- Education tax freeze at 2019 levels
- Deferral of Non-Residential Education Taxes (more information will follow)
- Ministerial Orders, extended deadlines to on or before October 1, 2020
- FCSS payments to be deposited monthly versus quarterly

## Financial Opportunities

Administration is closely monitoring operational and capital spending; however, we have identified the following opportunities should additional financial support be required:

- Reduce operating expenditures within the budget where appropriate, generally in contracted services, mileage and subsistence, and memberships and registrations
- Defer capital budget expenditures as appropriate
- Cancel summer programs
- Public works summer personnel review
- Utilize temporary borrowing (overdraft) via Bylaw 2020-07

## Budget Implications

### Taxes

The Town of Bon Accord has budgeted to receive \$1,552,696 in tax revenue for the 2020 tax year. There are approximately 577 ratepayers within Town. 145 ratepayers are currently on the TIPPS plan and 188 ratepayers are currently registered to have their taxes paid through their mortgage company. 140 ratepayers pay by other means. It is anticipated that most mortgage companies could continue to make payments by the June 30<sup>th</sup> deadlines, however this is difficult to predict at this time.

### Utilities

The Town of Bon Accord currently has 563 residential ratepayers, 14 commercial ratepayers, and 2 institutional ratepayers, and collects approximately \$39,000 in cash flow revenue monthly from utility billing. Penalty revenue monthly is approximately \$600.

### Cash Flow

Cash flow is difficult to forecast as it is affected by several different variables including the number of ratepayers and their ability to pay their bill in full or partial amounts and in what time periods. Typically, the Town's cash flow is tighter within the first and second quarter as tax notices for the new year have yet to be collected.

The Town's cash flow currently is positively impacted by the transfer of \$900,000 from our ATB investment account to help cover the Solar Farm capital project until such time as the application for the debenture is made and the grant funds for the project are received.

An analysis of our cash flow as it relates to COVID-19 and the measures recommended by administration regarding utilities and taxes is as follows:

March 31, 2020 to August 31, 2020

PROJECTED ENDING BANK BALANCE						
	Mar 31, 2020	April 2020	May 2020	June 2020	July 2020	August 2020
Pre COVID-19	1,033,772	931,025	768,926	2,376,359	2,110,960	2,015,040
COVID-19 50%	1,033,772	878,311	664,905	1,063,318	748,682	1,814,014
COVID-19 25%	1,033,772	852,255	613,494	986,554	644,644	1,706,436
COVID-19 0%	1,033,772	826,198	562,084	909,790	542,376	1,604,168

Factors impacting this cash flow analysis are as follows:

- Debenture receipt from ACFA June 15 for the Solar Farm project of \$691,065
- Capital purchase of public works vehicle from Diamond International expected approx. July for \$132,979

- This analysis projects receipt of the majority of tax payments by the August 31 deadline other than those on TIPPs which were factored on a monthly basis within the percentage considerations

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** *Special Council Meeting*

**MEETING DATE:** **April 7, 2020**

**AGENDA ITEM:** **Off Leash Dog Park**

### **RECOMMENDATION:**

**THAT....** Council approves the following as information and for discussion purposes.

### **BACKGROUND:**

As per Council request, Administration was directed to provide information on an off-leash dog park.

With pet ownership on the rise communities have introduced special amenities such as “dog parks”. Enjoyable for both residents and their pets, these safe, clean and fenced areas allow dogs to run and play off-leash, while socializing with other canines and their owners. Dog parks, which are sometimes managed by park users in conjunction with Town officials, offer benefits to dogs, dog owners and the community. As with benefits, there are also responsibilities, cost and liabilities to be considered.

#### Steps for Creating a Dog Park

- Survey residents – demonstrate there is need and support
- Hold a public meeting
- Educate dog owners on the responsibilities of a dog park and cost
- Clear mission statement that details need and purpose of the dog park
- Choose a site
- Create a budget

#### Rules and Design

The key to future and continued success of a dog park will lie in the responsibility of the users in cleaning up after their dogs, quieting excessive barking and curtailing aggressive behavior. Issues will arise in which there requires a mechanism to settle disputes in a responsive manner. Maintenance is an important consideration in the development of a successful dog park.

An ideal dog park should include:

- One acre or more of land surrounded by a five-to-six-foot-high chain link fence. Preferably, the fence should be equipped with a double-gated entry to keep dogs from escaping and to facilitate wheelchair access.
- Cleaning supplies, including dog waste stations and dog waste bags. There needs to be sufficient bag dispensers and trash cans to encourage owners to pick up after their pet.
- Shade and water for both dogs and owners, along with benches and tables are important and a safe, accessible location with adequate drainage and a grassy area that is mowed routinely.
- Signs that specify park hours and rules.
- Parking close to the site.

Users of a dog park are responsible:

- Owners are legally responsible for their dogs and any injuries caused by them.
- Puppies and dogs must be properly licensed, inoculated and healthy.
- Animals should wear a collar and ID tags at all times.
- Owners must clean up after their dogs. Waste stations to be provided for their convenience.
- Dogs showing aggression towards people or other animals will be removed from the park. Animal Control Bylaw Officer will need to be involved.
- Animals who exhibit a history of aggressive behavior will not be permitted.
- Puppies using the park must be at least four months old.

- Owners should not leave their dogs unattended or allowed out of sight. If young children are permitted in the dog park, they too should be under constant supervision.
- Dogs in heat will not be allowed inside the park.
- Dogs are to be controlled by a person of suitable size, strength and maturity, using a leash to be able to control the movements of an animal if in the event the animal becomes excited or agitated.
- Owners must carry a leash at all times. Dogs should be leashed before entering and prior to leaving the park.
- Violations will be subject to removal from the park and suspension of park privileges.

Costs to Consider

- Land
- Fencing (1 acre) – approximately \$40,000 + materials and construction (clearing areas, preparation for fence)
- Gravel
- Landscaping
- Annual maintenance fee – daily general clean-up spring through fall, winter 3 x per week, weekly mowing, turf renovation spring and fall.
- Staffing Resources
- Animal Control and Bylaw Enforcement Resources
- Managing Waste
- Water stations, bag stations, benches, tables
- Revisions / changes to Bylaws (no cost incurred)

**FINANCIAL IMPLICATIONS:**

Budget costs for start-up and yearly maintenance

**LEGAL IMPLICATIONS:** Injuries incurred to animals or owners

**LEGISLATIVE HISTORY:** N/A

**ALTERNATIVES:** N/A

**Prepared and Submitted By:** Dianne Allen; Manager, Economic Development

**Reviewed By:** Joyce Pierce, CAO

**Date:** March 31, 2020

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** *Regular Meeting of Council*

**MEETING DATE:** April 7, 2020

**AGENDA ITEM:** **Bylaw 2020-17 Cancellation of Utility Penalties for COVID-19**

### RECOMMENDATION:

**THAT** ...Council give first reading of Bylaw 2020-17.

**THAT** ...Council give second reading of Bylaw 2020-17.

**THAT** ...Council give unanimous consent to consider three readings of Bylaw 2020-17 in one meeting.

**THAT** ...Council give third reading of Bylaw 2020-17.

### BACKGROUND:

With the recent COVID-19 pandemic situation, many residents and businesses in the Town of Bon Accord may find themselves in a financially constrained situation. In relation to our utility services, administration has been researching ways to alleviate some of the strain residents and businesses may be facing in these unprecedented times. **Administration is recommending that Council approve Bylaw 2020-17 offering a four-month period from March 1, 2020 to June 30, 2020 where penalties on unpaid utility accounts will not be applied and where disconnections of utility services will not be performed.** This provides financial flexibility to utility account holders financially impacted by the COVID-19 pandemic to prioritize their financial obligations without fear of penalty or disconnection.

Currently, utility accounts are billed monthly and penalties are applied sixteen days after the date of mailing. The last utility billing was printed on March 3, mailed on March 6, with a penalty date of March 23. Penalties and disconnections have not yet been applied, awaiting Council's decision. Water Bylaw 2019-16, Wastewater Bylaw 2020-01, and Waste Collection Bylaw 2020-02 state a penalty of 2% shall be applied to all outstanding charges after the applicable penalty date, and if the account remains unpaid for a period over 60 days, the service may be disconnected. Administration sends regular arrears letters monthly to accounts 30 and 60 days past due.

Many neighboring municipalities have or are considering establishing similar measures.

**Regular billing will continue for the period stated in Bylaw 2020-17; however, no penalty fees or service disconnections would be applied during this time. However, the Town would strongly encourage those who are able, to continue paying their utility bills in full or to make smaller, regular payments if possible.**

**FINANCIAL IMPLICATIONS:**

The Town of Bon Accord receives approximately \$39,000 in expected cash flow from utility billing each month based upon the timing of payments received, and approximately \$600 monthly from penalties applied.

Approval of Bylaw 2020-17 will directly affect the receipt of the \$600 penalty revenue. Depending upon how the COVID-19 pandemic is affecting residents and their financial situations, the affect on the Town's cash flow is difficult to determine at this time, and dependent upon resident's ability to pay their bills.

**LEGISLATIVE HISTORY**

Bylaw 2019-16 Water (attached for Council information)  
Bylaw 2020-01 Wastewater (attached for Council information)  
Bylaw 2020-02 Waste Collection (attached for Council information)

**ALTERNATIVES:**

1. That...Council gives all three readings to Bylaw 2020-17 as proposed above
2. That...Council gives 1<sup>st</sup> reading to Bylaw 2020-17 and directs administration to...
3. That...Council declines reading of Bylaw 2020-17 and directs administration to...

**Prepared and Submitted By:** Falon Fayant

**Reviewed By:** Joyce Pierce

**Date:** April 6, 2020

**TOWN OF BON ACCORD  
CANCELLATION OF UTILITY PENALTIES FOR COVID-19  
BYLAW 2020-17**

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**A BYLAW TO TEMPORARILY CANCEL PENALTIES FOR UNPAID WATER AND WASTEWATER ACCOUNTS AND TO PREVENT DISCONNECTION OF UTILITY SERVICES FOR UTILITY ACCOUNTS, IN LIGHT OF THE COVID-19 PANDEMIC.**

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**WHEREAS**, the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended from time to time, authorizes Council to establish and adopt bylaws for municipal purposes respecting the establishment of fees;

**AND WHEREAS**, Bylaw 2019-16, the Water Bylaw, Bylaw 2020-01, the Wastewater Bylaw, and Bylaw 2020-02, the Waste Collection Bylaw, establish fees for non-payment of water, wastewater, and waste collection services according to the provisions of the respective bylaws;

**AND WHEREAS**, in order to alleviate the financial impact on residents in light of the COVID-19 pandemic, Council deems it appropriate to provide relief to water, wastewater, and waste collection users in accordance with the provisions of this Bylaw;

**NOW THEREFORE**, the Council of Bon Accord, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. This Bylaw may be cited as the "Cancellation of Utility Penalties for COVID-19 Bylaw."
2. Notwithstanding the provisions of Bylaw 2019-16, Bylaw 2020-01, and Bylaw 2020-02, for the period of March 1, 2020 to June 30, 2020:
  - i. Penalties for late payment of water services established in section 14 of Bylaw 2019-16 and referenced in Schedule "A" and Schedule "B" of Bylaw 2019-16 shall be cancelled.
  - ii. Penalties for late payment of wastewater services established in section 14 of Bylaw 2020-01 and Schedule "A" and Schedule "B" of Bylaw 2020-01 shall be cancelled.
  - iii. Penalties for late payment of residential waste collection services established in section 5 of Bylaw 2020-02 and Schedule "B" and Schedule "C" Late Payment Penalty of Bylaw 2020-02 shall be cancelled.
3. Notwithstanding the provisions of section 14 of Bylaw 2019-16 and section 14 of Bylaw 2020-01, for the period of March 31, 2020 to June 30, 2020, Administration shall not disconnect water or wastewater services for non-payment.
4. Except as modified by this Bylaw, in all other respects Bylaw 2019-16, Bylaw 2020-01, and Bylaw 2020-02 remain in force.
5. This Bylaw shall come into force and take effect on the day that it is passed.

**TOWN OF BON ACCORD  
CANCELLATION OF UTILITY PENALTIES FOR COVID-19  
BYLAW 2020-17**

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READ A FIRST TIME THIS 7<sup>th</sup> DAY OF April 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A SECOND TIME THIS 7<sup>th</sup> DAY OF April 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A THIRD TIME THIS 7<sup>th</sup> DAY OF April 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

**TOWN OF BON ACCORD  
BYLAW 2019-16  
WATER BYLAW**

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**A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR A WATER SYSTEM INCLUDING THE SETTING OF RATES, CHARGES AND CONDITIONS OF SERVICE.**

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WHEREAS the Municipal Government Act, RSA 2000, c. M-26 provides that a Council may pass bylaws respecting public utilities; and

WHEREAS it is deemed necessary and expedient to establish a waterworks system for the Town of Bon Accord and to set out the terms, costs and charges upon which the service will be provided;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

**SECTION 1 – SHORT TITLE**

- 1.1 This Bylaw may be referred to as "The Water Bylaw".

**SECTION 2 – DEFINITIONS**

- 2.1 "Abut" means, in relation to a physical object, to be next to or to have a common boundary with.
- 2.2 "Account" means an agreement between a Consumer and the Town for the supply of water;
- 2.3 "Active Utility Account" means the commencement and turning on of water service for occupancy of a building or property;
- 2.4 "Approved" means, unless otherwise provided, approved by the Public Works Supervisor, or their delegate;
- 2.5 "Appurtenance" means anything that is attached to the Water System or Water Utility.
- 2.6 "Arrears Administration" means, the action and cost associated with sending registered mail and sending to a Collection Agency, per the attached Schedule of Other Water Rates and Charges;
- 2.7 "Basic Service" means the level of service that the town provides to its consumers that is included in the Water Rates and Charges as attached in Schedule "B" and is comprised of, but not limited to, the provision of water via the transmission and distribution systems and the operation and maintenance of same;
- 2.8 "Bulk Water Outlet" means the Town overhead standpipe capable of dispensing potable water; and does not include the Town's barrel that is located on the premises
- 2.9 "CC" or "Curb Cock" means a shut off valve constructed in line on the Water Service enabling shutting off water supply to a property;
- 2.10 "Chief Administrative Officer" means the Chief Administrative Officer for the Town of Bon Accord;
- 2.11 "Commercial" includes stores, warehouses, and commercial facilities;
- 2.12 "Community Peace Officer" means a Bylaw Enforcement Officer appointed by the Town pursuant to the Municipal Government Act, RSA 2000, c. M-26, to enforce the Town

**TOWN OF BON ACCORD**  
**BYLAW 2019-16**  
**WATER BYLAW**

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- Bylaws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable;
- 2.13 “Consumer” means any Person who has applied for an Account or Service Connection, has received any Water Service or is otherwise responsible for paying for the Water Services;
- 2.14 “Council” means the Municipal Council of The Town of Bon Accord;
- 2.15 “Facilities” means any physical facilities and infrastructure including transmission and distribution pipelines, valves, reservoirs, pumping stations, fire hydrants, chambers and pressure reducing valves, meters, and measurement devices owned and operated by the Town, used to supply potable water;
- 2.16 “Fees and Charges” means the Town’s Fees and Charges as set out in Schedule “B” of this bylaw;
- 2.17 “Householder” means any owner, occupant, lessee or tenant or any other Person in charge of any Dwelling;
- 2.18 “Hydrant User” means any person obtaining water from a fire hydrant for any purpose other than emergency fire protection;
- 2.19 “Institutional” shall mean a hospital, nursing home, hotel, or school;
- 2.20 “Master Control Valve” means the privately owned valve typically installed on the water service line inside a building;
- 2.21 “Meter Pit” means a pit-like enclosure that protects Water Meters installed outside of buildings and allows access for reading the Meters;
- 2.22 “Municipal Servicing Standards” means the Town’s engineered servicing standards as approved by Council;
- 2.23 “Owner” means the person who is registered under the Land Titles Act, RSA 2000 c. L-4, as amended or replaced from time to time, as the owner of the fee simple estate in land, or a Person who is recorded as the Owner of the property on the tax assessment roll of the Town;
- 2.24 “Person” means any Person, Householder, firm, partnership, association, corporation, company or organization of any kind;
- 2.25 “Planning and Development Services” means the Town representatives responsible for the approval of plumbing and gas installations within the Town;
- 2.26 “Point of Delivery” means the point where the Service Connection occurs, which is, in most cases, at or near the property line that defines the point that the owner has the responsibility for ownership, maintenance and repair to the Private Service Line;
- 2.27 “Private Service” means all the water facilities serving the premises downstream of the Point of Delivery and includes the pipes, fittings, valves and Appurtenances owned by the Owner but does not include the Meter;
- 2.28 “Public Health Inspector” means the medical health officer of the Capital Health Authority, or their authorized representative;
- 2.29 “Publication” means publication of a notice in a newspaper in general circulation with the Town or the mailing or delivering of a notice to a Person or Persons, due to immediate needs the Town, as an interim measure, may post a notice on the Town’s webpage or use its social media accesses;

**TOWN OF BON ACCORD  
BYLAW 2019-16  
WATER BYLAW**

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- 2.30 "Remote Meter Reading Device" means equipment installed to remotely read the Water Meter without obtaining access into the premise.
- 2.31 "Residential" means any detached single-family dwelling or residence, duplex, or Multi-Family Complex designed for individual family living;
- 2.32 "Service" means the provision of water;
- 2.33 "Service Pipe" means a pipe which carries water from the Town Water System onto or across private property - from and within the Owners premise to the CC;
- 2.34 "Town" means The Town of Bon Accord, or its delegate;
- 2.35 "Turn Off" means the cessation or turning off of water service for a building or a property and may include a final meter reading;
- 2.36 "Turn On" means the process where the delivery of potable water to the private system is activated;
- 2.37 "Urban Service Area" means the service area within the Town of Bon Accord;
- 2.38 "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;
- 2.39 "Water Demand Management Measures" means restrictions upon the use of water for non-essential purposes, including but not limited to irrigation, washing of vehicles, driveways or sidewalks, and any other purpose where water is utilized externally to a residence, place of business or any other premise located within the Town on any certain day for a certain period of time;
- 2.40 "Water Main" means a water pipe in the street, public thoroughfare or easement area granted to the Town, which forms part of the Town water distribution network and delivers the water supply to the Water Service Connections;
- 2.41 "Water Meter" or "Meter" means any Approved device installed by the Town which is designed to measure the quantity of water used by a Consumer and which may have attached to it a Remote Reading Device;
- 2.42 "Water Service" means the provision of water to Consumers and associated services contemplated by the Fees and Charges, as provided for in Schedule B, offered to the Consumer under this Bylaw;
- 2.43 "Water Service Connection" means the lateral Water Service Pipe which connects an Owner's premises to the Towns Water System with the Owner owning that portion of the Service Pipe lying within the boundaries of the Owner's premises excluding any Service Pipe lying within the boundaries of any easement area granted to the Town for its Water System;
- 2.44 "Water System" or "Water Utility" means a system of water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, service connections, valves, fittings, hydrants, meters, and all other equipment, machinery, owned by the Town and which is required to supply and distribute water to all Owners and which is deemed to be a Public Utility within the meaning of the Municipal Government Act RSA 2000, C M-26.

**SECTION 3 – ADMINISTRATION**

- 3.1 The Chief Administrative Officer may delegate the administration of this Bylaw to the following employee positions:
- 3.1.1 Public Works Supervisor, or their delegate,

**TOWN OF BON ACCORD**  
**BYLAW 2019-16**  
**WATER BYLAW**

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3.1.2 Utilities Billing Clerk; or position similar thereof

**SECTION 4 – GENERAL**

- 4.1 The Town, having constructed, operated and maintained a Water System as a public utility shall continue, insofar as there is sufficient capacity and supply of water, to supply water, upon such terms as Council considers advisable, to any Owner within the Town's Urban Service Area or situated along the Town's Water Main.
- 4.2 In providing a Service Connection to Town Water Mains, the Town shall provide and install all Facilities up to the Point of Delivery or Water Service Connection point subject to the terms of this Bylaw. The Town shall remain the owner of all Facilities provided by the Town for a Service Connection unless the Town and the Consumer have expressly agreed in writing otherwise. Any payment made by the Consumer reimbursing costs incurred by the Town in installing Facilities does not entitle the Consumer to ownership of any such Facilities unless an agreement in writing between the Town and the Consumer specifically provides otherwise.
- 4.3 An Owner is responsible for providing such facilities as considered necessary in order to have a continuous and uninterrupted supply of water for the Owner's specific needs provided such facilities are approved by Planning and Development Services and provided that such facilities do not interfere for the operation of the Water System.
- 4.4 The Town's employees, agents and other representatives shall have the right to enter a Consumer's premises at all reasonable times for the purpose of installing, maintaining, inspecting, sampling, replacing, testing, monitoring, reading or removing the Town's Facilities and for any other purpose incidental to the provision of a Service Connection. The Consumer shall not prevent or hinder the Town's entry.
- 4.5 The Town has the right to enter a Consumer's premises at any reasonable hour (i.e. 7:00 a.m. to 8:00 p.m.) in order to:
- 4.5.1 Install, inspect, test, repair or remove Town Facilities or equipment
  - 4.5.2 Perform necessary maintenance to Town Facilities or equipment
  - 4.5.3 Investigate a Consumer complaint or query
  - 4.5.4 Conduct a surprise inspection of a concern with unauthorized use of water or tampering with the Water System including but not limited to the Meter and Service.
- 4.6 Before entering premises, the Town will make reasonable effort to notify the Consumer or other responsible Person who is at the premises and who appears to have sufficient authority to permit entry except:
- 4.6.1 In the case of emergency,
  - 4.6.2 Where entry is permitted by order of a court or administrative tribunal,
  - 4.6.3 Where otherwise legally empowered to enter,
  - 4.6.4 Where the purpose of entry is in accordance with Sections 4.5.3 or 4.5.4
- 4.7 The Town shall not be liable for damages, including building losses;
- 4.7.1 Caused by a break within the Town's Water System or
  - 4.7.2 Caused by the interference or cessation of water supply necessary in connection with the repair or proper maintenance of the Town Water System; or

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- 4.7.3 Generally, for any accident due to the operation of the Town Water System, unless such action has been shown to be directly due to the negligence of the Town or its employees.
- 4.8 No Person shall connect or cause to connect any other source of water to the Water System, either directly or indirectly.
- 4.9 No Person shall use an alternate source of water supply other than the Water System without submitting a written application and obtaining the consent of the Public Works Supervisor, or their delegate; provided that:
  - 4.9.1 The Public Works Supervisor, or their delegate, may give consent to an Owner using an alternate source of water, subject to such terms and conditions as the Public Works Supervisor, or their delegate, deems necessary and, notwithstanding the generality of the foregoing, he/she may set a limit on the period of time for which an alternate supply of water may be used.
- 4.10 No Person who has been granted permission to use an alternate source of water supply shall allow the alternate source of water to be connected to the Water System.
- 4.11 In all cases where boilers or equipment of a nature similar to that of a boiler are supplied with water from the Water System, the Owner of the boilers or other equipment shall equip such with at least one safety valve, vacuum valve or other proper device to prevent the collapse or explosion thereof in the event the water supply is shut off, in addition to backflow prevention to ensure potentially contaminated water does not enter the municipal system.

**SECTION 5 – DUTIES AND MANAGEMENT**

- 5.1 The Chief Administrative Officer is responsible for the administration and enforcement of this Bylaw including:
  - 5.1.1 The general installation, maintenance and management of the Water System;
  - 5.1.2 The distribution and use of the water from the Water System;
  - 5.1.3 Enforcing terms and conditions under which water from the Water System is supplied to or made available for use by an Owner, and for shutting off the water or discontinuing the Water Service until the Owner complies with the terms and conditions so designated.
- 5.2 In addition to the Municipal Servicing Standards, the Town may establish standards, guidelines and specifications for the design, construction and maintenance of the Water System.
- 5.3 For the purposes of administering or enforcing the provisions of this Bylaw, the Chief Administrative Officer may delegate their powers to one or more employees of the Town, including the Public Works Supervisor, or their delegate.

**SECTION 6 – CONSTRUCTION AND INSTALLATION OF SERVICE PIPE**

- 6.1 No person, without first filing an application for construction and for installation to obtain permission to do so from the Town of Bon Accord, shall make connection whatsoever to any of the Town's Water Mains.
- 6.2 All applications for construction and for all installations contemplated under this Bylaw shall be done or made in accordance with the provision of the Safety Codes Act, RSA

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2000, c. S-1 and regulations made there under and the Municipal Servicing Standards. The applicant shall be totally liable for any damage caused while making such connections.

- 6.3 No person shall install or permit to be installed an additional Service Pipe between a Water Meter and the CC, located at or near the property line.
- 6.4 The Owner of multiple housing and commercial developments shall submit service design plans, duly signed by a Professional Engineer, to Public Works Supervisor, or their delegate, for review and approval prior to construction start.
- 6.5 An Owner shall furnish to the Public Works Supervisor, or their delegate, two (2) sets of "As Built" plans, together with a letter, duly signed by a Professional Engineer, indicating that the Private Service is fully operational and satisfactory bacteria sampling results have been provided.

**SECTION 7 – SERVICE PIPE FOR DOMESTIC PURPOSES**

- 7.1 Neither the Town employees, nor their agents, shall carry out any work pertaining to the construction or repair or renewal of Service Pipe on private property, except with the authority of the Public Works Supervisor, or their delegate, or Chief Administrative Officer and then only after satisfactory arrangements have been made with the Owner for payment for doing such work.
- 7.2 Unless the Public Works Supervisor, or their delegate, determines otherwise, at the request of the Owner, a Service Pipe shall be constructed only to those properties, which Abut directly on the Town Water System.
- 7.3 A Service Pipe shall not be extended from one lot to another.
- 7.4 Upon notice to any Owner that an existing Private Service fails to meet the requirements of the Bylaw or for any reason is unsatisfactory to the Public Works Supervisor, or their delegate, the Owner shall effect the changes required in the notice by the date specified in the notice at the expense of the Owner.
- 7.5 All additional construction costs on the Service Pipe and after Point of Delivery due to development on private property, including additional costs required for repairing of disturbed streets, shall be borne by the Owner on whose property development is occurring.
- 7.6 An Owner shall be responsible to thaw out frozen Service Pipes, including and up to the distribution main. The Town may provide the service and the Owner shall pay for the thawing of the Service Pipe.
- 7.7 When a Service Pipe passes through an excavation or backfill, or through a basement way, finished or unfinished, or through a retaining wall, the Town shall not be responsible for any damage due to displacement, settlement, or any cause due to the Owner's operations, whether the damage occurs during construction or afterwards.
- 7.8 In the event that mains are required in order to provide services for the applicant, the applicant will be required to pay the cost of the said mains.
- 7.9 The Council may refuse to make any new connection or install any new or change any existing service at any time for any reason, which it may consider sufficient.

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**SECTION 8 – INSTRUCTIONS FOR PLUMBING AND MECHANICAL CONTRACTORS**

- 8.1 Conditions in this section apply to the portion of a Service Pipe from the CC through to the Meter and apply to both new construction and to any renewal, alteration or change in old construction. Plumbers and Contractors shall comply with the provisions of the Safety Codes Act, RSA 2000, c. S-2, and its regulations.
- 8.2 The Point of Delivery to private property, as agreed to at the time of application, for a Service Pipe shall be strictly adhered to; costs arising from non-adherence shall be borne by the Owner.
- 8.3 Construction specifications of all new construction or repair/replacement of old construction will adhere to Municipal Servicing Standards as deemed by the Town.
- 8.4 All contracts formed by the filing of an application for water and the acceptance thereof by the Town are hereby declared to be subject to all the terms and conditions of this bylaw, which shall be understood as forming part of all contracts for the supply and distribution of water.

**SECTION 9 – WATER METERS**

- 9.1 The Town shall remain the owner of all metering facilities it provides to serve the Consumer, unless the Town and the Consumer have expressly agreed in writing otherwise the Public Works Supervisor, or their delegate, shall determine the size and type and number of Water Meters to be supplied and installed by the Town. The Public Works Supervisor, or their delegate, shall approve the Metering requirements where water is supplied for fire protection purposes.
- 9.2 The Town shall supply, install, own and maintain all Water Meters and Meter Pits in accordance with manufacturers' specifications, except those privately owned or in a separate agreement for ownership and operation with the Town on the understanding that the owner shall give every facility for the introduction, placing, and inspection of such water meter and meter pit and the reading of such water meter.
- 9.3 No person, other than an employee or representative of the Town shall install, test, remove, repair, replace, or disconnect a Water Meter.
- 9.4 No person shall interfere with or tamper with the operation of any Water Meter or Remote Meter Reading Device, subject to 9.3. Any person interfering with or tampering with any meter seal, meter reading equipment, or water shut-off equipment, shall be liable to a penalty as laid down in the Fees and Charges Schedule "B" of this Bylaw.
- 9.5 The Town may charge for and recover from the Owner the cost of supplying, installing, altering, repairing, relocating or replacing a Water Meter. Any such charge may be collected in the same manner as water rates.
- 9.6 All Water Service Connections must be constructed and installed in an approved manner. Should the Water Service Connection not be constructed according to the approved application the Town:
  - 9.6.1 May enter the premises to construct, maintain or repair the Water Service Connection; or
  - 9.6.2 Shall have the right to refuse to supply water to the premises
- 9.7 No Owner shall relocate, alter, or change any existing Water Metering facilities. The Owner shall submit plans and specifications for any proposed relocation of Water

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- Metering facilities and, if approved by the Public Works Supervisor, or their delegate, the Owner shall pay the entire cost, including any costs incurred by the Town, in making such relocation, alteration, or change.
- 9.8 The Owner of a premise in which a Meter is located shall;
- 9.8.1 Comply with all directions of the Town to prevent Meter damage due to frost, heat, or other causes.
- 9.8.2 Promptly notify the Town of any condition or event which has resulted in any meter damage due to frost, heat or other causes.
- 9.9 If a meter is damaged or destroyed, the Owner of the premise in which the Meter is located shall pay for the entire cost of the Meter removal, repair and re-installation or for the cost of replacing the Meter.
- 9.10 Should the Public Works Supervisor or their delegate, determine that a Meter should not be positioned inside a premise to which Service is provided; the Owner shall construct a Meter Pit on the Owner's property near the property line at the Owner's expense and in accordance with the Municipal Servicing Standards.
- 9.11 Unless otherwise determined by the Public Works Supervisor or their delegate, for single-family dwellings and for single unit commercial or industrial buildings, a single Water Service Connection shall be constructed, and a single Meter shall be installed by the Town.
- 9.12 Water Meters shall be read at the discretion of the Public Works Supervisor, or their delegate. Notwithstanding 4.4 and 4.5, if a Meter reader cannot gain access to a premise to read the Water Meter, he/she may leave a notice requesting the Owner to notify the Town as soon as possible of the Water Meter reading. In the event a Consumer refuses to allow a Meter to be read for a period in excess of six (6) months, the Public Works Supervisor, or their delegate, may shut off the supply of water to that Meter.
- 9.13 No Person shall do, or shall cause to be done, or shall permit to be done, any act which may obstruct or impede direct safe and convenient access to a Meter for the purpose of installation, inspection, removal, repair, replacement, reading or the like at all times.
- 9.14 If access to a Meter cannot be obtained, the Town will send estimated bills.
- 9.15 If required for any reason, Town employees may request to have a Town Bylaw Enforcement Officer accompany them to any Consumer's residence or business for any reason.
- 9.16 In the event of a discrepancy between the Remote Meter Reading Device and the Meter, the Meter shall be deemed correct.
- 9.17 If an Owner doubts the accuracy of a meter installed in a building s/he owns or occupies, a written notice must be given to notify the Town and a deposit in accordance with Schedule "B" - Meter Testing (refer to Schedule "B") shall accompany the written notice. The Town shall have the Meter tested by an Approved external agency, after the written/s notice and deposit is received
- 9.18 If the test shows the Meter is recording between 98.5% and 101.5% of true consumption, the Owner shall forfeit the deposit to cover the cost of the testing, including the cost of the meter change-out by a Town employee or agent. If the test shows the Meter is not recording between 98.5% and 101.5% of true consumption, the consumer will be credited back the deposit, the meter will be repaired or replaced by another meter and the expense shall be borne by the Town, and the rates for the previous two (2) meter reading periods shall be adjusted by the same percentage as the meter found to be in error,

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provided however, that no rate shall be reduced below a minimum rate normally charged, if one exists.

- 9.19 The Owner may be notified of test results and receive a copy of the test results.

**SECTION 10 – HYDRANTS AND VALVES**

- 10.1 No person(s) other than Town employees or persons authorized by the Town shall open, close, or interfere with any valve, hydrant or fireplug, or draw water therefrom.
- 10.2 The Chief of the Town Fire Department, his/her assistants , officers and members of that Department, are authorized to use the hydrants or plugs for the purpose of extinguishing fires, for fire protection, for equipment testing, and for fire training practices, but all such uses shall be under the direction and supervision of the said chief or his/her duly authorized assistants, and in no event shall any inexperienced or incompetent person be permitted to manipulate or control in any way, hydrants or plugs.
- 10.3 No person(s) shall in any matter whatsoever obstruct or interfere with the free access to any hydrant, valve or curb stop. No vehicle, building, rubbish or any other matter which would cause such obstruction or interference shall be placed nearer to a hydrant than the property line of the street where the hydrant is located nor within five (5) meters of either side of the hydrant in a direction parallel with the property line. Costs of repairs required as a result of obstruction or damage to any hydrant, valve or curb stop are the responsibility of the person who caused the obstruction or damage.

**SECTION 11 – UNAUTHORIZED USE, INTERFERENCE OR OBSTRUCTION**

- 11.1 Any person obtaining water service from the Town shall only use the water supplied for that person's own use and that person shall not vend, sell, dispose or distribute the water supplied to third parties.
- 11.2 No Person, other than Town employees or agents, or those authorized to complete new installations or repairs to existing services shall operate, handle or interfere with the Town's provision of a Service including the Town's CC's, valves, and pipes; nor shall any unauthorized Person operate, handle or interfere with a Town meter, meter seal, or meter reading equipment.
- 11.3 No Person, other than Town employees or agents, or those authorized by the Public Works Supervisor, or their delegate, shall make, keep, use or dispose of any key or wrench, the purpose of which is to operate any valve, CC, fire hydrant, Meter Pit, or any other Appurtenances on the Towns water system.
- 11.4 No Person shall obstruct or impede direct and free access to the Towns Water System. Costs of removing obstructions or impediments shall be borne by the offending party and may be added to a monthly utility bill.
- 11.5 Any Person found in violation of 11.1, 11.2, or 11.3 is subject to Interference, Tampering, or Unauthorized use penalty as provided for in Schedule "B" of this bylaw.

**SECTION 12 – AUTHORITY TO RESTRICT OR SHUT OFF SUPPLY**

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- 12.1 The Public Works Supervisor, or their delegate, may without notice shut off the water supply to any part of the Town should he/she decide an emergency situation makes such action necessary.
- 12.2 The Public Works Supervisor, or their delegate, may in a non-emergent situation shut off water supply to any part of the Town provided reasonable notice of such intended shut off is given to all affected Owners, except in the event of routine maintenance with shut off not to exceed thirty (30) minutes. The Public Works Supervisor, or their delegate, shall have the sole discretion to determine what reasonable notice in the circumstance is.
- 12.3 The Public Works Supervisor, or their delegate, may restrict and regulate the hours or time during which water may be used for any purpose other than for fire fighting.
- 12.4 The Public Works Supervisor, or their delegate, may, by Publication upon reasonable notice, implement Water Demand Management Measures.
- 12.5 After Publication of any Water Demand Management Measures, it shall be an offence for a person to use water in contravention of the declared Water Demand Management Measures.
- 12.6 No Person shall allow the wastage of water.
- 12.7 If the Public Works Supervisor, or their delegate, determines that water is being wasted, he/she may give notice to the Owner of their intent to discontinue Service.
- 12.8 In giving notice to discontinue a Service, the Public Works Supervisor, or their delegate, shall bear in mind all the circumstances of the particular case including, but not limited to the estimated rate of wastage, the age of piping, the possibility of damage to adjacent property and the season of the year. The time allowed for stopping the wastage shall be reasonable but at the discretion of the Public Works Supervisor, or their delegate.

**SECTION 13 – BULK WATER**

- 13.1 The Public Works Supervisor, or their delegate, may, at their discretion and with just cause, restrict or deny use of a Bulk Water Outlet to any Person if receiving tanks, trucks, or hoses are in a condition deemed not sanitary for the transference of water or misuses facilities and surrounding area.
- 13.2 A minimum air gap of twice the pipe diameter of the downspout piping shall be maintained at all times while transferring water from the Bulk Water Outlet.
- 13.3 Commercial tanks and vessels used for bulk water transportation to offsite locations for human consumption must be inspected approved and have a permit issued by the local Public Health Inspector, water use and maintenance of the tanks, etc. are at the responsibility of the Commercial operator.

**SECTION 14 – WATER RATES AND CHARGES, OPENING AND CLOSING OF ACCOUNTS**

- 14.1 The rates and charges to be charged for the provision of Water Service shall be as set out from time to time in the Fees and Charges Schedule “B” of this Bylaw.
- 14.2 The Town of Bon Accord requires that new account requests or changes for utility services, provided by the Municipality, be placed in the name of the owner(s) registered on the property title only, other than those accounts specific to Bulk Water use.
- 14.3 Where an Owner has setup an Account for Water Service, an Owner may request that the invoice for the Account be sent directly to the service and or mailing address as

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- identified by the owner. Notwithstanding this section, the Owner remains the Account holder responsible for all debts incurred under that Account and is responsible for ensuring the Account is paid as billed.
- 14.4 An Account must be opened and an application fee, plus a Utility Service Security fee must be paid, with fees being outlined in the Fees and Charge Schedule attached to this Bylaw, before water is used and the application must be made in writing to the Town.
- 14.5 Utility Service Security Fee is fully refundable, less outstanding Account balances, upon termination of Account.
- 14.6 That the Council shall have the right to determine into which classification any service belongs, and the Council's decision shall be final and binding on all persons concerned.
- 14.7 Persons who use water without opening an Account will be liable for the cost of water consumed as estimated by the Towns Utility Billing Clerk.
- 14.8 All Utility Bills will be due and payable when rendered by the Town and payments will be made at the address indicated on the Utility Bill or to an agent of the Town.
- 14.9 A Consumer shall:
- 14.9.1 Pay all charges, fees and bills for Water Services performed by the Town in accordance with the Fees and Charges schedule of this Bylaw;
- 14.9.2 Adhere to the requirements of this Bylaw;
- 14.9.3 Promptly pay their Account or any penalties assessed.
- 14.10 That in the event a Utility Bill remains unpaid after the date fixed for payment, a penalty as the Council may establish by resolution from time to time will be added to the principal outstanding amount thereto and form part of the rates levied.
- 14.11 The Chief Administrative Officer, or designate, may cancel Water Services to a Householder in the event that a Utility Bill remains unpaid as described in section 14.9 of this Bylaw.
- 14.12 Consumer may contact the Town for temporary or permanent Turn Off (service disconnection) of Water Service; charges may apply per Schedule "B" attached.
- 14.13 The Public Works Supervisor, or their delegate, may Turn Off Service without notice for any of the following reasons:
- 14.13.1 Failure to open an account,
- 14.13.2 Neglects or refuses to pay when due any charges levied pursuant to this Bylaw,
- 14.13.3 If, in the opinion of the Public Works Supervisor, or their delegate, an emergency exists,
- 14.13.4 The Consumer's facilities are unsafe or defective, leak excessively or cause contamination or deterioration to the Water System,
- 14.13.5 For the purposes of repairing and maintaining the Water System,
- 14.13.6 The Consumer fails to provide the Town adequate access to the Water System on private property or access to the premises for the purposes of reading, verification, testing, repairing, replicating or inspection of the meter as required,
- 14.13.7 If, in the opinion of the Public Works Supervisor, or their delegate, it is reasonable to do so.

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- 14.14 No person shall have any claim for compensation or damages as the result of the Town shutting off the water without notice or from failure of the water supply from any cause whatsoever.
- 14.15 The Public Works Supervisor, or their delegate, may at any time, upon endeavoring to provide Forty-eight (48) hours notice to a Consumer and without any further notice Turn Off a Water Service or refuse to open an Account, if the Consumer;
- 14.15.1 Fails to perform any term of an Account,
- 14.15.2 Contravenes any other section of this Bylaw,
- 14.15.3 Fails to comply with notice to discontinue water use during Water Demand Management Measures or,
- 14.15.4 Fails to comply with notice to discontinue wastage of water.
- 14.16 If Service to a Consumer results in Turn Off for non-payment of an Account at one location, the Town may Turn Off Service to the same Consumer at another location or at any other locations.
- 14.17 A reconnect fee as specified in the Fees and Charges schedule of this Bylaw will be levied before reconnection of a Service.
- 14.18 All Consumers shall pay for their water consumption and all other rates and charges as provided for in the Billing Regulation attached as Schedule "A" and the Fees and Charges Schedule "B" attached to this Bylaw.
- 14.19 No reduction in rates will be made in the monthly charge for water supplied to or made available for use by any Consumer because of any interruption due to any cause whatsoever of the water supply.
- 14.20 All rates and charges shall be included in a monthly water bill, provided to the Consumer on the Utility Bill, and shall be due and payable monthly in the manner herein provided.
- 14.21 In the event a Utility Bill, in which water billing is a part of, remains unpaid after the date fixed for payment, a penalty of two percent (2%) shall be added to the principal outstanding amount thereto and form part of the rates levied.
- 14.22 In the event that the water bill remains unpaid for a period of sixty (60) days after the date of mailing of the Utility Bill, the Town may Turn Off the Service.
- 14.23 Any Utility Bill remaining unpaid under this Bylaw will constitute a debt owing to the Town and is recoverable by any or all of the following methods, namely:
- 14.23.1 by action in any court of competent jurisdiction;
- 14.23.2 by shutting off or discontinuing any Water Service being supplied Owner without notice;
- 14.23.3 by collecting in a like manner as municipal rates and taxes.
- 14.24 Consumers wishing to close their Account must request a Turn Off order at least two working days before the order is to become effective.
- 14.25 The Town may continue to levy Water Service charges in accordance with the Fees and Charges Schedule of this Bylaw until the Account is closed.
- 14.26 Any bulk water customer who transacts online, requiring no administrative assistance for adding funds to their bulk water account, will receive a 10% discount on the current bulk water rate.

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**SECTION 15 – SEVERABILITY**

- 15.1 Should any provision of this bylaw be invalid then such provision shall be severed, and the remaining bylaw shall be maintained.

**SECTION 16 – MISCELLANEOUS**

- 16.1 Nothing in this Bylaw will operate to relieve any Person from complying with any Federal, Provincial or other Town of Bon Accord law, order, regulation or Bylaw.
- 16.2 The power to do any of the things provided for in this Bylaw, for the purpose of enforcing payment of any Utility Bill as may be deemed necessary, is hereby delegated to the Chief Administrative Officer.
- 16.3 That Bylaw 2018-17 is hereby repealed.

This Bylaw will come into force and effect after receiving third reading, having been signed, and upon the day in which Council has deemed to be effective.

THIS BYLAW WILL COME INTO EFFECT upon the approved effective date of January 7, 2020.

READ A FIRST TIME THIS 17<sup>th</sup> DAY OF DECEMBER 2019.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A SECOND TIME THIS 7<sup>th</sup> DAY OF JANUARY 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A THIRD TIME THIS 7<sup>th</sup> DAY OF JANUARY 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

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**SCHEDULE 'A'**

**BILLING REGULATIONS**

1. A utility bill showing the current service charges to the owner(s) shall be mailed to the owner(s) and designated renter. It remains the owner's responsibility to ensure renters are making regular payments. Payment for water service charges shall be due and payable when the account is rendered. Payment shall be made at the office of the Chief Administrative Officer or at such other place as may be designated by the Council, and failure to receive an account shall in no way affect the liability of the owner(s) to pay the account.
2. In the event a utility bill remains unpaid, there will be added thereto a penalty, and this penalty will be part of the arrears and subject to collection in the same manner as all other rates and charges as set out in Schedule 'B'.
3. If in accordance with clause 2 of this schedule the account remains unpaid for a period of 60 days after the billing period, the Chief Administrative Officer or Utility Clerk may order the service turned off.
4. In the event a water service has been shut off, as provided for in clause 3 of this schedule by reason of non-payment, a re-connection fee as set out in Schedule 'B' attached hereto and the outstanding bill shall be payable in advance of turning on the service.
5. In the event a water service has been shut off upon the request of the owner(s), a re-connection fee set out in Schedule 'B' attached hereto shall be payable in advance of turning on the service.
6. Any accounts that cannot have the water shut off (i.e. Condominiums, malfunctioning CC) will be exempt from clause 3 of this schedule and may have unpaid billings put to taxes.
7. Any person intending to vacate any premises that have been supplied with Utility services (i.e. water, wastewater, and garbage services) by the Town of Bon Accord or who intends to discontinue the use thereof, shall give notice of the same at the office, otherwise the rates therefore shall be charged until such notice is given or the water turned off, but no rebate shall be made for any fraction part of a month in which such notice is given.
8. Any person wishing to disrupt the regular water service, for more than a one-month period shall pay a fee as set in Schedule 'B'.
9. No reduction in rates shall be made for interruption of the service.

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**SCHEDULE 'B'**

**DEFINITION OF WATER RATES AND CHARGES:**

**Service Charge:**

A flat fee charge that is intended to recover costs for such things as: billing and other related charges, customer service, energy related charges, communication, facilities, and administration of customer accounts.

**Capital Rate Rider:**

A flat fee charge that is intended to reflect each customer's share of costs of capital program related assets; such as equipment and replacement of defective pipe or installation of new pipe – may be used in place of tax levy.

**Consumption Charge:**

A variable volumetric charge, unless water is un-metered, that reflects the cost of supply for water consumed.

**SCHEDULE OF WATER RATES AND CHARGES:**

	<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
<b>Residential</b>	Service Charge	\$11.00	per billing month per utility account
	Capital Rate Rider	\$0.00	per billing month per utility account
	Consumption Charge	\$3.21	per cubic meter consumed during each billing period

	<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
<b>Commercial</b>	Service Charge	\$16.00	per billing month per utility account
	Capital Rate Rider	\$0.00	per billing month per utility account
	Consumption Charge	\$3.16	per cubic meter consumed during each billing period

<b>Institutional</b>	<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
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	Service Charge	\$21.00	per billing month per utility account
	Capital Rate Rider	\$0.00	per billing month per utility account
	Consumption Charge	\$3.16	per cubic meter consumed during each billing period

<b>Bulk Water (Truckfill) Pre-paid</b>	<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
	Consumption Charge	\$5.75	per cubic meter consumed during each billing period
	Consumption Charge – 10% discount for online only customers	\$5.17	per cubic meter consumed during each billing period

**DEFINITION OF OTHER WATER RATES AND CHARGES:**

**Application Fee:**

A one-time flat fee applicable to new service account requests and split between water and wastewater services.

**Arrears Administration:**

A combination of a flat fee charge and variable charge that is intended to reflect the cost of managing and processing the administration and collection of utility accounts that are deemed to be in payment arrears and require extraordinary collection means (e.g. registered letter(s), or collections).

**Late Payment Penalty:**

A Utility Bill which remains unpaid after the date fixed for payment, a penalty of twenty four percent (24%) per annum (or two percent (2%) per month) shall be added to the principal outstanding amount.

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Security Fee:

A one-time flat fee, refundable payment, applicable to new utility account holders', payable prior to commencement of service. Fee is refundable, less any outstanding amounts owed upon termination of service.

Service Calls:

A per hour charge applicable to those consumers who require service over and above that of the Basic Service provided for non emergent issues.

Service Disruption:

Provides an option for consumers who wish to have their service temporarily disconnected. The charge includes the cost of a Service Call and the Consumer is required to pay the monthly Service Charge for each and every month the premise has access to the Water System.

Meter Testing:

A flat fee charge that is intended to reflect the cost of removing, testing and re-installation of a meter that the consumer believes is faulty. If the meter is found faulty the consumer will be credited back the Meter Testing charge.

Reconnection Charge:

A flat fee charge that is intended to reflect the cost of re-installing utility service to a consumer that was previously disconnected due to a default in utility account.

Interference or Tampering Penalty:

A flat fee charge that is issued to anyone who has been found to have interfered with or tampering with any meter seal, meter reading equipment, or water shut-off equipment.

Connection Charge:

New service requests where a new physical connection is required to accommodate the service will have a fixed charge to offset the construction cost.

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**SCHEDULE OF OTHER WATER RATES AND CHARGES:**

<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
Application fee	\$30.00	per new utility account – applied and due at time of service application, split between water and wastewater
Arrears Administration	\$20.00 plus cost	per utility account (non-cumulative by service) for use in extraordinary instances of collection
Late payment penalty	24% per annum (2% per month)	applicable to outstanding balance – applied to total Utility Bill (less penalty) after the date due
Security Fee	Cost determined at time of Utility service application – based on water meter size  ½" up to 1" meter \$200.00 1.5" meter \$750.00 2" meter \$1000.00	per new utility account, of which is refunded upon service termination less any monies outstanding
Service Calls	\$65.00 if required during regular business hours \$100.00 if required outside of regular business hours	per hour plus any additional costs that may be incurred in attending to non-emergent issues
Service Disruption	Service Call Charge plus Monthly Service Charge	per notification or event, per utility account
Meter Testing	Flow through of costs	per Consumer request, flow through of testing charge plus Service Call
Re-connection Charge	\$65.00	per request or event
Interference, Tampering or Unauthorized Use Penalty	\$500.00	per event
Connection to main	\$100.00 Residential \$150.00 Commercial & Institutional	tapping into main for new service

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**A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA TO ESTABLISH TERMS FOR PROVIDING A SEWAGE SYSTEM, INCLUDING CONDITIONS FOR TREATMENT AND DISPOSAL OF WASTEWATER.**

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WHEREAS the Municipal Government Act, RSA 2000, c. M-26 provides that a Council may pass bylaws respecting public utilities; and

WHEREAS the Town of Bon Accord levies and collects such costs or charges established by Council from time to time for wastewater services; and

WHEREAS it is deemed necessary and expedient to establish terms for provision of wastewater services;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

**SECTION 1 – SHORT TITLE**

- 1.1 This Bylaw may be referred to as "The Wastewater Bylaw".

**SECTION 2 – DEFINITIONS**

- 2.1 "Abut" means, in relation to a physical object, to be next to or to have a common boundary with.
- 2.2 "Account" means an agreement between a Consumer and the Town for the supply of wastewater services for occupancy of a building or property;
- 2.3 "ACRWC" means the Alberta Capital Region Wastewater Commission.
- 2.4 "Approved" means, unless otherwise provided, approved by the Public Works Supervisor, or their designate;
- 2.5 "Appurtenance" means anything that is attached to the Water System or Water Utility.
- 2.6 "Arrears Administration" means, the action and cost associated with sending registered mail and sending to a Collection Agency, per the attached Schedule of Other Water Rates and Charges;
- 2.7 "Backflow Prevention Valve" means a device or mechanism that prevents backflow to avoid untreated or potentially contaminated water/wastewater migration into the waterworks system, approved by the Public Works Supervisor, or their designate or the Government of Alberta;
- 2.8 "Best Management Practices (BMP)" means an integrated plan to control and reduce the release of restricted and prohibited waste into the wastewater works to a practicable extent, through methods including physical controls, pre-treatment processes, operational procedures and staff training.
- 2.9 "Biological Waste" means waste from a hospital, medical clinic, health care facility, mortuary or biological research laboratory;
- 2.10 "Chief Administrative Officer" means the Chief Administrative Officer for the Town of Bon Accord;

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- 2.11 "Code of Practice" is a set of practices applicable to specific industrial, commercial or institutional sector operations; a code of practice identifies mandatory procedures, equipment, training or other provisions required as a condition of wastewater discharge into the wastewater works system by the specified sector discharger. A code of practice may be included in approved Best Management Practices.
- 2.12 "Commercial" includes stores, warehouses, and commercial facilities;
- 2.13 "Community Peace Officer" means a Bylaw Enforcement Officer appointed by the Town pursuant to the Municipal Government Act, RSA 2000, c. M-26, to enforce the Town Bylaws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable;
- 2.14 "Compliance Program" means the necessary steps undertaken by a discharger to bring wastewater discharged into the wastewater works into compliance with the terms and conditions of this Bylaw or related permit. Compliance programs are applicable to existing dischargers only; new discharges must fully comply with the requirements of this bylaw.
- 2.15 "Consumer" means any Person who has applied for an Account or Service Connection, has received any Wastewater Service or is otherwise responsible for paying for the Wastewater Services;
- 2.16 "Council" means the Municipal Council of The Town of Bon Accord;
- 2.17 "Designated Sector Operations" means industrial, commercial or institutional sectors required to adopt Codes of Practice approved by ACRWC.
- 2.18 "Emulsifier" means any ingredient used to bind together normally non-combinative substances, such as oil and water;
- 2.19 "Environmental Protection and Enhancement Act" means the Environmental Protection and Enhancement Act, S.A 1992, c.E-13.3, and its regulations;
- 2.20 "Facilities" means any physical facilities and infrastructure including transmission and distribution pipelines, valves, lagoons, and pumping stations owned and operated by the Town, used to collect and dispose wastewater;
- 2.21 "Fees and Charges" means the Town's Fees and Charges as set out in Schedule "B" of this bylaw;
- 2.22 "Flashpoint" is the temperature at which enough vapour collects on the surface of a liquid to become flammable. The lower the flashpoint, the more flammable the material is.
- 2.23 "Householder" means any owner, occupant, lessee or tenant or any other Person in charge of any Dwelling;
- 2.24 "Institutional" shall mean a hospital, nursing home, hotel, or school;
- 2.25 "Municipal Servicing Standards" means the Town's engineered servicing standards as approved by the Public Works Supervisor, or their designate;
- 2.26 "Overstrength" means wastewater released to a sewer that is higher in concentration for one or more constituent concentrations set out in Schedule "D", sub schedule "C" of this bylaw.
- 2.27 "Overstrength Surcharge" means the rate per kilogram per cubic meter of water consumed and charged to a user who releases wastewater to the sewer that exceeds one or more constituent concentrations set out in Schedule "D" sub schedule "C".
- 2.28 "Owner" means the person who is registered under the Land Titles Act, RSA 2000 c. L-4, as amended or replaced from time to time, as the owner of the fee simple estate in land,

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- or a Person who is recorded as the Owner of the property on the tax assessment roll of the Town;
- 2.29 "Person" means any Person, Householder, firm, partnership, association, corporation, company or organization of any kind;
- 2.30 "Planning and Development Services" means the Town representatives responsible for the approval of plumbing and gas installations within the Town;
- 2.31 "Point of Collection" means the point where the Service Connection occurs, which is, in most cases, at or near the property line that defines the point that the owner has the responsibility for ownership, maintenance and repair to the Private Service Line;
- 2.32 "Private Service" means all the wastewater facilities serving the premises upstream of the Point of Collection and includes the pipes, fittings, valves and Appurtenances owned by the Owner;
- 2.33 "Prohibited Waste" means matter set out in Schedule "D" sub schedule "C" annexed hereto;
- 2.34 "Public Health Inspector" means the medical health officer of the Capital Health Authority, or their authorized representative;
- 2.35 "Publication" means publication of a notice in a newspaper in general circulation with the Town or the mailing or delivering of a notice to a Person or Persons.
- 2.36 "Residential" means any detached single family dwelling or residence, duplex, or Multi-Family Complex designed for individual family living;
- 2.37 "Restricted Wastes" means matter set out in Schedule "D" sub schedule "B" annexed hereto;
- 2.38 "Service" means the provision of sewage or wastewater disposal;
- 2.39 "Service Pipe" means a pipe which carries wastewater from the dwelling, onto or across private property, to the Town facilities;
- 2.40 "Spills" mean a direct or indirect discharge into the wastewater system, Storm Sewer or the natural environment which is abnormal in quantity and quality in light of all the circumstances of the discharge;
- 2.41 "Storm Sewer" means a natural drainage system or a sewer for the collection and transmission of uncontaminated water, storm water, and drainage from land or from a watercourse or any combination thereof but excluding any portion of a combined sewer for the combined collection of wastewater and uncontaminated water or storm water;
- 2.42 "Town" means The Town of Bon Accord, or its delegate;
- 2.43 "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;
- 2.44 "Watercourse" means a natural or artificial channel through which water flows;
- 2.45 "Wastewater Discharge Permit" means a permit issued by ACRWC which will govern the discharge of non-domestic waste and hauled wastewater into a sewer.
- 2.46 "Wastewater Main" means a sewage pipe in the street, public thoroughfare or easement area granted to the Town, which forms part of the Town wastewater collection network and delivers the collected wastewater to the Town facilities (sewage lift stations);
- 2.47 "Wastewater Service" means the collection of wastewater from the Consumers, and all other associated services, contemplated by the Fees and Charges as provided for in Schedule "B", under this Bylaw;

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- 2.48 “Wastewater Service Connection” means the lateral wastewater Service Pipe which connects an Owner’s premises to the Towns Wastewater System with the Owner owning that portion of the Service Pipe lying within the boundaries of the Owner’s premises excluding any Service Pipe lying within the boundaries of any easement area granted to the Town for its Wastewater System;
- 2.49 “Wastewater System” or “Wastewater Utility” means a system of lagoons, pumping stations, feeder mains, collection mains, service connections, valves, fittings, and all other equipment, machinery, owned by the Town and which is required to collect and dispose wastewater from the Owners and which is deemed to be a Public Utility within the meaning of the Municipal Government Act RSA 2000, C M-26.

**SECTION 3 – ADMINISTRATION**

- 3.1 The Chief Administrative Officer may delegate the administration of this Bylaw to the following employee positions:
- 3.1.1 Public Works Supervisor, or their designate;
- 3.1.2 Utilities Billing Clerk; or position similar thereof.

**SECTION 4 – GENERAL**

- 4.1 This Bylaw is to be followed in accordance with the ACRWC Bylaw Number 8 (Schedule “D”).
- 4.2 The Town, having constructed, operated and maintained a Wastewater System as a public utility shall continue, insofar as there is sufficient capacity to collect wastewater, upon such terms, as Council considers advisable, from any Owner within the Town’s Urban Service Area or situated along the Town’s Wastewater Main.
- 4.3 In providing a Wastewater Service Connection to Town Wastewater Mains, the Town shall provide and install all Facilities up to the Point of Collection subject to the terms of this Bylaw. The Town shall remain the owner of all Facilities provided by the Town for a Service Connection unless the Town and the Consumer have expressly agreed in writing otherwise. Any payment made by the Consumer reimbursing costs incurred by the Town in installing Facilities does not entitle the Consumer to ownership of any such Facilities unless an agreement in writing between the Town and the Consumer specifically provides otherwise.
- 4.4 An Owner is responsible for providing such facilities as considered necessary in order to have a continuous and uninterrupted flow of wastewater provided Planning and Development Services approve such facilities and provided that such facilities do not interfere for the operation of the Wastewater System.
- 4.5 The Town’s employees, agents and other representatives shall have the right to enter a Consumer’s premises at all reasonable times (i.e. 7:00 a.m. to 8:00 p.m.) for the purpose of inspecting, testing, monitoring, or removing the Town’s Facilities and for any other purpose incidental to the provision of a Service Connection. The Consumer shall not prevent or hinder the Town’s entry.
- 4.6 The Town shall not be liable for damages, including building losses;
- 4.6.1 Caused by a break within the Town’s Wastewater System; or,
- 4.6.2 Caused by the interference or cessation of wastewater collection necessary in connection with the repair or proper maintenance of the Town Wastewater System; or,

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4.6.3 Generally for any incident due to the operation of the Town Wastewater System, unless such action has been shown to be directly due to the negligence of the Town or its employees.

- 4.7 No Person shall connect or cause to connect any other source of wastewater to the Wastewater System, either directly or indirectly.
- 4.8 No Person shall connect to an alternate source of wastewater disposal other than the Town Wastewater System without submitting a written application and without obtaining the consent of the Public Works Supervisor, or their designate; provided that:
- 4.9 The Public Works Supervisor, or their delegate may give consent to an Owner using an alternate disposal system, subject to such terms and conditions as the Public Works Supervisor, or their designate deems necessary and, notwithstanding the generality of the foregoing, they may set a limit on the period of time for which an alternate system may be used.
- 4.10 No Person who has been granted permission to connect to an alternate source of wastewater supply shall allow the alternate source of wastewater to be connected to the Wastewater System.

**SECTION 5 – AUTHORITY**

- 5.1 Except as otherwise provided in this Bylaw and subject to the Environmental Protection and Enhancement Act, no Person shall discharge into any Watercourse any Wastewater.
- 5.2 The Chief Administrative Officer is responsible for the administration and enforcement, whether through direct enforcement or with the assistance of a Community Peace Officer, of this Bylaw including:
  - 5.2.1 The general installation, maintenance and management of the Wastewater System;
  - 5.2.2 The collection and disposal of the wastewater from the Wastewater System.
- 5.3 In addition to the Municipal Servicing Standards, the Town may establish standards, guidelines and specifications for the design, construction and maintenance of the Wastewater System.
- 5.4 For the purposes of administering or enforcing the provisions of this Bylaw, the Chief Administrative Officer may delegate their powers to one or more employees of the Town per 3.1.1 and 3.1.2.
- 5.5 An Inspector shall be permitted reasonable access upon all property in the Town for the purpose of inspection, measurement, sampling and testing in accordance with this Bylaw.
- 5.6 No Person shall place or deposit or permit to be deposited in any manner that is unsanitary in the opinion of the Public Health Inspector upon public or private property within the Town limits or in any area under the jurisdiction of the Town, any human or animal excrement, Garbage or other objectionable waste.

**SECTION 6 – CONSTRUCTION AND INSTALLATION OF SERVICE PIPE**

- 6.1 No person, without first filing an application for construction and for installation to obtain permission to do so from the Town of Bon Accord, shall make connection whatsoever to any of the Town's Wastewater Mains.

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- 6.2 All applications for construction and for all installations contemplated under this Bylaw shall be done or made in accordance with the provision of the Safety Codes Act, RSA 2000, c. S-1 and regulations made there under and the Municipal Servicing Standards. The applicant shall be totally liable for any damage caused while making such connections.
- 6.3 The Owner of multiple housing and commercial developments shall submit service design plans, duly signed by a Professional Engineer, to Public Works Supervisor, or their designate for review and approval prior to construction start.
- 6.4 An Owner shall furnish to the Public Works Supervisor, or their designate two (2) sets of "As Built" plans, together with a letter, duly signed by a Professional Engineer, indicating that the Private Service is fully operational.
- 6.5 Neither the Town employees, nor their agents, shall carry out any work pertaining to the construction or repair or renewal of Service Pipe on private property, except with the authority of the Public Works Supervisor, or their designate or Chief Administrative Officer and then only after satisfactory arrangements have been made with the Owner for payment for doing such work.
- 6.6 Unless the Public Works Supervisor, or their designate, determines otherwise, at the request of the Owner, a Service Pipe shall be constructed only to those properties, which Abut directly on the Town Wastewater System.
- 6.7 A Service Pipe shall not be extended from one lot to another.
- 6.8 Upon notice to any Owner that an existing Private Service fails to meet the requirements of the Bylaw, or for any reason is unsatisfactory to the Public Works Supervisor, or their designate, the Owner shall effect the changes required in the notice by the date specified in the notice at the expense of the Owner.
- 6.9 All additional construction costs on the Service Pipe, at or after the Point of Collection due to development on private property, including additional costs required for repairing of disturbed streets, shall be borne by the Owner on whose property development is occurring.
- 6.10 When a Service Pipe passes through an excavation or backfill, or through a basement way, finished or unfinished, or through a retaining wall, the Town shall not be responsible for any damage due to displacement, settlement, or any cause due to the Owner's operations, whether the damage occurs during construction or afterwards.
- 6.11 In the event that mains are required in order to provide services for the applicant, the applicant will be required to pay the cost of the said mains.
- 6.12 The Public Works Supervisor may refuse to make any new connection or install any new or change any existing service at any time for any reason, which it may consider sufficient.

**SECTION 7 – USE AND PROTECTION OF WASTEWATER SYSTEM**

- 7.1 No Person shall throw, or leave in, on, or upon any Town wastewater (including any trap, basin, grating, manhole, or other Appurtenance of any Town wastewater), any butchers offal, garbage, litter, manure, rubbish, sweepings, sticks, stone, bricks, earth, gravel, dirt, mud, hay, straw, twigs, leaves, papers, rags, cinders, ashes, or refuse matter of any kind (as identified in Schedule "D" sub schedule "A" – Prohibited Wastes), those items of which may interfere with the proper operation of the Sewage System, impair or interfere with any treatment process or may become a hazard to persons, property or animals.

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- 7.2 No Person shall permit to be discharged into any wastewater, any liquid or liquids which would prejudicially affect the wastewater system, or other trade waste, or any waste steam, condensing water, heated water, or other liquids of a higher temperature than seventy-five (75<sup>0</sup>) Degrees Celsius or that of a pH less than 6.0 or greater than 11.5 (as identified in Schedule "D" sub schedule "B" – Restricted Wastes)".
- 7.3 No Person shall discharge directly or indirectly, or permit the discharge or deposit of wastewater into the Wastewater System where water has been added to the discharge for the purposes of dilution to achieve compliance with Schedule "D", sub schedule "A" and/or "B" of this bylaw.
- 7.4 No Person shall discharge directly or indirectly, or permit the discharge or deposit of matter into a Storm Sewer where water has been added to the discharge for the purposes of dilution to achieve compliance with Schedule "D sub schedule "A"".
- 7.5 No Person shall make or cause to be made any connection with any Town Wastewater System, or house drain, or Appurtenance thereof for the purpose of conveying, or which may convey into the same a flammable or explosive material, storm water, roof drainage cistern, or tank overflow, condensing, or cooling water.
- 7.6 No Person shall discharge the contents of any privy vault, manure pit or cesspool, directly or indirectly into any Town Wastewater System or house drain connected herewith, unless an agreement is entered into with the Town and approved by the Chief Administrative Officer or the Public Works Supervisor, or their designate.
- 7.7 No Person, except duly authorized employees of the Town shall turn, lift, remove, rise, or tamper with the cover of a manhole, ventilator, or other Appurtenance of any Town Wastewater System.
- 7.8 No unauthorized Person shall cut, break, pierce, or tap any Town Wastewater System or Appurtenance thereof, or introduce any pipe, tube, trough, or conduit into any of the Town's Wastewater System.
- 7.9 No Person shall interfere with the free discharge of any Town Wastewater System, or part thereof, or do any act or thing, which may impede or obstruct the flow or clog up any Town Wastewater System or Appurtenance thereof.
- 7.10 Any authorized Town employee or Plumbing Inspector shall have the right at all reasonable times to enter houses or other places which have been connected with the Town Wastewater System and facilities, in order to ascertain whether or not there is any discharge of prohibited or restricted wastes or of water containing prohibited or restricted wastes or is suspected of having been made, and s/he shall have the power to stop or prevent from discharging into the wastewater system any private wastewater or drain through which substances are discharged which are liable to injure the wastewater system or obstruct the flow of sewage.
- 7.11 No waste or discharge resulting from any trade, industrial, or manufactured process shall be directly discharged to any Town Wastewater System without any previous treatment as shall be prescribed by the Town for each such case. The necessary treatment works so prescribed shall be completely installed by the applicant at his expense, prior to the construction of the wastewater connection and therefore shall be continuously maintained and operated by the applicant.
- 7.12 Grease traps of sufficient size and approved design shall be placed on the waste pipes from all hotels, restaurants, laundries, and such other places as the Town, under advisement may direct.
- 7.13 No Person other than the Town employees or agents Town shall make any connections to, or shall cut or otherwise tamper in any way with a public or Town Wastewater System

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without first having obtained a permit to do so. The applicant for the said permit shall be liable to any damages caused while making said connections and shall also be responsible for providing adequate safety facilities and signs during the time of construction.

- 7.14 Where it is deemed expedient to prevent or reduce the flooding of basements or cellars connected to the Municipal Sewage System, the Town may require the owner to install and operate a suitable Backflow Prevention Valve or other mechanical device for the purpose of cutting off or controlling the connection between the sewage system and the cellar or basement.
- 7.14.1 Where the installation of said valve is required at the time of connection to the Town's Wastewater system, the cost of installation shall be the responsibility of the owner or applicant.
- 7.15 An Owner shall be responsible to thaw out frozen Service Pipes. The Town may provide the service and the Owner shall pay for the thawing of the Service Pipe.
- 7.16 The Town may revoke or annul any permit that may have been granted to connect with the Town's Wastewater System if it shall find that any of the work is not being done in accordance with the provisions of this bylaw, and the person or persons making such connections or their successors in interest, shall have no right to demand or claim any damage in consequence of such permits being revoked or annulled.
- 7.17 A person occupying any premises connected to a street main by a Wastewater System, shall be required to keep the said Wastewater System in operational condition at all times, and shall be fully responsible for the operation of the said Wastewater System.

**SECTION 8 – ADDITIONAL REQUIREMENTS**

- 8.1 Food-Related Grease Interceptors
- 8.1.1 Every Registered Owner of a restaurant or other commercial or institutional premises where food is cooked, processed or prepared, for which the premises is connected directly or indirectly to the Wastewater system, shall take all necessary measures to ensure that oil and grease are prevented from entering the Wastewater system in excess of the provisions of this bylaw. Grease interceptors shall not discharge to Storm Sewers.
- 8.1.2 The Registered Owner of a premises described in Subsection 8.1 (1) shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to the Wastewater system. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code. The installation of the oil and grease interceptor shall meet the requirements of the Canadian Standards Association national standard CAN/CSA B-481.2, as amended.
- 8.1.3 All oil and grease interceptors shall be maintained according to the manufacturer's recommendations. The testing, maintenance and performance of the interceptor shall meet the requirements of CAN/CSA B-481. Traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency should not be less than every four weeks. Maintenance requirements should be available at the workplace where the grease interceptor is installed. Maintenance and clean out shall be documented at the time it.

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- 8.1.4 Emulsifiers shall not be discharged to the Wastewater system from interceptors. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through a grease interceptor.
  - 8.1.5 A maintenance schedule and record of maintenance carried out shall be submitted to ACRWC upon request for each interceptor installed.
  - 8.1.6 The owner or operator of the restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, shall, for two years, keep the records which document the maintenance and clean outs performed for interceptor clean-out and oil and grease disposal.
- 8.2 Vehicle and Equipment Service Oil and Grease Interceptors
- 8.2.1 Every Registered Owner of a vehicle or equipment service station, repair shop or garage or of a commercial or institutional premises or any other establishment where motor vehicles or equipment are repaired, lubricated or maintained and where the wastewater is directly or indirectly connected to the Wastewater System shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the wastewater system in excess of the limits in this bylaw.
  - 8.2.2 The Registered Owner of the premises described in Subsection 8.2 (1) shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to the Wastewater system. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and be maintained as recommended by the Canadian Petroleum Products Institute (CPPI).
  - 8.2.3 All oil and grease interceptors and separators shall be maintained in good working order and according to the manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance and inspected to ensure the surface oil and sediment levels do not exceed the recommended level. In the absence of manufacture's recommendations, the settled solids shall not accumulate in the final stage chamber of the sediment interceptor in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
  - 8.2.4 A maintenance schedule and record of maintenance shall be submitted to ACRWC upon request for each oil and grease interceptor installed.
  - 8.2.5 The owner or operator of the premises as set out in Subsection 8.2(1), shall, for two years, keep the records which document the maintenance and clean outs performed for interceptor clean-out and oil and grease disposal.
  - 8.2.6 Emulsifiers shall not be discharged to the Wastewater system into interceptors. No person shall use enzymes, bacteria, solvents, hot water or other agents to facilitate the passage of oil and grease through an oil and grease interceptor.
- 8.3 Sediment Interceptors
- 8.3.1 Every Registered Owner of the premises from which sediment may directly or indirectly enter the Wastewater system, including but not limited to premises using a ramp drain or area drain and vehicle wash establishments, shall take all

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necessary measures to ensure that such sediment is prevented from entering the drain or the Wastewater system in excess of the limits in this bylaw.

- 8.3.2 Catch basins installed on private property for the purposes of collecting storm water and carrying it into Storm Sewers shall be equipped with an interceptor and the installation of these catch basins on private property shall comply with the requirements of the Town.
- 8.3.3 All sediment interceptors shall be maintained in good working order and according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance. In the absence of manufacturer's recommendations, the settled solids shall not accumulate in the final stage chamber of the sediment interceptor in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
- 8.3.4 The owner or operator of a premises as referred to in Subsection 6.3(1), shall, for 2 years, keep the records which document interceptor clean-out and sediment disposal.
- 8.3.5 A maintenance schedule and record of maintenance shall be submitted to ACRWC upon request for each sediment interceptor installed.

#### 8.4 Dental Waste Amalgam Separator

- 8.4.1 Every owner or operator of the premises from which dental amalgam may be discharged, which waste may directly or indirectly enter a sewer, shall install, operate and properly maintain dental amalgam separator(s) with at least 95% efficiency in amalgam weight and certified *ISO 11143 – "Dentistry - Amalgam Separators"*, in any piping system at its premises that connects directly or indirectly to a sewer, except where the sole dental-related practice at the premises consists of one or more of the following specialties or type of practice:
  - 8.4.1.1 Orthodontics and dentofacial orthopaedics;
  - 8.4.1.2 Oral and maxillofacial surgery;
  - 8.4.1.3 Oral medicine and pathology; or,
  - 8.4.1.4 Periodontics.
- 8.4.2 A dental practice consisting solely of visits by a mobile dental practitioner who prevents any dental amalgam from being released directly or indirectly to the wastewater works.
- 8.4.3 Notwithstanding compliance with Subsection 8.4.1, all persons operating or carrying on the business of a dental practice shall comply with Schedules 'A' and 'B' of this Bylaw.
- 8.4.4 All dental waste amalgam separators shall be maintained in good working order and according to the manufacturer's recommendations.
- 8.4.5 A maintenance schedule and record of maintenance shall be submitted to the ACRWC upon request for each dental amalgam separator installed.

#### 8.5 Food Waste Grinders

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- 8.5.1 In the case of industrial, commercial or institutional premises where food waste grinding devices are installed in accordance with the Building Code, the effluent from such food waste grinding devices must comply with Schedule 'A' and Schedule 'B'.

8.6 Pre-Treatment Facilities

- 8.6.1 When not adhering to the requirements and prohibitions to the bylaw or where required by ACRWC, the owner or operator shall install on the premises, and prior to the sampling point, a wastewater pre-treatment facility.
- 8.6.2 The owner or operator shall ensure the design, operation and maintenance of the pre-treatment facility achieves the treatment objectives and operates and is maintained in accordance with the manufacturer's recommendations.
- 8.6.3 The owner or operator shall not deposit the waste products from the pre-treatment facility in a wastewater works and shall ensure any waste products from the pre-treatment facility are disposed of in a safe manner.
- 8.6.4 The maintenance records and waste disposal records shall be submitted to ACRWC upon request.
- 8.6.5 The owner or operator shall keep documentation pertaining to the pre-treatment facility and waste disposal for two years.

1.7 Hauled Wastewater/Waste

- 8.7.1 No person shall discharge hauled wastewater/waste to the wastewater works unless:
  - 8.7.1.1 The carrier of the hauled wastewater/waste, operating as a waste management system is certified according to all applicable federal and provincial legislation, as amended from time to time;
  - 8.7.1.2 The carrier meets all conditions for discharge that are or may be set from time to time with respect to the discharge of hauled wastewater/waste by ACRWC; and,
  - 8.7.1.3 Hauled wastewater/waste meets the conditions set out in all applicable federal and provincial environment protection regulations, as amended from time to time.
- 8.7.2 No person shall discharge or permit the discharge of hauled wastewater/waste to the wastewater works:
  - 8.7.2.1 At a location other than a hauled wastewater/waste discharge location approved by ACRWC;
  - 8.7.2.2 Without a manifest, in a form approved by the Member Municipality of ACRWC in which the hauled wastewater/waste is being discharged, completed and signed by the carrier and deposited in an approved location at the time of discharge; and,
  - 8.7.2.3 Without the use of a discharge hose placed securely in the discharge port at the approved location.

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- 8.8 Non-Contact Cooling Water
  - 8.8.1 The discharge of non-contact cooling water or uncontaminated water to a sanitary sewer or from any residential property is prohibited unless the discharge is in accordance with a Wastewater Discharge Permit.
- 8.9 Water Originating From a Source Other Than the Municipal Water Supply
  - 8.9.1 The discharge of water originating from a source other than the Municipality's water supply, including storm water or groundwater, directly or indirectly to a sanitary sewer is prohibited, unless:
    - 8.9.1.1 The discharge is in accordance with a Wastewater Discharge Permit.
- 8.10 Overstrength and Overstrength Surcharges
  - 8.10.1 The Town, the ACRWC, or their representatives may assess Overstrength and Overstrength Surcharges for wastewater discharges that exceed the limits of treatable parameters set in accordance with ACRWC Bylaw, Schedule "D" sub schedule "C".
  - 8.10.2 Any Overstrength Surcharge pursuant to section 8.10.1 may be added to a monthly utility bill.
- 8.11 Compliance Programs
  - 8.11.1 When required as a condition of a Wastewater Discharge Permit, a Discharger shall provide ACRWC with a Compliance Program setting forth activities to be undertaken by the Discharger that would result in the prevention or reduction and control of a non-compliant discharge from the premises.
  - 8.11.2 The Discharger shall ensure that:
    - 8.11.2.1 the Compliance Program is provided and, if necessary, amended within the period of time specified by ACRWC;
    - 8.11.2.2 the final completion date for all activities in the Compliance Program is within the period of time established in the applicable Wastewater Discharge Permit; and
    - 8.11.2.3 the Compliance Program meets all requirements specified by ACRWC.
  - 8.11.3. Following the approval and during the term of a Compliance Program a Discharger shall:
    - 8.11.3.1 submit a progress report within 14 days after the scheduled completion date of each activity listed in the Compliance Program;
    - 8.11.3.2 revise and update the Compliance Program as required by ACRWC; and
    - 8.11.3.3 keep an updated copy of the Compliance Program and progress reports at the subject premises at all times and make copies available to a Designated Sewer Officer upon request.
  - 8.11.4 ACRWC may suspend or terminate a Wastewater Discharge Permit if the Discharger fails or neglects to carry out or diligently pursue the activities required under a Compliance Program.
- 8.12 Best Management Practices & Codes of Practice

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- 8.12.1 ACRWC may approve the adoption of Best Management Practices, which may include a Code of Practice applicable to a Designated Sector Operation.
- 8.12.2 A Code of Practice shall not apply to an operation that is subject to a Wastewater Discharge Permit, unless otherwise specified in the Wastewater Discharge Permit.
- 8.12.3. The Owner of a Designated Sector Operation shall:
  - 8.12.3.1. submit a completed Code of Practice registration form to ACRWC:
    - a) within 30 days of commencing a new operation or discharge; or
    - b) within 90 days of the date of adoption of a new Code of Practice for any applicable operation or discharge already in existence; and
  - 8.12.3.2. report, within 30 days of the change, any change:
    - a) in the general information on the registration form; or
    - b) that results in the Code of Practice no longer being applicable.
- 8.12.4 If a Code of Practice establishes a requirement in relation to a specific discharging operation that differs from a specific provision of this Bylaw, the Code of Practice shall prevail; however nothing in a Code of Practice shall relieve a Discharger from complying a Wastewater Discharge Permit or other provisions of this Bylaw.

**SECTION 9 – SPILLS**

- 9.1 In the event of a spill or release of any matter not permitted under this bylaw to a Wastewater System, the person responsible or the person having the charge, management, and control of the spill shall immediately notify and provide any requested information with regard to the spill to:
  - 9.1.1 If there is any immediate danger to human health and/or safety:
    - 9.1.1.1 9-1-1 emergency; and,
    - 9.1.1.2 Alberta Environment of an unauthorized or unscheduled release.
  - 9.1.2 Or, if there is no immediate danger:
    - 9.1.2.1 The Town; and,
    - 9.1.2.2 The Owner of the premises where the release occurred; and,
    - 9.1.2.3 Any other person whom the person reporting knows or ought to know may be directly affected by the release.
- 9.2 The person shall provide a detailed report on the spill to the Town, within five (5) working days after the spill, containing the following information to the best of his/her knowledge:
  - 9.2.1 Location where spill occurred;
  - 9.2.2. Name and telephone number of the person who reported the spill and the location and time where they can be contacted;
  - 9.2.3 Date and time of spill;
  - 9.2.4 Material spilled;
  - 9.2.5 Characteristics and composition of material spilled;
  - 9.2.6 Volume of material spilled;
  - 9.2.7 Duration of spill event;

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- 9.2.8 Work completed and any work still in progress in the mitigation of the spill;
- 9.2.9 Preventive actions being taken to ensure a similar spill does not occur again; and,
- 9.2.10 Copies of applicable spill prevention and spill response plans.
- 9.3 The person responsible for the spill and the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.
- 9.4 Nothing in this bylaw relieves any persons from complying with any notification or reporting provisions of:
  - 9.4.1 Other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the spill; or,
  - 9.4.2 Any other bylaw of the Town.
- 9.5 The Town may invoice the person responsible for the spill to recover costs of time, materials and services arising as a result of the spill.
- 9.6 The Town may require the person responsible for the spill to prepare and submit a spill contingency plan to the Town to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

**SECTION 10 – APPLICATION FOR WASTEWATER CONNECTION**

- 10.1 No drain or private Wastewater System shall be connected to the Town's Wastewater System until the owner thereof shall have obtained a permit for Wastewater connections. All applications for connection to the Town's Wastewater System must be made on the printed form furnished by the Town. The application must be filed in the Town Office together with a permit fee and must be signed by the owner of the property to be drained or his authorized agent. Such application must be accompanied by a plan showing in detail the contemplated connection, the exact location and elevation thereof, and specify fully the character of the work to be done, the size of all pipes, and the locations and type of all fittings.
- 10.2 It shall be the consideration by granting of any application for a Wastewater connection that the Town or any of its employees shall not be liable for any damage whatsoever in nature caused either directly or indirectly by such Wastewater connection and the applicant shall be responsible for backfill, surface replacement, safety, etc.
- 10.3 The Town may revoke or annul any permit that may have been granted to connect with the Town wastewater system if it shall find that any of the work is not being done in accordance with the provisions of this bylaw, and the person(s) making such connections or their successors in interest, shall have no right to demand or claim any damages in consequence of such permits being revoked or annulled.

**SECTION 11 – INSTRUCTIONS FOR PLUMBING AND MECHANICAL CONTRACTORS**

- 11.1 Plumbers and Contractors shall comply with the provisions of the Safety Codes Act, RSA 2000, c. S-2, and its regulations.

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- 11.2 The Point of Collection from private property, as agreed to at the time of application, for a Service Pipe shall be strictly adhered to; costs arising from non-adherence shall be borne by the Owner.
- 11.3 Construction specifications of all new construction or repair/replacement of old construction will adhere to Municipal Servicing Standards as deemed by the Town.
- 11.4 All contracts formed by the filing of an application for wastewater and the acceptance thereof by the Town are hereby declared to be subject to all the terms and conditions of this bylaw, which shall be understood as forming part of all contracts for the collection and disposal of wastewater.

**SECTION 12 – UNAUTHORIZED USE, INTERFERENCE OR OBSTRUCTION**

- 12.1 No Person, other than Town employees or agents, or those authorized to complete new installations or repairs to existing services shall operate, handle or interfere with the Town's provision of a Service
- 12.2 No Person shall obstruct or impede direct and free access to the Towns Wastewater System. Costs of removing obstructions or impediments shall be borne by the offending party, and may be added to a monthly utility bill.

**SECTION 13 – AUTHORITY TO RESTRICT SERVICE**

- 13.1 The Public Works Supervisor, or their designate may without notice shut off the collection of wastewater to any part of the Town should s/he decides an emergency situation makes such action necessary, this may include the shutting off of water to premises to prevent the creation of wastewater.
- 13.2 The Public Works Supervisor, or their designate, may in a non-emergent situation shut the collection of wastewater to any part of the Town provided reasonable notice of such intended shut off is given to all affected Owners. The Public Works Supervisor, or their designate, shall have the sole discretion to determine what reasonable notice in the circumstance is.
- 13.3 In giving notice to discontinue a Service, the Public Works Supervisor, or their designate shall bear in mind all the circumstances of the particular case. The time allowed for stopping the wastewater collection shall be reasonable but at the discretion of the Public Works Supervisor, or their designate.

**SECTION 14 – WASTEWATER RATES AND CHARGES, OPENING AND CLOSING OF ACCOUNTS**

- 14.1 The rates and charges to be charged for the provision of a Wastewater Service shall be as set out from time to time in the Fees and Charges Schedule "B" of this Bylaw.
- 14.2 The Town of Bon Accord requires that new account requests or changes for utility services, provided by the Town, be placed in the name of the owner(s) registered on the property title only.
- 14.3 Where an Owner has setup an Account for Wastewater Service, an Owner may request that the invoice for the Account be sent directly to the service address and or mailing address as identified by the owner. Notwithstanding this section, the Owner remains the Account holder responsible for all debts incurred under that Account.

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- 14.4 An Account must be opened and an application fee, plus a Utility Service Security fee must be paid, with fees being outlined in the Fees and Charge Schedule attached to this Bylaw, before a service is used and the application must be made in writing to the Town.
- 14.5 Utility Service Security Fee is fully refundable, less outstanding Account balances, upon termination of Account.
- 14.6 Council shall have the right to determine into which classification any service belongs and the Council's decision shall be final and binding on all persons concerned.
- 14.7 Persons who use Utility Services without opening an Account will be liable for the cost of services used, as estimated by the Towns Utility Billing Clerk.
- 14.8 All Utility Bills will be due and payable when rendered by the Town and payments will be made at the address indicated on the Utility Bill or to an agent of the Town.
- 14.9 A Consumer shall:
- 14.9.1 Pay all charges, fees and bills for Wastewater Services provided by the Town in accordance with the Fees and Charges schedule of this Bylaw;
  - 14.9.2 Adhere to the requirements of this Bylaw;
  - 14.9.3 Promptly pay their Account or any penalties assessed.
- 14.10 That in the event a Utility Bill remains unpaid after the date fixed for payment, a penalty as the Council may establish by resolution from time to time will be added to the principal outstanding amount thereto and form part of the rates levied.
- 14.11 The Chief Administrative Officer may cancel all Utility Services to a Householder in the event that a Utility Bill remains unpaid as described in section 14.9 of this Bylaw.
- 14.12 The Public Works Supervisor, or their designate may discontinue Service without notice for any of the following reasons:
- 14.12.1 Failure to open an account;
  - 14.12.2 Neglects or refuses to pay when due any charges levied pursuant to this Bylaw;
  - 14.12.3 If, in the opinion of the Public Works Supervisor, or their designate, an emergency exists;
  - 14.12.4 The Consumer's facilities are unsafe or defective, leak excessively or cause contamination or deterioration to the Wastewater System;
  - 14.12.5 For the purposes of repairing and maintaining the Wastewater System;
  - 14.12.6 The Consumer fails to provide the Town adequate access to the Wastewater System on private property or access to the premises for the purposes of testing, repairing, replicating or inspection of the system, or as required; or,
  - 14.12.7 If, in the opinion of the Public Works Supervisor, or their designate, it is reasonable to do so.
- 14.13 No person shall have any claim for compensation or damages as the result of the Town discontinuing service without notice.
- 14.14 The Public Works Supervisor, or their designate may at any time, upon endeavoring to provide forty-eight (48) hours notice to a Consumer and without any further notice discontinue Utility Services or refuse to open an Account, if the Consumer;
- 14.14.1 Fails to perform any term of an Account;
  - 14.14.2 Contravenes any other section of this Bylaw.

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- 14.15 If Service to a Consumer results in Utility disconnection for non-payment of an Account at one location, the Town may Turn Off Service to the same Consumer at another location or at any other locations.
- 14.16 All Consumers shall pay for their wastewater services and all other rates and charges as provided for in the Billing Regulation attached as Schedule "A" and the Fees and Charges Schedule "B" attached to this Bylaw.
- 14.17 No reduction in rates will be made in the monthly charge for services made available for use by any Consumer because of any interruption due to any cause whatsoever.
- 14.18 All rates and charges shall be included in a monthly wastewater bill, provided to the Consumer on the Utility Bill, and shall be due and payable monthly in the manner herein provided.
- 14.19 In the event a Utility Bill in which wastewater billing is a part of, remains unpaid after the date fixed for payment, a penalty of two percent (2%) shall be added to the principal outstanding amount thereto and form part of the rates levied.
- 14.20 In the event that any part of the Utility Bill remains unpaid for a period of forty-five (45) days after the date of mailing of the Utility Bill, the Town may discontinue Utility Services.
- 14.21 Any Utility Bill remaining unpaid under this Bylaw will constitute a debt owing to the Town and is recoverable by any or all of the following methods, namely:
  - 14.21.1 by action in any court of competent jurisdiction;
  - 14.21.2 by shutting off or discontinuing any Utility Service being supplied to the Owner without notice;
  - 14.21.3 by collecting in a like manner as municipal rates and taxes.
- 14.22 Consumers wishing to close their Account must request at least two (2) working days before the order is to become effective.
- 14.23 The Town may continue to levy Wastewater Service charges in accordance with the Fees and Charges Schedule of this Bylaw until the Account is closed.

**SECTION 15 – PENALTIES**

- 15.1 Offence Tag
  - 15.1.1 A Peace Officer is hereby authorized and empowered to issue an offence tag to any person who contravenes any provision of this Bylaw.
  - 15.1.2 An Offence Tag shall be in a form approved by the Council and shall state, inter alia;
    - 15.1.2.1 The name of the offender; and,
    - 15.1.2.2 The offence.
    - 15.1.2.3 The appropriate fine for the offence as specified in Schedule "C" of the Bylaw; and
    - 15.1.2.4 That the fine shall be paid within 30 days of the issuance of the offence tag.
- 15.2 Where a contravention of this bylaw is of a continuing nature, further offence tags for the same offence may be issued by the Peace Officer, provided however, that no more than one offence tag shall be issued for each day that the contravention continues.
- 15.3 Violation Ticket

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- 15.3.1 If the fine specified on an offence tag is not paid within the prescribed time period, then a Peace Officer is hereby authorized and empowered to lay a complaint and issue a summons by means of a violation ticket.
- 15.3.2 The Violation Ticket shall be in the form prescribed by Alberta Regulation, as amended, being the Violation Ticket Regulations passed pursuant to the Provincial Offences Procedures Act.
- 15.3.3 Imprisonment in default of payment of a fine specified in the bylaw shall not be imposed under any circumstances.

**SECTION 16 – SEVERABILITY**

- 16.1 Should any provision of this bylaw be invalid then such provision shall be severed and the remaining bylaw shall be maintained.

**SECTION 17 – MISCELLANEOUS**

- 17.1 Nothing in this Bylaw will operate to relieve any Person from complying with any Federal, Provincial or other Town of Bon Accord law, order, regulation or Bylaw.
- 17.2 The power to do any of the things provided for in this Bylaw, for the purpose of enforcing payment of any Utility Bill as may be deemed necessary, is hereby delegated to the Chief Administrative Officer.
- 17.3 That Bylaw 2018-18 is hereby repealed.

This Bylaw will come into force and effect upon the effective date of January 21, 2020.

THIS BYLAW WILL COME INTO EFFECT upon receipt of third reading or upon approved effective date.

READ A FIRST TIME THIS 7<sup>th</sup> DAY OF January 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A SECOND TIME THIS 21<sup>st</sup> DAY OF January 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

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READ A THIRD TIME THIS 21<sup>st</sup> DAY OF January 2020.

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Mayor David Hutton

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Chief Administrative Officer Joyce Pierce

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**SCHEDULE 'A'**

**BILLING REGULATIONS**

1. That a utility bill showing the current service charges to the owner(s) shall be mailed to the owner(s) and payment for the amount due for wastewater service charges shall be due and payable when the account is rendered with payment to be made at the office of the Chief Administrative Officer or at such other place as may be designated from time to time by the Council, and failure to receive an account shall in no way affect the liability of the owner(s) to pay the account.
2. That in the event that any such utility bill remains unpaid, there will be added thereto a penalty, and that this penalty be part of the arrears and subject to collection in the same manner as all other rates and charges as set out in Schedule 'B'.
3. If in accordance with clause 2 of this schedule the account remains unpaid for a period of 45 days after the billing period, the Chief Administrative Officer or Utility Clerk shall order the utility services turned off unless it is considered there are extenuating circumstances then the overdue amount will be put on the tax roll.
4. That in the event utility services have been shut off, as provided for in clause 3 of this schedule by reason of non-payment, a re-connection fee as set out in Schedule 'B' attached hereto shall be payable in advance for turning on of the service as well as the outstanding bill.
5. That in the event utility services have been shut off upon the request of the owner(s), a re-connection fee set out in Schedule 'B' attached hereto shall be payable in advance for the turning on of the service.
6. Any accounts that cannot physically have services shut off (i.e. Condominiums, malfunctioning cc) will be exempt from clause 3 of this schedule and will have unpaid billings put to taxes
7. Any person intending to vacate any premises that have been supplied with Utility services (i.e. water, wastewater, and garbage services) by the Town of Bon Accord or who is desirous of the discontinuing the use thereof shall give notice of the same at the office, otherwise the rates therefore shall be charged until such notice is given or the utility services are turned off, but no rebate shall be made for any fraction part of a month in which such notice is given.
8. Any person wishing to disrupt the regular wastewater service, for more than a one month period shall pay a fee as set in Schedule 'B'.
9. No reduction in rates shall be made for interruption of the service.

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**SCHEDULE 'B'**

**DEFINITION OF WASTEWATER RATES AND CHARGES:**

**Service Charge:**

A flat fee charge that is intended to recover costs for such things as: billing and other related charges, customer service, energy related charges, communication, facilities, and administration of customer accounts.

**Capital Rate Rider:**

A flat fee charge that is intended to reflect each customer's share of costs of capital program related assets; such as equipment and replacement of defective pipe or installation of new pipe – may be used in place of tax levy.

**Consumption Charge:**

A variable volumetric charge, unless water is un-metered, that reflects the cost of disposing wastewater - based on the water consumed.

**SCHEDULE OF WASTEWATER RATES AND CHARGES:**

	<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
<b>Residential</b>	Service Charge	\$11.00	per billing month per utility account
	Capital Rate Rider	\$0.00	per billing month per utility account
	Consumption Charge	\$2.80	per cubic meter of water metered during each billing period

	<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
<b>Commercial</b>	Service Charge	\$16.00	per billing month per utility account
	Capital Rate Rider	\$0.00	Per billing month per utility account
	Consumption Charge	\$2.75	per cubic meter consumed during each billing period

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	<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
<b>Institutional</b>	Service Charge	\$21.00	per billing month per utility account
	Capital Rate Rider	\$0.00	Per billing month per utility account
	Consumption Charge	\$2.75	per cubic meter consumed during each billing period

**DEFINITION OF OTHER WASTEWATER RATES AND CHARGES:**

**Application Fee:**

A one-time flat fee applicable to new service account requests and split between water and wastewater services.

**Arrears Administration:**

A combination of a flat fee charge and variable charge that is intended to reflect the cost of managing and processing the administration and collection of utility accounts that are deemed to be in payment arrears and require extraordinary collection means (e.g. registered letter(s), or collections).

**Late Payment Penalty:**

A Utility Bill which remains unpaid after the date fixed for payment, a penalty of two percent (2%) shall be added to the principal outstanding amount.

**Security Fee:**

A one time flat fee, refundable payment, applicable to new utility account holders, payable prior to commencement of service. Fee is refundable, less any outstanding amounts owed upon termination of service.

**Service Calls:**

A per hour charge applicable to those consumers who require service over and above that of the basic service provided for non emergent issues.

**Service Disruption:**

Provides an option for consumers who wish to have their service temporarily disconnected. The Consumer is required to pay the monthly Service Charge for each and every month the premise has access to the Wastewater System.

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Connection Charge:

New service requests where a new physical connection is required to accommodate the service will have a fixed charge to offset the construction cost.

**SCHEDULE OF OTHER WASTEWATER RATES AND CHARGES:**

<b>Billing Item</b>	<b>Charge</b>	<b>Application</b>
Application fee	\$30.00	per new utility account – applied and due at time of service application, split between water and wastewater
Arrears Administration	\$20.00 plus cost	Per utility account (non-cumulative by service) for use in extraordinary instances of collection
Late payment penalty	24% per annum (2% per month)	applicable to outstanding balance – applied to total Utility Bill (less penalty) after the date due
Security Deposit	Cost determined at time of Utility service application – based on water meter size	per new utility account, of which is divided between the water and wastewater services – applied prior to activation of new service
Service Calls	\$65.00 if required during regular business hours \$100.00 if required outside of regular business hours	per hour plus any additional costs that may be incurred in attending to non-emergent issues
Service Disruption	Monthly Service Charge	per notification or event, per utility account
Connection Fee	\$100.00 Residential \$150.00 Commercial & Institutional	tapping into main for new service

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**SCHEDULE 'C'**

<b>Penalties</b>		<b>1<sup>st</sup> Offence</b>	<b>2<sup>nd</sup> Offence</b>
<b>Section 7.1</b>	Release of any matter not in accordance with schedule "C"	\$500.00	\$1,000.00
<b>Section 7.2</b>	Release of any matter not in accordance with schedule D	\$500.00	\$1,000.00
<b>Section 7.3</b>	Diluting Waste water	\$500.00	\$1,000.00
<b>Section 7.5</b>	Connection of storm water, roof Drains, etc. to sanitary sewer	\$300.00	\$500.00
<b>Section 7.7</b>	Tampering with manhole covers Or appurtenances	\$500.00	\$1,000.00
<b>Section 7.8</b>	Cutting or tapping into Town Sewers	\$500.00	\$1,000.00
<b>Section 7.9</b>	Obstructing flow of sewage	\$500.00	\$1,000.00

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**Schedule “D”**

**ALBERTA CAPITAL REGION WASTEWATER COMMISSION BY-LAW  
NUMBER 8**

**BEING A BY-LAW OF THE BOARD OF DIRECTORS OF THE ALBERTA CAPITAL REGION  
WASTEWATER COMMISSION GOVERNING THE QUALITY OF THE WASTEWATER  
ACCEPTED BY THE COMMISSION**

**WHEREAS** THE ALBERTA CAPITAL REGION WASTEWATER COMMISSION (hereinafter be referred to as ACRWC) has been established by the Lieutenant Governor in Council under Alberta Regulation 129/85 made pursuant to Part 15.1 of the Municipal Government Act (Alta); RSA 2000, c. M-26; and,

**WHEREAS** the Board of Directors of ACRWC has been duly appointed pursuant to s. 602.04(3)(b) of the said Act and the Board of Directors now wishes to make a By-Law pursuant to s. 602.07(3) of the said Act governing the quality of wastewater accepted by ACRWC;

**NOW THEREFORE BE IT ENACTED** as a By-Law of the Board of Directors of ACRWC as follows:

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**INTRODUCTION**

This Bylaw outlines controls for the discharge of pollutants to the sewer system. The objectives of the Bylaw are to:

- Protect the sewer system from corrosion, other damage and obstruction.
- Protect the wastewater treatment plant process from upset.
- Protect the public, ACRWC's and municipal workers and property from hazardous conditions (such as explosions).
- Assist optimum wastewater system efficiency by preventing uncontaminated water from entering the system.
- Protect wastewater sludge and biosolids quality.
- Protect the environment from contaminants that are not removed by ACRWC's Wastewater Treatment Plant or EPCOR's Gold Bar Wastewater Treatment Plant.
- Assist ACRWC and its Member Municipalities in maintaining compliance with the operating conditions established by the province of Alberta.

**1. DEFINITIONS**

**ACCREDITED LABORATORY** - Any laboratory accredited by an authorized accreditation body in accordance with a standard based on "*CAN-P-1585: Requirements for the Accreditation of Environmental Testing Laboratories*" established by the Standards Council of Canada, as amended, or "*ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories*" established by the International Organization for Standardization, as amended.

**ACRWC** – Alberta Capital Region Wastewater Commission

**ADDITIONAL OVERSTRENGTH SURCHARGE** - The rate per kilogram per cubic meter of water consumed and charged to a user who releases wastewater to the wastewater works that exceeds one or more constituent concentrations set out in Column B of Schedule "C".

**BEST MANAGEMENT PRACTICES (BMP)** - An integrated plan to control and reduce the release of restricted and prohibited waste into the wastewater works to a practicable extent, through methods including physical controls, pre-treatment processes, operational procedures and staff training.

**BIOCHEMICAL OXYGEN DEMAND (BOD)** - The five-day BOD which is the determination of the molecular oxygen utilized during a five-day incubation period for the biochemical degradation of organic material (carbonaceous demand), and the oxygen used to oxidize inorganic material such as sulphides and ferrous iron, and the amount of oxygen used to oxidize reduced forms of nitrogen (nitrogenous demand) as determined by the appropriate procedure in Standard Methods.

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**BIOMEDICAL WASTE** - Biomedical waste as defined in the Province of Alberta's Waste Control regulation, as amended from time to time.

**BLOWDOWN WATER** - Recirculating water that is discharged from a cooling or heating water system for the purpose of controlling the level of water in the system or for the purpose of discharging from the system materials contained in the system, the further build-up of which would or might impair the operation of the system.

**CHEMICAL OXYGEN DEMAND (COD)** - A measure of the capacity of water to consume oxygen as a result of oxidation of inorganic chemicals and decomposition of organic matter.

**CLEAR-WATER WASTE** - Includes non-contact cooling water and other water that has not come into contact with wastewater contaminant sources.

**CODE OF PRACTICE** - a set of practices applicable to specific industrial, commercial or institutional sector operations; a code of practice identifies mandatory procedures, equipment, training or other provisions required as a condition of wastewater discharge into the wastewater works system by the specified sector discharger. A code of practice may be included in approved Best Management Practices.

**COMBUSTIBLE LIQUID** - A liquid that has a flash point not less than 37.8 degrees Celsius and not greater than 93.3 degrees Celsius.

**COMPLIANCE PROGRAM** - The necessary steps undertaken by a discharger to bring wastewater discharged into the wastewater works into compliance with the terms and conditions of this Bylaw or related permit. Compliance programs are applicable to existing dischargers only; new discharges must fully comply with the requirements of this bylaw.

**COMPOSITE SAMPLE** - A volume of wastewater, storm water, uncontaminated water, clear-water or effluent made up of four or more grab samples that have been combined automatically or manually and taken at intervals during a sampling period.

**CONNECTION or DRAIN** - That part or those parts of any pipe or system of pipes leading directly to a wastewater works.

**COOLING WATER** - Water that is used in a process for the purpose of removing heat and that has not, by design, come into contact with any raw material, intermediate product, waste product or finished product, but does not include blowdown water.

**DENTAL AMALGAM** - A dental filling material consisting of an amalgam of mercury, silver and other materials such as copper, tin or zinc.

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**DENTAL AMALGAM SEPARATOR** - Any technology, or combination of technologies, designed to separate dental amalgam particles from dental operation wastewater.

**DESIGNATED SECTOR OPERATIONS** - means industrial, commercial or institutional sectors required to adopt Codes of Practice approved by ACRWC.

**DESIGNATED SEWER OFFICER** - The person appointed by the Municipality, and his or her successors or his or her duly authorized representative. (Note the Designated Sewer Officer may hold the position of General Manager, City Manager, Inspector or other position suitable to the organization of the Municipality.)

**DOMESTIC WASTEWATER** - Sanitary waste produced on residential premises, or sanitary waste and wastewater from sanitary facilities produced on a non-residential property.

**EFFLUENT** - liquid flowing out of a facility or premises into a sewer.

**FLASHPOINT** - The temperature at which enough vapour collects on the surface of a liquid to become flammable. The lower the flashpoint, the more flammable the material is.

**FLOW MONITORING POINT** - An access place to the private sewer connection for the purpose of:

- A. Measuring the rate or volume of wastewater, storm water, clear water waste or subsurface water released from the premises; and
- B. Collecting representative samples of the wastewater, storm water, clear water waste or subsurface water released from the premises.

**FUELS** - Alcohol, gasoline, naphtha, diesel fuel, fuel oil or any other ignitable substance intended for use as a fuel.

**GRAB SAMPLE** - A volume of wastewater, storm water, uncontaminated water or effluent which is collected over a period not exceeding 15 minutes.

**GROUND WATER** - Water beneath the earth's surface accumulating as a result of seepage.

**HAULED WASTE** - Any industrial waste which is transported to and deposited into any location in the wastewater works, excluding hauled wastewater.

**HAULED WASTEWATER** - Waste removed from a collection system, including a cesspool, a septic tank system, a privy vault or privy pit, a chemical toilet, a portable toilet or a wastewater holding tank.

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**HAZARDOUS SUBSTANCES:**

- A. Any substance or mixture of substances, other than a pesticide, that exhibits characteristics of flammability, corrosivity, reactivity or toxicity; and
- B. Any substance that is designated as a hazardous substance within the meaning of the Province of Alberta's Waste Control Regulation 192/1996 as amended from time to time.

**HAZARDOUS WASTE** - Any Hazardous Substance disposed of as waste.

**IGNITABLE WASTE** - A substance that:

- A. Is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume, and has a flash point less than 93 degrees Celsius, as determined by the Tag Closed Cup Tester (ASTM D-56-97a), the Setaflash Closed Cup Tester (ASTM D-3828-97 or ASTM D-3278-96e1), the Pensky-Martens Closed Cup Tester (ASTM D-93-97), or as determined by an equivalent test method;
- B. Is a solid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a danger;
- C. Is an ignitable compressed gas as defined under federal or provincial regulation as appropriate for the Member Municipality, as amended; or
- D. Is an oxidizing substance as defined under federal or provincial regulation as appropriate for the Member Municipality, as amended.

**INDUSTRIAL** - Of or pertaining to manufacturing, commerce, trade, business or institutions as distinguished from domestic or residential.

**INDUSTRY** - Any owner or operator of industrial, commercial or institutional premises from which there is a discharge of any matter directly or indirectly into a sanitary sewer, combined sewer or storm sewer of a Member Municipality, the City of Edmonton, or ACRWC.

**INSPECTOR** - A person authorized by ACRWC and/or Member Municipality to carry out observations and inspections and take samples as prescribed by this bylaw.

**INSTITUTION** - A facility, usually owned by a government, operated for public purposes, such as schools, universities, medical facilities (hospitals, nursing stations, nursing homes), museums, prisons, government offices, military bases. Some of these facilities produce non-residential discharges to sewers from, for example, laboratories, chemical use, or industrial processes.

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LOWER EXPLOSIVE LIMIT (LEL) - The concentration of a gas or vapour in the air. Below the LEL, there is not enough vapour in the air to fuel a fire.

MATTER - Includes any solid, liquid or gas.

MEMBER MUNICIPALITIES - Those municipalities who are members of ACRWC.

MONITORING ACCESS POINT - An access point, such as a chamber, in a private sewer connection to allow for observation, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein.

MUNICIPAL SEWER CONNECTION - That part of any drain leading from the private sewer connection and connected to the municipal sewer and located within the limits of the public road allowance, or other public lands or public land interests held for sewerage purposes.

MULTIPLE MUNICIPAL SEWER CONNECTION - A municipal sewer connection providing service to two or more premises.

NON-CONTACT COOLING WATER - Water which is used to reduce temperature for the purpose of cooling and which does not come into direct contact with any raw material, intermediate or finished product other than heat.

NON-DOMESTIC WASTEWATER - All Wastewater except Domestic Wastewater, Uncontaminated Water, and Septic Tank Waste.

OIL AND GREASE - *n*-Hexane extractable matter as described in Standard Methods.

OIL – WATER SEPARATOR - A three-stage oil-water separator that meets the Standard for Oil-Water Separators (ULC-S656-14) prepared by Underwriters' Laboratories of Canada or the equivalent oil-water separation technology able to achieve an effluent quality of 100 mg/L of oil and grease (mineral-synthetic/hydrocarbons) or less.

OVERSTRENGTH - Wastewater released to a sewer that is higher in concentration for one or more constituent concentrations set out in Column A of Schedule "C" of this Bylaw.

OVERSTRENGTH SURCHARGE - The rate per kilogram per cubic meter of water consumed and charged to a user who releases wastewater to the sewer that exceeds one or more constituent concentrations set out in Column A of Schedule 'C'.

PATHOLOGICAL WASTE - Pathological waste within the meaning of the Canadian Human Pathogens and Toxins Act, as amended.

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PCBs - Any monochlorinated or polychlorinated biphenyl or any mixture of them or mixture that contains one or more of them.

PERSON - An individual, association, partnership, corporation, municipality or an agent or employee of such a person.

PESTICIDE - A pesticide regulated under the Canadian Pests Control Products Act and the Province of Alberta's Pesticide (Ministerial) Regulation and Pesticide Sales, Handling, Use and Application Regulation, all as amended.

PRE-TREATMENT - The reduction, elimination or alteration of matter in wastewater prior to discharge into the wastewater works. This reduction or alteration can be obtained by physical, chemical, or biological processes, through pollution prevention, or by other means, except by diluting the concentration of the pollutants.

PRE-TREATMENT PROCESSES - one or more treatment processes or devices designed to remove sufficient matter from wastewater discharged into the municipal sewer connection to enable compliance with effluent limits established in this Bylaw. Pre-treatment processes prevent or reduce and control the discharge or deposit of matter from the discharger's premises into the municipal sewer connection.

PRIVATE SEWER CONNECTION/PRIVATE DRAINAGE SYSTEM - That part of any drain or system of drains, including drains or subsurface drainage pipe for surface or subsurface drainage of the land in or adjacent to a building, lying within the limits of the private lands and leading to a municipal sewer connection, the maintenance of which is the property owner's responsibility.

PROHIBITED WASTE - means prohibited waste as defined in Schedule 'A' of this Bylaw.

REACTIVE WASTE - A substance that:

- A. Is normally unstable and readily undergoes violent changes without detonating;
- B. Reacts violently with water;
- C. Forms potentially explosive mixtures with water;
- D. When mixed with water, generates toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- E. Is a cyanide or sulphide bearing waste which, when exposed to pH conditions between 2 and 12.5, can generate toxic gases, vapours or fumes in a quantity sufficient to present danger to human health or the environment;
- F. Is capable of detonation or explosive reaction if it is subjected to a strong initiating source or if heated under confinement;

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G. Is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or

H. Is an explosive as defined in the regulations under the Canadian Explosives Act, as amended.

RESTRICTED WASTE - means restricted waste as defined in Schedule 'B' of this Bylaw.

SAMPLING PORT - A valve, tap, or similar device on equipment, a drain pipe or at another suitable location, to allow for sampling, consistent with technical guidelines that the ACRWC and/or Member Municipality may establish from time to time.

SANITARY SEWER - A sewer for the collection and transmission of domestic or industrial wastewater or any combination thereof.

SEPTIC TANK WASTE - any Waste extracted from a cesspool, septic tank, sewage holding tank, seepage pit, interceptor or other containment for human excretion and wastes.

SEWER - A pipe, conduit, drain, open channel or ditch for the collection and transmission of wastewater, storm water or uncontaminated water, or any combination thereof.

SPILL - A direct or indirect discharge into the wastewater works, storm sewer or the natural environment which is abnormal in quantity or quality in light of all the circumstances of the discharge.

STORM SEWER - A sewer for the collection and transmission of uncontaminated water, storm water, drainage from land or from a watercourse or any combination.

STORM WATER - The water running off the surface of a drainage area during and immediately after a period of rain or snow melt.

SUBSURFACE DRAINAGE PIPE - A pipe that is installed underground to intercept and convey subsurface water, and includes foundation drain pipes.

SUBSURFACE WATER - Groundwater including foundation drain water.

STANDARD METHODS - A procedure or method set out in *Standard Methods for the Examination of Water and Wastewater* published jointly by the American Public Health Association, American Water Works Association and the Water Environment Federation, recent or latest edition or approved in writing by ACRWC.

TOTAL SUSPENDED SOLIDS (TSS) - Insoluble matter in liquid that is removable by filtration, as determined by the appropriate procedure described in Standard Methods.

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**TOXIC SUBSTANCE** - any substance defined as toxic under the *Canadian Environmental Protection Act 1999*, as amended from time to time and within the meaning of Alberta's Waste Control Regulation, as amended from time to time.

**UNCONTAMINATED WATER** - Water with a level of quality which is typical of potable water normally supplied by a Member Municipality.

**WASTE DISPOSAL SITE LEACHATE** - The liquid containing dissolved or suspended contaminants which emanates from waste (solid waste or garbage) and is produced by water percolating through waste or by liquid in waste.

**WASTE RADIOACTIVE SUBSTANCES** - Substances defined in the federal *Nuclear Safety and Control Act* and the regulations passed thereunder, as amended.

**WASTEWATER** - means the composite of water and water-carried wastes from residential, commercial, industrial or institutional premises or any other source.

**WASTEWATER SLUDGE** - Solid material recovered from the wastewater treatment process.

**WASTEWATER TREATMENT FACILITY** - Any structure or thing used for the physical, chemical, biological or radiological treatment of wastewater, and includes sludge treatment, wastewater sludge storage and disposal facilities.

**WASTEWATER DISCHARGE PERMIT** - A permit issued by ACRWC which will govern the discharge of non-domestic waste and hauled wastewater into a sewer.

**WASTEWATER WORKS** - Any works for the collection, transmission, treatment and disposal of wastewater, or any part of such works, but does not include plumbing or other works to which the applicable Building Code applies. Wastewater works, sanitary sewer and sewer in this Bylaw refer to the Works owned by ACRWC, those owned by the Member Municipalities, and those owned by the City of Edmonton which direct wastewater to ACRWC facilities pursuant to the Regional Exchange Agreement entered in 2008.

**WATERCOURSE** - An open channel, ditch or depression, either natural or artificial, in which flow of water occurs either continuously or intermittently.

**2. SANITARY SEWER REQUIREMENTS**

- (1) No person shall release, or permit the release of, any matter into the sanitary sewer or wastewater works except:
- (a) Domestic wastewater;

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- (b) Non-domestic wastewater that complies with the requirements of this Bylaw;
  - (c) Hauled wastewater, including septage, that complies with the requirements of this Bylaw, or where a Wastewater Discharge Permit has been issued by ACRWC;
  - (d) Storm water, Clear-water waste, Subsurface water or other matter where a Wastewater Discharge Permit has been issued by ACRWC.
- (2) No person shall release, or permit the release of, any prohibited substance listed in Schedule 'A' of this Bylaw into the wastewater works.
- (3) No person shall release, or permit the release of, any restricted substance which exceeds the respective concentrations listed in Schedule 'B' of this Bylaw into the wastewater works without a valid Wastewater Discharge Permit.
- (4) When required by ACRWC, non-domestic and hauled wastewater dischargers shall complete and submit an **"Abbreviated Wastewater Discharge Application"** (available on ACRWC website: [www.acrwc.ab.ca](http://www.acrwc.ab.ca)) to ACRWC.
- (5) When required by ACRWC, non-domestic and hauled wastewater dischargers shall complete and submit a **"Detailed Wastewater Discharge Application"** (available on ACRWC website: [www.acrwc.ab.ca](http://www.acrwc.ab.ca)) to ACRWC.
- (6) When required by ACRWC, non-domestic and hauled wastewater dischargers shall not discharge to the wastewater works system until the discharger has obtained a **"Wastewater Discharge Permit"** from ACRWC.
- (7) ACRWC may issue, and amend, a Wastewater Discharge Permit to allow the discharge of non-domestic waste and hauled wastewater into a sewer upon such terms and conditions as ACRWC considers appropriate and, without limiting the generality of the foregoing, may in the Wastewater Discharge Permit:
- (a) Place limits and restrictions on the quantity, composition, frequency and nature of the wastewater permitted to be discharged; and
  - (b) Require the holder of a Wastewater Discharge Permit to repair, alter, remove, add to, or construct new pre-treatment facilities; and
  - (c) Provide that the Wastewater Discharge Permit will expire on a specified date, or upon the occurrence of a specified event.
- (8) ACRWC may issue a **Discharge Abatement Order** to a Member Municipality requiring the Member Municipality to:
- (a) Require and direct a person within the boundary of that Member Municipality to alter the quantity, composition, duration and timing of the discharge or cease discharge of non-domestic waste or hauled wastewater to a sewer or wastewater facility;
  - (b) Comply with any terms or conditions that could be included in a Wastewater Discharge Permit; and
  - (c) Shut down all non-compliant releases.

ACRWC may amend or cancel a Discharge Abatement Order.

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**3. PROHIBITION OF DILUTION**

- (1) No person shall discharge directly or indirectly, or permit the discharge or deposit of wastewater into a sanitary sewer where water has been added to the discharge for the purposes of dilution to achieve compliance with Schedule 'A' or Schedule 'B' of this Bylaw.

**4. SAMPLING**

- (1) Where sampling is required for the purposes of determining the concentration of constituents in the wastewater, storm water or uncontaminated water, the sample may:
  - (a) Be collected manually or by using an automatic sampling device; and
  - (b) Contain additives for its preservation.
- (2) For the purpose of determining compliance with Schedules 'A' or 'B', discrete wastewater streams within premises may be sampled, at the discretion of ACRWC.
- (3) Any single grab sample may be used to determine compliance with Schedules 'A' and 'B'.
- (4) All tests, measurements, analyses and examinations of wastewater, its characteristics or contents pursuant to this Bylaw shall be carried out in accordance with "Standard Methods" and be performed by an Accredited Laboratory for analysis of the particular substance(s) using a method which is within the laboratory's scope of accreditation or to the satisfaction of ACRWC as agreed in writing prior to sample analysis.

**5. SELF MONITORING BY DISCHARGER**

- (1) The discharger shall complete any monitoring or sampling of any discharge to a wastewater works as required by ACRWC, and provide the results to ACRWC in the form specified by ACRWC.
- (2) The obligations set out in or arising out of 5(1) shall be completed at the expense of the discharger.

**6. ADDITIONAL REQUIREMENTS**

**6.1 FOOD-RELATED GREASE INTERCEPTORS**

- (1) Every owner or operator of a restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, for which the premises is connected directly or indirectly to a sanitary sewer, shall take all necessary measures to ensure that oil and grease are prevented from entering

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- the sanitary sewer in excess of the provisions of this bylaw. Oil & Grease interceptors shall not discharge to storm sewers.
- (2) The owner or operator of the premises referred to in subsection 6.1(1) shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and the National Plumbing Code of Canada, as amended.
  - (3) All oil and grease interceptors shall be maintained in good working order according to the manufacturer's recommendations. The testing, maintenance and performance of the interceptor shall meet the requirements of CAN/CSA B-481. Traps should be cleaned before the thickness of the organic material and solids residuals is greater than twenty-five percent of the available volume; cleaning frequency should not be less than every four weeks. Maintenance requirements should be available at the workplace where the grease interceptor is installed. Maintenance and clean out shall be documented at the time it is performed.
  - (4) A maintenance schedule and record of maintenance carried out shall be submitted to ACRWC upon request for each interceptor installed.
  - (5) The owner or operator of the restaurant or other industrial, commercial or institutional premises where food is cooked, processed or prepared, shall, for two years, keep the records which document the maintenance and clean outs performed for interceptor clean-out and oil and grease disposal.

**6.2 VEHICLE AND EQUIPMENT SERVICE OIL AND GREASE INTERCEPTORS**

- (1) Every owner or operator of a vehicle or equipment service station, repair shop or garage or of an industrial, commercial or institutional premises or any other establishment where motor vehicles are repaired, lubricated or maintained and where the sanitary discharge is directly or indirectly connected to a sanitary sewer shall install an oil and grease interceptor designed to prevent motor oil and lubricating grease from passing into the sanitary sewer in excess of the provisions of this bylaw. Oil and Grease interceptors shall not discharge to storm sewers.
- (2) The owner or operator of the premises referred to in Subsection 6.2(1) shall install, operate, and properly maintain an oil and grease interceptor in any piping system at its premises that connects directly or indirectly to a sewer. The oil and grease interceptors shall be installed in compliance with the most current requirements of the applicable Building Code and be maintained as recommended by the Canadian Fuels Association (formerly the Canadian Petroleum Products Institute).

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- (3) All oil and grease interceptors and separators shall be maintained in good working order and according to the manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance and to ensure the surface oil and sediment levels do not exceed the recommended level. In the absence of manufacturer's recommendations, the floating oil and grease shall not accumulate in the final stage chamber of the oil and grease separator in excess of 5% of the wetted height and the settled solids shall not accumulate in the final stage chamber of the oil and grease separator in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
- (4) A maintenance schedule and record of maintenance shall be submitted to ACRWC upon request for each oil and grease interceptor installed.
- (5) The owner or operator of the premises as set out in Subsection 6.2(1), shall, for two years, keep the records which document the maintenance and clean outs performed for interceptor clean-out and oil and grease disposal.

### **6.3 SEDIMENT INTERCEPTORS**

- (1) Every owner or operator of the premises from which sediment may directly or indirectly enter a sewer, including but not limited to premises using a ramp drain or area drain and vehicle wash establishments, shall take all necessary measures to ensure that such sediment is prevented from entering the drain or sewer in excess of the limits in this Bylaw.
- (2) All sediment interceptors shall be maintained in good working order according to manufacturer's recommendations and shall be inspected regularly to ensure performance is maintained to the manufacturer's specifications for performance. In the absence of manufacturer's recommendations, the settled solids shall not accumulate in the final stage chamber of the sediment interceptor in excess of 25% of the wetted height. Maintenance and clean out shall be documented at the time it is performed.
- (3) The owner or operator of a premises as referred to in Subsection 6.3(1), shall, for 2 years, keep the records which document interceptor clean-out and sediment disposal.
- (4) A maintenance schedule and record of maintenance shall be submitted to ACRWC upon request for each sediment interceptor installed.

### **6.4 DENTAL WASTE AMALGAM SEPARATOR**

- (1) Every owner or operator of the premises from which dental amalgam may be discharged, which waste may directly or indirectly enter a sewer, shall install, operate and properly maintain dental amalgam separator(s) with at least 95%

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efficiency in amalgam weight and certified *ISO 11143 – “Dentistry - Amalgam Separators”*, in any piping system at its premises that connects directly or indirectly to a sewer, except where the sole dental-related practice at the premises consists of one or more of the following specialties or type of practice:

- (a) Orthodontics and dentofacial orthopaedics;
  - (b) Oral and maxillofacial surgery;
  - (c) Oral medicine and pathology;
  - (d) Periodontics; or
  - (e) A dental practice consisting solely of visits by a mobile dental practitioner who prevents any dental amalgam from being released directly or indirectly to the wastewater works.
- (2) Notwithstanding compliance with Subsection 6.4 (1), all persons operating or carrying on the business of a dental practice shall comply with Schedules ‘A’ and ‘B’ of this Bylaw.
  - (3) All dental waste amalgam separators shall be maintained in good working order and according to the manufacturer’s recommendations.
  - (4) A maintenance schedule and record of maintenance shall be submitted to the ACRWC upon request for each dental amalgam separator installed.

#### **6.5 FOOD WASTE GRINDERS**

- (1) In the case of industrial, commercial or institutional premises where food waste grinding devices are installed in accordance with the Building Code, the effluent from such food waste grinding devices must comply with Schedule ‘A’ and Schedule ‘B’.

#### **6.6 PRE-TREATMENT FACILITIES**

- (1) When not adhering to the requirements and prohibitions to the bylaw or where required by ACRWC, the owner or operator shall install on the premises, and prior to the sampling point, a wastewater pre-treatment facility.
- (2) The owner or operator shall ensure the design, operation and maintenance of the pre-treatment facility achieves the treatment objectives and operates and is maintained in accordance with the manufacturer’s recommendations.
- (3) The owner or operator shall not deposit the waste products from the pre-treatment facility in a wastewater works and shall ensure any waste products from the pre-treatment facility are disposed of in a safe manner.
- (4) The maintenance records and waste disposal records shall be submitted to ACRWC upon request.
- (5) The owner or operator shall keep documentation pertaining to the pre-treatment facility and waste disposal for two years.

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**7. HAULED WASTEWATER/WASTE**

- (1) No person shall discharge hauled wastewater/waste to the wastewater works unless:
- (a) The carrier of the hauled wastewater/waste, operating as a waste management system is certified according to all applicable federal and provincial legislation, as amended from time to time;
  - (b) The carrier meets all conditions for discharge that are or may be set from time to time with respect to the discharge of hauled wastewater/waste by ACRWC; and
  - (c) Hauled wastewater/waste meets the conditions set out in all applicable federal and provincial environment protection regulations, as amended from time to time.
- (2) No person shall discharge or permit the discharge of hauled wastewater/waste to the wastewater works:
- (a) At a location other than a hauled wastewater/waste discharge location approved by ACRWC;
  - (b) Without a manifest, in a form approved by the Member Municipality of ACRWC in which the hauled wastewater/waste is being discharged, completed and signed by the carrier and deposited in an approved location at the time of discharge; and
  - (c) Without the use of a discharge hose placed securely in the discharge port at the approved location.

**8. NON-CONTACT COOLING WATER**

- (1) The discharge of non-contact cooling water or uncontaminated water to a sanitary sewer or from any residential property is prohibited unless the discharge is in accordance with a Wastewater Discharge Permit.

**9. WATER ORIGINATING FROM A SOURCE OTHER THAN THE MUNICIPAL WATER SUPPLY**

- (1) The discharge of water originating from a source other than the Municipality's water supply, including storm water or groundwater, directly or indirectly to a sanitary sewer is prohibited, unless:
- (a) The discharge is in accordance with a Wastewater Discharge Permit.

**10. SPILLS**

- (1) In the event of a spill to a wastewater works, the person responsible or the person having the charge, management and control of the spill shall:

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- (a) immediately notify and provide any requested information with regard to the spill to:
- (i) If there is any immediate danger to human health and/or safety
    - a. 9-1-1 emergency;
    - b. The applicable Member Municipality's Utility Department's emergency number. (The member shall then notify ACRWC's Wastewater Treatment Plant's Control Room at 780 416 9967);
- or,
- (ii) If there is no immediate danger:
    - a. The applicable Member Municipality's Utility Department's emergency number. (The member shall then notify ACRWC's Wastewater Treatment Plant's Control Room at 780 416 9967); and,
    - b. the owner of the premises where the spill release occurred; and,
    - c. any other person whom the person reporting knows or ought to know may be directly affected by the spill release.
- (b) Provide a detailed report on the spill to the applicable Member Municipality's Utility Department and to ACRWC via email: [discharge@acrwc.ab.ca](mailto:discharge@acrwc.ab.ca), within five working days after the spill, containing the following information to the best of his or her knowledge:
- (i) Location where spill occurred;
  - (ii) Name and telephone number of the person who reported the spill and the location and time where and when they can be contacted;
  - (iii) Date and time of spill;
  - (iv) Material spilled;
  - (v) Characteristics and composition of material spilled;
  - (vi) Volume of material spilled;
  - (vii) Duration of spill event;
  - (viii) Work completed and any work still in progress in the mitigation of the spill;
  - (ix) Preventive actions being taken to ensure a similar spill does not occur again; and,
  - (x) Copies of applicable spill prevention and spill response plans.
- (c) The person responsible for the spill and the person having the charge, management and control of the spill shall do everything reasonably possible to contain the spill, protect the health and safety of citizens, minimize damage to property, protect the environment, clean up the spill and contaminated residue and restore the affected area to its condition prior to the spill.

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- (d) Nothing in this Bylaw relieves any persons from complying with any notification or reporting provisions of:
  - (i) Other government agencies, including federal and provincial agencies, as required and appropriate for the material and circumstances of the spill; or,
  - (ii) Any other Bylaw of the Member Municipality.
- (e) The Member Municipality may invoice the person responsible for the spill to recover costs of time, materials and services arising as a result of the spill. The person responsible for the spill shall pay the costs invoiced.
- (f) ACRWC may require the person responsible for the spill to prepare and submit a spill contingency plan to ACRWC to indicate how risk of future incidents will be reduced and how future incidents will be addressed.

**11. AUTHORITY OF ACRWC AND/OR MEMBER MUNICIPALITY TO INVESTIGATE**

- (1) ACRWC, together with, or when designated by, its Member Municipality, has the authority to carry out any inspection reasonably required to ensure compliance with this bylaw, including but not limited to:
  - (a) Inspecting, observing, sampling and measuring the flow in any private
    - (i) sewer,
    - (ii) wastewater disposal system, and
    - (iii) flow monitoring point;
  - (b) Take samples of wastewater, storm water, clear-water waste and subsurface water being released from the premises or flowing within a private drainage system;
  - (c) Perform on-site testing of the wastewater, storm water, clear-water waste and subsurface water within or being released from private drainage systems, Pre-treatment facilities and storm water management facilities;
  - (d) Collect and analyze samples of hauled wastewater coming to a discharge location into the wastewater works;
  - (e) Make inspections of the types and quantities of chemicals being handled or used on the premises in relation to possible release to the wastewater works;
  - (f) Require information from any person concerning a matter;
  - (g) Inspect and copy documents or remove documents from premises to make copies;
  - (h) Inspect chemical storage areas and spill containment facilities and request Safety Data Sheets (SDS) for materials stored or used on site;
  - (i) Inspect the premises where a release of prohibited or restricted wastes or of water containing prohibited or restricted wastes has been made or is suspected of having been made, and to sample any or all matter that could reasonably have been part of the release.

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- (2) No person shall hinder or prevent ACWRC and/or the Member Municipality from carrying out any of their powers or duties.

**12. AUTHORITY OF GENERAL MANAGER**

- (1) Notwithstanding the requirements of this Bylaw, the General Manager of ACRWC may prohibit or set discharge concentrations and/or limit the loading rate for any other material or substance not included in the Bylaw schedules where required to protect wastewater works or processes, meet effluent standards or other legislated requirements, or control biosolids quality.

**13. DISCONNECTION OF SEWER**

- (1) Where wastewater which:
- (a) Is hazardous or creates an immediate danger to any person;
  - (b) Endangers or interferes with the operation of the wastewater works and/or the wastewater treatment processes; or,
  - (c) Causes or is capable of causing an adverse effect;

is discharged to the wastewater works, the ACRWC may require the Member Municipality, in addition to any other remedy available, to disconnect, plug or seal off the sewer discharging the unacceptable wastewater into the wastewater works or take such other action as is necessary to prevent such wastewater from entering the wastewater works.

- (2) The member municipality may be required to prevent the wastewater from being discharged into the wastewater works until evidence satisfactory to ACRWC has been provided confirming that no further discharge of hazardous wastewater will be made to the wastewater works.
- (3) Where ACRWC takes action pursuant to subsection 13(1), the Member Municipality may by notice in writing advise the owner or occupier of the premises from which the wastewater was being discharged, of the cost of taking such action and the owner or occupier, as the case may be, shall forthwith reimburse the Member Municipality for all such costs which were incurred.

**14. ACCESS TO INFORMATION**

- (1) All information submitted to and collected by ACRWC that is contained in plan summaries, reports, surveys, monitoring and inspection and sampling activities will, except as otherwise provided in this section, be available for disclosure to the public in accordance with the Freedom of Information and Protection of Privacy Act.
- (2) In the event that any person in submitting information to the ACRWC, as required under this article, where such information is confidential or proprietary or

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otherwise, may be exempt from disclosure under the Freedom of Information and Protection of Privacy Act, the person submitting the information shall so identify that information upon its submission to ACRWC and where such information is exempt from disclosure, ACRWC shall comply with the requirements of the *Freedom of Information and Protection of Privacy Act*.

**15. MONITORING ACCESS POINTS**

- (1) The owner or operator of industrial, commercial or institutional premises shall install and maintain in good repair in each private sewer connection a suitable monitoring access point to allow observation, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein, provided that, where installation of a monitoring access point is not possible, an alternative device or facility may be substituted with the prior written approval of ACRWC:
  - (a) when the sewer connection is new;
  - (b) when the premises is redeveloped; and,
  - (c) when required to do so by ACRWC and the Member Municipality.
- (2) The monitoring access point or alternative device or facility, such as a sampling port, shall be located on the industrial, commercial or institutional premises, as close to the property line as possible, unless ACRWC and the applicable member municipality have given prior written approval for a different location.
- (3) Each monitoring access point, alternative device or facility installed shall be designed and constructed in accordance with good engineering practice and the requirements of ACRWC and the Member Municipality, and shall be constructed and maintained by the owner or operator of the premises at his or her expense.
- (4) The owner or operator of an industrial, commercial or institutional premises shall at all times ensure that every monitoring access point, alternative device or facility installed as required by this bylaw is accessible to ACRWC and the Member Municipality for the purposes of observing, sampling and flow measurement of the wastewater, uncontaminated water or storm water therein.

**16. OVERSTRENGTH SURCHARGE**

- (1) ACRWC may assess Overstrength and Additional Overstrength Surcharges for wastewater discharges that exceed the limits of treatable parameters set out in Schedule 'C'.
- (2) Overstrength and Additional Overstrength Surcharges are assessed to the Member Municipality where the Wastewater discharge originates.
- (3) Testing of the wastewater being discharged into the sanitary sewer to determine Overstrength Surcharges shall be conducted by ACRWC and/or the Member Municipality, or by the discharger to the satisfaction of ACRWC that a

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representative sample is obtained, using automated sampling devices or in accordance with the following manual sampling protocol:

- (a) Samples from the wastewater produced at a location will be collected each day for a minimum of two days;
  - (b) A minimum of four grab samples of equal volume shall be taken each day, such samples to be taken at least one hour apart;
  - (c) The analysis shall be conducted on a composite sample made of each day's grab samples;
  - (d) The respective results of these tests for each of the days on which samples are taken, shall be averaged to determine the characteristics and concentration of the effluent being discharged into the wastewater system.
- (4) The Overstrength and Additional Overstrength Surcharge Rates will be reviewed and adjusted accordingly from time to time as determined by ACRWC.

**17. COMPLIANCE PROGRAMS**

- (1) ACRWC may require an industry to apply for, and then issue, a Wastewater Discharge Permit to discharge wastewater to the Wastewater Works that does not comply with Schedule 'A' and/or 'B' of this bylaw. The Industry shall be entitled to make non-complying discharges in the amount and only to the extent set out in the permit.
- (2) As a term set out in the Wastewater Discharge Permit, ACRWC may require an industry to submit a Compliance Program setting out activities to be undertaken by the industry that would result in the prevention or reduction and control of the discharge or deposit of matter and/or uncontaminated water, ground water or storm water from the industry's premises into municipal sewer connections or private sewer connections to any sanitary sewer. This may include, but is not limited to planning, design and construction or installation of facilities or works needed to implement the approved Compliance Program.
- (3) Each Compliance Program shall include the following:
  - (a) A description of the processes at the premises which produce discharges that do not comply with the requirements of this Bylaw.
  - (b) A description of those processes at the premises which are to be the subject of the Compliance Program.
  - (c) A list of non-complying pollutants present at the premises at any stage of the operations at the premises.
  - (d) A description setting out the types, quantities and concentrations of all non-complying pollutants discharged, directly or indirectly, to a sewer.
  - (e) A description of current wastewater reduction, recycling, wastewater treatment and compliance activities at the premises with respect to discharges to a sewer from the premises.

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- (f) A description of compliance options for non-complying pollutants and wastewater discharge and an evaluation of those options.
  - (g) A list of possible targets and timeframes (in compliance with any Wastewater Discharge Permit that may have been issued to the discharger) to reduce or eliminate the discharge of non-complying matter to the wastewater works.
  - (h) A declaration from an authorized person that the content of the Compliance Program is, to the best of that person's knowledge, true, accurate and complete.
- (4) Every proposed Compliance Program shall be for a specified length of time during which pre-treatment facilities or other measures are to be installed or implemented and shall be specific as to the remedial actions to be implemented by the industry, the dates of commencement and completion of the activity and the materials or other characteristics of the matter to which it relates. The final activity completion date shall not be later than the final compliance date in the Compliance Program.
  - (5) Industries which are required to submit a Compliance Program shall also submit a Compliance Program progress report to ACRWC within 14 days after the scheduled completion date of each activity listed in the Compliance Program.
  - (6) ACRWC may terminate any proposed Wastewater Discharge Permit related to a Compliance Program by written notice at any time to the Industry in the event that the Industry fails or neglects to carry out or diligently pursue the activities required of it under its Compliance Program.
  - (7) In the event that an Industry submitting a Compliance Program is not sent written notice from ACRWC that it's Compliance Program is not approved by ACRWC within 90 days of the Industry delivering a copy of the Compliance Program to ACRWC, the Compliance Program shall be deemed to have been approved by ACRWC.
  - (8) Where an Industry receives notice from ACRWC that its Compliance Program has not been approved, ACRWC shall provide the Industry with a date by which it must submit an amended Compliance Program to ACRWC for approval in accordance with this article.
  - (9) In the event that a Compliance Program resubmitted to ACRWC in accordance with Subsection 17 (8) of this section does not comply with the requirements of this bylaw, ACRWC shall so notify the Industry, within 30 days of delivery to ACRWC of the amended Compliance Program, and the Industry shall be in contravention of Subsection 17 (1) and shall continue to be in contravention of this section until such time as ACRWC approves an amended Compliance Program resubmitted by the Industry, in accordance with this section.
  - (10) When required by ACRWC, an Industry which has received approval from ACRWC for its Compliance Program shall submit a revised and updated Compliance Program for the approval of ACRWC within the timeframe specified by ACRWC. Such revised and updated Compliance Program shall, in addition to the requirements otherwise set out in this section, detail and evaluate the progress of the Industry to accomplish the objectives set out in its Compliance Program.

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- (11) A copy of the Compliance Program shall be kept at all times at the premises in respect to which it was prepared and shall be available for inspection by ACRWC and/or the Member Municipality at any time.

**18. BEST MANAGEMENT PRACTICES & CODES OF PRACTICE**

- (1) The General Manager is authorized to approve the adoption of Best Management Practices which include Codes of Practice. The provisions of this bylaw requiring compliance with Best Management Practices, including Codes of Practice apply to all Best Management Practices approved by the General Manager.
- (2) ACRWC has adopted one or more Best Management Practices which include Codes of Practice which applies to the Designated Sector Operations, as outlined in ACRWC's Code of Practice Registration Form for Designated Sector Operations, available on ACRWC's website at [www.acrwc.ab.ca](http://www.acrwc.ab.ca).
- (3) A code of practice does not apply to a discharging operation that is subject to a Wastewater Discharge Permit, unless otherwise specified in the Wastewater Discharge Permit.
- (4) A code of practice does not apply to the discharge of domestic wastewater.
- (5) Nothing in a code of practice relieves a person discharging wastewater from complying with this bylaw, a Wastewater Discharge Permit or any other applicable enactment.
- (6) ACRWC may require a discharging operation to obtain a Wastewater Discharge Permit if considered necessary by ACRWC due to circumstances not covered by a code of practice.
- (7) As a condition of discharge of wastewater into a sewer connected to a Wastewater Works, an operator of a discharging operation listed within ACRWC's Code of Practice Registration Form for Designated Sector Operations must submit to ACRWC a completed Code of Practice registration form:
- (a) Within 90 days of the date of adoption of the applicable code of practice in the case of a discharging operation in existence on the adoption date; or
  - (b) In all other cases, within 30 days of the discharging operation commencing the discharge of wastewater into a sewer connected to a Wastewater Works.
- (8) An operator must report to ACRWC any change in the ownership, name, location, contact person, telephone number, or email address of a discharging operation registered under a code of practice within 30 days of the change by submitting a completed code of practice registration form referred to in Section 18.2 showing the changes.
- (9) An operator must within 30 days of any change in the discharging operation registered under a code of practice resulting in the operation no longer meeting the definition applicable to that type of discharging operation report the change by submitting a completed code of practice registration form referred to in Section 18.2 describing the changes.

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- (10) If a code of practice establishes a requirement in relation to a specific discharging operation which differs from a provision in this bylaw, the requirement in the code of practice prevails.

**19. MEMBER MUNICIPALITY OBLIGATIONS**

- (1) The Wastewater to be treated by ACRWC is delivered to ACRWC's Wastewater Works by the Member Municipalities.
- (2) The Member Municipalities will reflect the requirements and prohibitions of this ACRWC Bylaw in the Member Municipality's utility or wastewater bylaws.
- (3) Each Member Municipality shall take action to enforce their utility and wastewater bylaws should a person in that Member Municipality breach the municipal bylaw, resulting in a breach or contravention of the ACRWC's Bylaw.
- (4) Each Member Municipality shall include an "Offences" section (or similar) detailing penalties for contraventions of their bylaw such as violation notices to comply, violation tickets, fines, discharge abatement orders and court order.
- (5) If a Member Municipality fails to take reasonable steps to enforce that municipality's utility and wastewater bylaws such that a breach or contravention of the ACRWC's Bylaw #8 occurs, the Member Municipality shall pay to ACRWC any increased fees or pre-estimate of damages as approved by the Board of ACRWC.

ENACTED at a meeting of the Board of Directors of THE ALBERTA CAPITAL REGION  
WASTEWATER COMMISSION at a meeting duly held on the 18th day of March AD, 2016.

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CHAIRMAN

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GENERAL MANAGER

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**SCHEDULE 'A' PROHIBITED WASTES**

No person shall discharge directly or indirectly or deposit or cause or permit the discharge or deposit of wastewater into a sanitary sewer or municipal sewer connection or private sewer connection, to any wastewater works in circumstances where:

(1) To do so may cause or result in:

- (a) A health or safety hazard to a person authorized by the ACRWC or a Member Municipality to inspect, operate, maintain, repair or otherwise work on a wastewater works;
- (b) An offence under any applicable federal or provincial legislation, as amended from time to time, or any regulation made thereunder from time to time;
- (c) Wastewater sludge from the wastewater treatment facility to which wastewater discharges, either directly or indirectly, to fail to meet the objectives and criteria as listed in any applicable federal or provincial legislation, as amended from time to time;
- (d) Interference with the operation or maintenance of a wastewater works, or which may impair or interfere with any wastewater treatment process;
- (e) A hazard to any person, animal, property or vegetation;
- (f) An offensive odour emanating from wastewater works, and without limiting the generality of the foregoing, wastewater containing hydrogen sulphide, carbon disulphide, other reduced sulphur compounds, amines or ammonia in such quantity as may cause an offensive odour;
- (g) Damage to wastewater works;
- (h) An obstruction or restriction to the flow in wastewater works.

(2) The wastewater has two or more separate liquid layers.

(3) The wastewater contains:

- (a) Hazardous substances;
- (b) Combustible liquid;
- (c) Biomedical waste, including but not limited to the following categories: human anatomical waste, animal waste, untreated microbiological waste, waste sharps and untreated human blood and body fluids known to contain viruses and agents listed in "Risk Group4" as defined in "Laboratory Biosafety Guidelines" published by Health Canada, dated 2004, as amended.
- (d) Specified risk material for bovine spongiform encephalopathy as defined in the federal Fertilizers Regulations (C.R.C., c. 666), as amended from time to time, including material from the skull, brain, trigeminal ganglia, eyes, tonsils, spinal cord and dorsal root ganglia of cattle aged 30 months or older, or material from the distal ileum of cattle of all ages.

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- (e) Dyes or colouring materials which may or could pass through a wastewater works and discolour the wastewater works effluent;
- (f) Fuel;
- (g) Ignitable waste.
- (h) Pathological waste.
- (i) PCBs.
- (j) Pesticides which are not otherwise regulated in this Bylaw.
- (k) Reactive waste.
- (l) Toxic substances which are not otherwise regulated in this Bylaw.
- (m) Waste radioactive substances in excess of concentrations greater than those specified for release to the environment under the *Nuclear Safety and Control Act* and Regulations or amended versions thereof.
- (n) Solid or viscous substances in quantities or of such size to be capable of causing obstruction to the flow in a wastewater works, including but not limited to ashes, bones, cinders, sand, mud, soil, straw, shaving, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animal parts or tissues, and paunch manure.

(4) The wastewater contains a concentration, expressed in milligrams per litre, in excess of any one or more of the limits in Schedule 'B' of this Bylaw, unless:

- (a) The discharge is in accordance with a valid Wastewater Discharge Permit;
- (b) The discharge is authorized in a Code of Practice approved by ACRWC; and
- (c) All requirements of Section 6 of the Bylaw, Additional Requirements, have been fully satisfied.

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**SCHEDULE 'B' RESTRICTED WASTES – SANITARY SEWER DISCHARGES**

(1)

**Table A - CONVENTIONAL CONTAMINANTS**

<b>Substance</b>	<b>Concentration Limit– [mg/L, except as noted]</b>
Biochemical Oxygen Demand	10,000
Chemical Oxygen Demand	20,000
Nitrogen, Total Kjeldahl	500
Oil and Grease, Total – Animal and Vegetable + Mineral and Synthetic/Petroleum Hydrocarbons	500
Phosphorus, total	200
Suspended Solids, Total	5,000

**Table B - ORGANIC CONTAMINANTS**

<b>Substance</b>	<b>Concentration Limit– [mg/L]</b>
Benzene	0.5
Ethylbenzene	0.5
Oil and Grease – Mineral and Synthetic/Petroleum Hydrocarbons	100
Phenols, Total (or phenolic compounds)	1.0
Toluene	0.5
Xylene	0.5

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**Table C - INORGANIC CONTAMINANTS**

<b>Substance</b>	<b>Concentration Limit– [mg/L]</b>
Arsenic (As)	1.0
Cadmium (Cd)	0.10
Chlorine, Total (Cl <sub>2</sub> )	5.0
Chromium (Hexavalent) (Cr <sup>+6</sup> )	2.0
Chromium, Total (Cr)	4.0
Cobalt (Co)	5.0
Copper (Cu)	2.0
Cyanide (CN)	2.0
Lead (Pb)	1.0
Mercury (Hg)	0.10
Molybdenum (Mo)	5.0
Nickel (Ni)	4.0
Selenium (Se)	1.0
Silver (Ag)	5.0
Sulphide (S <sup>-</sup> )	3.0
Thallium (Tl)	1.0
Zinc (Zn)	2.0

**Table D - PHYSICAL PARAMETERS**

<b>Parameter</b>	<b>Limit</b>
Flashpoint	Not ≤60.5° C
Lower Explosive Limit (LEL) in headspace	10% of the LEL
pH	6.0 – 11.5 (unitless)
Temperature	60° C

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(2) Concentrations that do not exceed the constituent concentrations limits listed in Schedule 'B' are permitted for discharge, however may be subject to an Overstrength Surcharge outlined in Schedule 'C'.

**SCHEDULE 'C' WASTEWATER OVERSTRENGTH LIMITS**

	<b>Column A</b>	<b>Column B</b>
<b>Substance</b>	Overstrength Surcharge Concentration Limits, mg/L	Additional Overstrength Concentration Limits, mg/L
Biochemical Oxygen Demand (BOD)	300	3000
Chemical Oxygen Demand (COD)	600	6000
Nitrogen, Total Kjeldahl (TKN)	50	200
Oil and Grease, Total (O&G) – Animal and Vegetable + Mineral and Synthetic/Petroleum Hydrocarbons	100	400
Phosphorus, Total (TP)	10	75
Suspended Solids, Total (TSS)	300	3000

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WASTE COLLECTION BYLAW**

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**A BYLAW OF THE TOWN OF BON ACCORD TO ESTABLISH TERMS AND CONDITIONS FOR THE  
PROVISION OF WASTE COLLECTION AND RECYCLING SERVICES IN THE TOWN OF BON ACCORD**

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WHEREAS the Municipal Government Act, RSA 2000, c. M-26 provides that a Council may pass bylaws respecting public utilities; and

WHEREAS it is deemed advisable and expedient to set out the terms and conditions applicable to the collection and disposal of solid waste and the provision of recycling services within the Town of Bon Accord;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED, ENACTS AS FOLLOWS:

**SECTION 1 – SHORT TITLE**

- 1.1 This Bylaw may be referred to as "The Waste Collection Bylaw".

**SECTION 2 – DEFINITIONS**

- 2.1 "Ashes" means the powdery residue left after the combustion of any substance and includes partially burnt wood, charcoal or coal;
- 2.2 "Authorized Person" means any employee of the Town of Bon Accord authorized by Administration for the purpose of providing waste collection services;
- 2.3 "Automated Bin Service" means a collection service where Waste Materials are stored in a bin constructed to be emptied mechanically into a collection vehicle;
- 2.4 "Building Material" means:
- 2.4.1 board lumber, such as 2 x 4's, 2 x 6's, 2' x 10's, baseboards, etc., which are limited to lengths of 0.9m (36"); or
  - 2.4.2 sheet lumber, such as plywood, paneling and drywall, limited to 0.9m x 0.3m (36"x 12") sheets with maximum thickness of 25mm (1"); or
  - 2.4.3 insulation, plastic, or other such material used in the construction or re-construction of a building or facility;
- 2.5 "Chief Administrative Officer" means the Chief Administrative Officer for the Town of Bon Accord;
- 2.6 "Clerk of the Provincial Court" means an officer of a Provincial court who - accepts filings, issues process and keeps records;
- 2.7 "Collection Day" shall mean the day or days during each week on which waste is collected from a specific premise;
- 2.8 "Collection Service" means the curbside or roadside collection of Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables;

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- 2.9 "Collector" means the Person or Persons appointed by the Town for the purpose of collecting and disposing of Waste Materials, Organic Materials, Fibre, Recyclables and Container Recyclables;
- 2.10 "Commercial Bin" means secure container used for the purposes of storing and disposing of commercial or sizeable waste;
- 2.11 "Commercial Facilities" includes stores, warehouses, and commercial facilities;
- 2.12 "Community Peace Officer" means a Bylaw Enforcement Officer appointed by the Town pursuant to the Municipal Government Act, RSA 2000, c. M-26, to enforce the Town Bylaws, and includes a member of the Royal Canadian Mounted Police, and when authorized, a Special Constable;
- 2.13 "Compulsory Service" means the requirement for Collection Services within the Urban Service Area or properties as set out in Schedule "A" to this Bylaw;
- 2.14 "Container" will be one or a combination of the following:
- 2.14.1 Waste collection cart, supplied to eligible premises for use by the Householder
  - 2.14.2 Aerated organics collection cart supplied to eligible premises by the Town
  - 2.14.3 Reusable and non-reusable bags for Fibre and Container Recyclables
- 2.15 "Container Recyclables," means glass bottles and jars, aluminum, steel and tin cans, margarine and yogurt containers, grocery and retail bags, plastic bottles with twist off top, beverage containers, polycoat milk cartons, plastic milk jugs and juice cartons, tetra packs and mini-sip containers or other items designated by Council from time to time;
- 2.16 "Council" means the Municipal Council of The Town of Bon Accord;
- 2.17 "Fees and Charges" means the Town's Fees and Charges as set out in Schedule "B" of this bylaw;
- 2.18 "Fibre Recyclables" means mixed paper, corrugated cardboard, newsprint, box board, magazines, catalogues, flyers, telephone or other soft cover books, paper egg cartons, polycoat milk containers or other similar material designated by Council from time to time;
- 2.19 "Four Stream Waste Collection" means the collection of Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables;
- 2.20 "Householder" means any owner, occupant, lessee or tenant or any other Person in charge of any Dwelling;
- 2.21 "Industrial / Commercial / Institutional Waste" or "ICI Waste" means material of similar composition as mixed waste collected within the Town other than by Town Collection;
- 2.22 "Institutional Facilities" shall mean a hospital, nursing home, hotel, or school;
- 2.23 "Multi-Family Complex" means a building or private community containing three or more units, including apartment buildings, townhouses, condominiums or manufactured home parks;
- 2.24 "Organic Materials" means leaves, grass clippings, garden waste, house and garden plants, sawdust, wood shavings and kitchen food waste (fruits, vegetables and peelings, table scraps, meat, poultry fish, shell fish, dairy products, cooking oil, grease, fat, bread, grain, rice, pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags,) roots, hedge and shrub trimmings, brush cuttings, twigs, branches, and other similar materials as designated Public Works Supervisor and Council from time to time;
- 2.25 "Owner" means the person who is registered under the Land Titles Act, RSA 2000 c. L-4, as amended or replaced from time to time, as the owner of the fee simple estate in land,

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- or a Person who is recorded as the Owner of the property on the tax assessment roll of the Town;
- 2.26 "Person" means any Person, Householder, firm, partnership, association, corporation, company or organization of any kind;
- 2.27 "Recommencement of Service" means a point in time in which Collection Services and billing for such service will resume.
- 2.28 "Recycling Service" means curbside, roadside or any recycling or waste diversion service or program available to all Town residents for the collection of Organic Materials, Fibre Recyclables and or Container Recyclables;
- 2.29 "Recycling Station" means any area within the Town, designated by the Town, to receive recyclable materials;
- 2.30 "Residential Facilities" means any detached single family dwelling or residence, duplex, or Multi-Family Complex designed for individual family living;
- 2.31 "Roadway" means a roadway within the meaning of the Traffic Safety Act, RSA 2000, c. T-6, as amended or replaced from time to time;
- 2.32 "Supplementary Collection Services" means Collection Services beyond the base level of service as established by Council;
- 2.33 "Town" means The Town of Bon Accord;
- 2.34 "Transfer Station" means any area designated within the Town for accumulation of Waste Materials for subsequent transportation;
- 2.35 "Urban Service Area" means the service area within the Town of Bon Accord;
- 2.36 "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;
- 2.37 "Violation Tag" means a tag or similar document issued by the Town pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time;
- 2.38 "Violation Ticket" means a ticket issued pursuant to Part II of the Provincial Offences Procedure Act, RSA 2000, c. P-34, as amended or repealed and replaced from time to time;
- 2.39 "Waste Disposal Site" means any area designated by the Town for solid waste disposal;
- 2.40 "Waste Materials" means any material discarded from a Dwelling or Multi-Family Complex that is not Fibre Recyclables or Container Recyclables or Organic Materials;
- 2.41 "Yard Waste" means, stumps, tree trunks, sod and other similar materials.

### **SECTION 3 – ADMINISTRATION**

- 3.1 The Chief Administrative Officer may delegate the administration of this Bylaw to the following employee positions:
- 3.1.1 Public Works Supervisor
- 3.1.2 Utilities Billing Clerk; or position similar thereof

### **SECTION 4 – COLLECTION AND RECYCLING SERVICES**

**TOWN OF BON ACCORD  
BYLAW 2020-02  
WASTE COLLECTION BYLAW**

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- 4.1 Subject to section 4.1.1 of this Bylaw, no Person other than the Town of Bon Accord shall provide Collection Services or Supplementary Collection Services, except as provided in Schedule 'A', within the Urban Service Area.
  - 4.1.1 If a Person, who at the date of passage of this Bylaw, was providing or receiving Collection Services or Supplementary Collection Services within the Urban Service Area subsequently discontinues providing such services, that Person may not recommence providing such services at a later date unless approved by Council.
- 4.2 Every person who operates a private Collection Service must:
  - 4.2.1 Comply with requirements of this Bylaw;
  - 4.2.2 Obtain any permit required by this Bylaw or any Provincial statute and regulations;
  - 4.2.3 Refuse to collect Waste Materials, Organic Materials, Fibre Recyclables and or Container Recyclables from premises whose Householders do not comply with the requirements of this Bylaw. Notwithstanding any other provision in this Bylaw to the contrary, a Person who operates a private Collection Service may select whatever Container suitable to their operation for those Householders using their services to use for placing Waste Materials, Organic Materials, Fibre Recyclables and Container Recyclables for collection.
  - 4.2.4 Provide all services as offered by the Town with respect to Collection Services to maximize diversion from the landfill.

**SECTION 5 – RATES AND CHARGES, OPENING AND CLOSING OF ACCOUNTS**

- 5.1 The rates and charges to be charged for Collection Service, Recycling Service and for processing or disposal shall be as set out from time to time in the Fees and Charges schedule of this Bylaw.
- 5.2 Collection Service charges will be billed in accordance with Schedule "B" to this Bylaw.
- 5.3 The Town of Bon Accord requires that new account requests or changes for utility services, provided by the Municipality, be placed in the name of the owner(s) registered on the property title only.
- 5.4 An account must be opened before Collection Service by the Town is provided.
  - 5.4.1 Applications for Collection Service will be made in writing to the Town.
  - 5.4.2 After the date of passage of this Bylaw, Subscription Accounts for the provision of Collection Service will only be entered into with the Owner of the property.
- 5.5 That the Council shall have the right to determine into which classification any service belongs, and the Council's decision shall be final and binding on all persons concerned.
- 5.6 All Utility Bills will be due and payable when rendered by the Town and payments will be made at the address indicated on the Utility Bill or to an agent of the Town.
- 5.7 That in the event a Utility Bill remains unpaid after the date fixed for payment, a penalty as the Council may establish by resolution from time to time will be added to the principal outstanding amount thereto and form part of the rates levied.

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- 5.8 That in the event that the Utility Bill remains unpaid for a period of forty-five (45) days after the date of mailing of the account, the Chief Administrative Officer or its designate may cause a disconnection of all Utility Services, the Town will proceed with collection measures as provided in section 5.9 of this Bylaw.
- 5.9 Any Utility Bill remaining unpaid under this Bylaw will constitute a debt owing to the Town and is recoverable by any or all of the following methods, namely:
- 5.9.1 by action in any court of competent jurisdiction;
  - 5.9.2 by discontinuing any Collection Service being supplied to Owner without notice;
  - 5.9.3 by collecting in a like manner as municipal rates and taxes.
- 5.10 The Chief Administrative Officer may cancel Collection Service to a Householder in the event that a Utility Bill remains unpaid as described in section 5.8 of this Bylaw.
- 5.11 Closing of Account
- 5.11.1 Collection Service accounts may be closed in accordance with attached Schedule "A".
  - 5.11.2 The Town may continue to levy Collection Service charges in accordance with this Bylaw until a Collection Service account is closed in accordance with the provisions of this Bylaw.
- 5.12 The power to do any of the things provided for in this Bylaw, for the purpose of enforcing payment of any Utility Bill as may be deemed necessary, is hereby delegated to the Chief Administrative Officer.

**SECTION 6 – PREPARATION OF MATERIALS FOR COLLECTION**

- 6.1 Yard Waste will be prepared for collection by compacting and tying in secure bundles not more than 1 metre (3.3 ft.) in length and placed in the Container Designated Waste Materials.
- 6.2 Ashes will be packaged cold in biodegradable bags and placed in the Container designated for Organic Materials.
- 6.3 Sawdust will be placed in the Container designated for Organic Materials.
- 6.4 All pet related feces and cat litter must be packaged in plastic bags and placed in the Container designated for Waste Materials.
- 6.5 Building Materials, for purposes other than new construction, will be limited to 1 m (3.3 ft) in length and placed in the Container designated for Waste Materials.
- 6.6 New construction Building Material must be placed in a Commercial Bin (i.e. container) that has been provided for by the entity conducting the new construction.
- 6.7 Grass clippings and leaves will be placed in the Container designated for Organic Materials.
- 6.8 All other Waste Materials will be deposited in the Container designated for Waste Materials but limited to the capacity of the Container with the lid closed.
- 6.9 No Owner will place, permit to be placed, or mix any of the following materials for removal:

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- 6.9.1 any highly combustible or explosive waste, including, without restricting the generality of the foregoing, such materials as hot Ashes, ignitable waste, motion picture film or toxic materials;
- 6.9.2 any compound that may be considered dangerous or hazardous under the provisions of any other legislation whether Provincial or Federal;
- 6.9.3 hypodermic needles;
- 6.9.4 sharp objects or broken glass unless packaged to allow safe handling; or
- 6.9.5 luminescent gas filled tubes, unless such tubes are encased in a container of sufficient size and strength to protect such tubes from breakage and thereby allowing safe handling;
- 6.9.6 dead animals or animal parts.

**SECTION 7 – RESTRICTIONS ON COLLECTION SERVICE**

- 7.1 Collection Service will not be provided if:
  - 7.1.1 the Container is not a proper Container supplied by the Town as described in section 2.14; or
  - 7.1.2 the lids on the Waste Materials or Organic Materials Container are not closed and material is overflowing; or
  - 7.1.2 there is loose material not placed in the Container; or
  - 7.1.3 the Container contains material(s) described in section 6.9; or
  - 7.1.4 the materials have not been prepared as described in part 6; or
  - 7.1.5 the Container is not located as described in part 8; or
  - 7.1.6 the Container contains materials other than the materials permitted by the Town in its Four Stream Collection service.
  - 7.1.7 the premise is new construction and collection containers have not been requested by the Householder.

**SECTION 8 – COLLECTION, STORAGE LOCATIONS, AND SCHEDULING**

- 8.1 Every Householder to which this Bylaw applies shall obtain, from the Town, collection Containers suitable for containing all of the Waste Materials and Organic Materials generated from the premises on a weekly basis.
- 8.2 Where an Organics container is not required by the Householder the container may be returned to the Town, no reduction or adjustments will be made to the Householders Utility Bill as a result.
- 8.3 A Householder may request the Town to provide a replacement Container or one additional Container, the service fees for which the Householder is liable under this Bylaw shall be adjusted in accordance with Schedule “C” of this Bylaw.
- 8.4 The Householder shall maintain all Containers supplied by the Town in a clean and sanitary condition at all times, and shall notify the Town of any lost, stolen or damaged Containers and obtain a replacement if deemed necessary.
- 8.5 Incremental containers will be provided to the Householder and must be retained for a minimum of one year otherwise a service fee may apply per the Fees and Charges Schedule of this Bylaw.

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- 8.6 The Householder shall place all Containers on road adjacent to the Householder's land and not separated from it by any fence, gate or other structure, prior to 7:00 a.m. on the collection day, as specified from time to time by the Public Works Supervisor but not earlier than 5:00 p.m. on the previous day.
- 8.7 No Container shall be placed for collection such that it is within one meter of any structure or other object.
- 8.8 No Container shall, except when placed for collection, be located other than on the Householder's premises, and in particular no Container shall be located so as to encroach on any Roadway, highway, boulevard, lane or public place except as expressly required by this Bylaw.
- 8.9 No person shall place any Waste Materials or Organic Materials for collection in any Waste Materials or Organic Materials Container intended to be emptied by automated machinery, other than a Container provided by the Town.
- 8.10 Collection of Waste Materials and Organic Materials shall be weekly (once every week). Collection of Fibre Recyclables and Container Recyclables shall be on a bi-weekly basis (once every two weeks). Organics will only be collected as outlined in the Waste Collection Policy.
- 8.11 Waste Materials Containers and Organic Materials Containers must be removed from curbside by 9:00 p.m. the day of collection. Any materials not collected must be removed from curbside by 9:00 p.m. the day of collection unless rescheduling for the next day has occurred due to an unscheduled service interruption by the Collector.
- 8.12 The days and times of Collection Service will be the days and times approved by the Public Works Supervisor

**SECTION 9 – WASTE CONTAINERS, DISPOSAL SITES, AND RECYCLING STATIONS**

- 9.1 All Persons utilizing a Waste Disposal Site or Recycling Station will obey all signs, posted regulations and directions of site attendants - if applicable.
- 9.2 No person other than the lawful user, or an authorized employee of the Town or employee of the Waste Collection Contractor shall open any garbage tote or disturb the contents of totes or blue bags or remove anything from totes, blue bags, nor shall any other person handle, interfere with, or in any manner disturb any garbage of any kind put out for collection or removal.
- 9.3 No person shall operate a vehicle in the Town while it is carrying garbage or commercial / industrial waste unless the portion or the vehicle in which material is being carried is securely covered or the material is secured to prevent any part of such material from falling off, or out of, the vehicle while in transit.
- 9.4 No person or business/commercial entity shall construct a new building or facility without the provision of a Commercial Bin (at their own cost) on site to provide for the storage and removal of new construction waste, including that of Building Material waste.

**SECTION 10 – OFFENCE AND PENALTIES**

- 10.1 Community Peace Officers are hereby authorized to enforce the provisions of this Bylaw.

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BYLAW 2020-02  
WASTE COLLECTION BYLAW**

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- 10.2 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 "C" of this Bylaw.
- 10.3 Notwithstanding section 10.2 of this Bylaw, 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 of not less than nor more than double the amount as set out in Schedule "C" to this Bylaw.
- 10.4 A Person who is guilty of an offence under this Bylaw for which a penalty is not otherwise provided, is liable to a fine of not less than One Hundred (\$100.00) Dollars and not more than Ten Thousand (\$10,000.00) Dollars.
- 10.5 Under no circumstances will any Person contravening any provision of this Bylaw be subject to the penalty of imprisonment.
- 10.6 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.

**SECTION 11 – VIOLATION TAG**

- 11.1 A Community Peace Officer is hereby authorized and empowered to issue a Violation Tag to any Person who the Community Peace Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.
- 11.2 A Violation Tag may be issued to such Person:
  - 11.2.1 either personally; or
  - 11.2.2 by mailing a copy to last known post office address.
- 11.3 The Violation Tag will be in a form approved by the Chief Administrative Officer and will state:
  - 11.3.1 the name of the Person;
  - 11.3.2 the offence;
  - 11.3.3 the appropriate penalty for the offence as specified in Schedule "C" of this Bylaw;
  - 11.3.4 that the penalty will be paid within thirty (30) days of the issuance of the Violation Tag;
  - 11.3.5 any other information as may be required by the Chief Administrative Officer.
- 11.4 Where a contravention of this Bylaw is of a continuing nature, further Violation Tags may be issued by the Community Peace Officer, provided however, that no more than one Violation Tag will be issued for each day that the contravention continues.
- 11.5 Where a Violation Tag is issued pursuant to this Bylaw, the Person to whom the Violation Tag is issued may, in lieu of being prosecuted for the offence, pay to Town the penalty specified on the Violation Tag.

**SECTION 12 – VIOLATION TICKET**

- 12.1 In those cases where a Violation Tag has been issued and if the penalty specified on a Violation Tag has not been paid within the prescribed time, then a Community Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II

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of the Provincial Offences Procedure Act, RSA 2000, c. P-34, as amended or repealed and replaced from time to time.

- 12.2 Notwithstanding section 12.1 of this Bylaw, a Community Peace Officer is hereby authorized and empowered to immediately issue a Violation Ticket to Part II of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34, as amended or repealed and replaced from time to time, to any Person who the Community Peace Officer has reasonable grounds to believe has contravened any provision of this Bylaw.
- 12.3 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.
- 12.4 Notwithstanding section 12.3, for any offence of the Bylaw issued pursuant to section 10.4, the Community Peace Officer has the discretion to require a mandatory court appearance by the Person to whom the Violation Ticket was issued.

**SECTION 13 – SEVERABILITY**

- 13.1 Should any provision of this bylaw be invalid then such provision shall be severed and the remaining bylaw shall be maintained.

**SECTION 14 – GENERAL**

- 14.1 Nothing in this Bylaw will operate to relieve any Person from complying with any Federal, Provincial or other Town of Bon Accord law, order, regulation or Bylaw.
- 14.2 Bylaw 2018-19 Waste Collection Bylaw is hereby repealed.

This Bylaw will come into force and effect after receiving third reading.

READ A FIRST TIME THIS 7<sup>th</sup> DAY OF JANUARY 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A SECOND TIME THIS 21<sup>ST</sup> DAY OF JANUARY 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A THIRD TIME THIS 21<sup>ST</sup> DAY OF JANUARY 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

**TOWN OF BON ACCORD  
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**SCHEDULE 'A'**

**COLLECTION SERVICES AND RECYCLING SERVICE  
ELIGIBILITY AND OPTING-OUT GUIDELINES**

**COLLECTION SERVICES**

- 1.1 Eligibility Provision:
- 1.1.1 Compulsory Service: Household members within the Urban Service Area who receive a water and/or sewer Utility Bill from the Town will receive Collection Services automatically and an account will be established and effective as of the date of ownership or occupancy whichever first occurs. This excludes all apartments, multi-family complex, Institutional and Commercial Facilities.
  - 1.1.2 Subscription: Household members residing within a Multi-Family Complex may apply for Collection Service as a group in accordance with part 5 of this Bylaw. Upon approval all Household members within the site will be provided and billed for Collection Services.
  - 1.1.3 In the event Household members referred to in clause 1.1.1 herein require Collection Services beyond the level of service established by Council, the Household members must apply to the Town for Supplementary Collection Services. The Town will have the right to accept or reject the application for Supplementary Collection Services, on terms and conditions as established by Council. In the event the Town rejects the application for provision of Supplementary Collection Services, the Household members may use other Collection Service providers for the Supplementary Collection Services only. The provision of Supplementary Collection Services by the Town or other private Collection Service providers does not affect the Collection Service and conditions described in clause 1.1.1 herein.
  - 1.1.4 Subscription Account: Owners within the Urban Service Area who do not receive a water and/or sewer Utility Bill from the Town may apply for Collection Service in accordance with part 5 of this Bylaw.
- 1.2 Opting-out Provision:
- 1.2.1 Household members may opt-out of Collection Service if:
    - 1.2.1.1 a Household member resides on a property greater than 0.81 ha (2 acres) in area or;
    - 1.2.1.2 the premise is not occupied for cooking, eating, sleeping, or living purposes for a consecutive period of three (3) months, or more, or;
    - 1.2.1.3 an application has been made to Town of Bon Accord Council for in-camera consideration and approval at a regular Council meeting. The decision will be made at Council's sole discretion and will be based on landowner (i.e. resident) identification of a significant, extenuating, circumstance that would generate a need to opt out of Waste Collection services. The results of the decision will be disclosed to the resident within fifteen (15) working days of the meeting.
  - 1.2.2 Household members residing within Multi-Family Complexes may opt-out of collection from the Town, as a group, only if the Household members have contracted for Automated Bin Service. Upon written confirmation to the Town that a contract is

**TOWN OF BON ACCORD  
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in place for Automated Bin Service, Collection Service will be discontinued to all Householders within the site.

- 1.2.3 The effective date for Opting-out of Collection Service, per Schedule “D” of this bylaw, will be the date upon which the Chief Administrative Officer accepts, and receives Council approval, and provides Landowner with written confirmation of the application.
- 1.2.4 Householders’ opting-out of Collection Service may be subject to a Recommencement of Service fee as described in the Statutory Declaration schedule, Schedule “D”, of this Bylaw.

**TOWN OF BON ACCORD  
BYLAW 2020-02  
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**SCHEDULE 'B'**

**COLLECTION SERVICES BILLING PROCEDURE**

- 1 Where there is a Compulsory Service for utility services, Collection Service charges will be included in the Utility Bill.
- 2 Where Collection Service is added or deleted during a billing period, Utility Bills may be prorated in accordance with the actual number of days of service is provided by the Town in the billing period.
- 3 Where a Utility Bill has been prepaid and Collection Service is discontinued, the Town will provide a refund on a prorata basis.
- 4 A utility bill shall be mailed to the owner(s) showing the current service charges and any penalty amounts owing, payment for the amount due shall be due and payable when the account is rendered with payment to be made to the Town at the office of the Chief Administrative Officer or at such other place as may be designated from time to time by the Council. Failure to receive a utility bill shall in no way affect the liability of the owner(s) to pay and keep the account current.
- 5 If in accordance with Section 5.8 the account remains unpaid for a period of 45 days after the billing period, the Chief Administrative Officer or Utility Clerk shall order the service turned off unless it is considered there are extenuating circumstances then the overdue amount will be put on the tax roll.
- 6 Any person intending to vacate any premises that have been supplied with waste collection services by the Town of Bon Accord or who is desirous of the discontinuing the use thereof shall give notice of the same at the office, otherwise the rates therefore shall be charged until such notice is given.

**TOWN OF BON ACCORD  
BYLAW 2020-02  
WASTE COLLECTION BYLAW**

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**SCHEDULE 'C'**

**Waste Collection:** One (1) pick-up per week (or as prescribed by the Public Works Supervisor)

Residential: (single / duplex unit / dwelling) One waste and one organics tote	<b>\$23.40 per month</b>
Extra waste totes	
Waste	<b>\$ 9.62 per month</b>
Organics	<b>\$ 5.05 per month</b>

Seniors self contained, apartments, 4 plexes, and commercial / industrial pickup	<b>Other Service Provider</b>
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<b>Late Payment Penalty</b>	<b>2% per month</b>
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**Replacement Totes (supply)**

Replacement of damaged totes due to negligence	<b>Flow through of cost</b>
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**Direct Landfill Use**

User pay based – reported by landfill	<b>\$0.038 per kilogram</b>
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**Penalties - First Offence**

Improper materials for removal as waste, recycling or organics	<b>\$100.00</b>
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Improper location of Containers (i.e. improper placement for pick-up)	<b>\$100.00</b>
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Improper storage of Containers (not on private property or in view from a Roadway, highway, boulevard, Lane or public property)	<b>\$100.00</b>
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Improper Container (commercial bin must be used for new construction) or non-use of Container for commercial purposes	<b>\$500.00</b>
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**TOWN OF BON ACCORD  
BYLAW 2020-02  
WASTE COLLECTION BYLAW**

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**SCHEDULE 'D'**

**STATUTORY DECLARATION**

CANADA ) IN THE MATTER OF the current  
Waste Collection Bylaw providing for the  
PROVINCE OF ALBERTA ) levying and collection of service charges, rates, and  
TO WIT: ) penalties in connection with Collection Services.

I \_\_\_\_\_, of \_\_\_\_\_

in the Province of Alberta DO SOLEMNLY DECLARE:

1. THAT the building(s) located at the following service address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is not occupied for cooking, eating, sleeping, or living purposes for a consecutive period of three (3) months, or more, or that a significant extenuating circumstance exists that would generate a need for approval, from the Town of Bon Accord Council, to opt out of Waste Collection services.

2. THAT I understand I will not be eligible to receive Collection Services from the Town of Bon Accord for the specified and approved period of time upon which either the Chief Administrative Officer or Town Council approves my application for opting-out from Collection Services. I also understand that upon Recommencement of Service (i.e. resumption of waste collection services upon completion of opt out period) that I must retain the Collection Service for a minimum of six (6) months.

3. THAT the opt out period is determined as follows:

Service interruption effective: \_\_\_\_\_

Service recommencement effective: \_\_\_\_\_

4. THAT should a recommencement date not be provided at time of application all waste totes will be removed from the landowner property at or near the date of service interruption. Upon Recommencement of Service, waste totes will be provided to the above noted service address and a delivery charge of \$15.00 will be applied to the Utility Bill.

AND I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "THE CANADA EVIDENCE ACT".

DECLARED before me at the )  
\_\_\_\_\_ of \_\_\_\_\_ )  
in the Province of Alberta ) \_\_\_\_\_  
this \_\_\_\_ day of \_\_\_\_\_ )

\_\_\_\_\_  
Commissioner for Oaths

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** *Regular Meeting of Council*

**MEETING DATE:** **April 7, 2020**

**AGENDA ITEM:** **Bylaw 2020-16 2020 Tax Penalty Bylaw Amendment for COVID-19**

### RECOMMENDATION:

**THAT** ...Council give first reading of Bylaw 2020-16.

**THAT** ...Council give second reading of Bylaw 2020-16.

**THAT** ...Council give unanimous consent to consider three readings of Bylaw 2020-16 in one meeting.

**THAT** ...Council give third reading of Bylaw 2020-16.

### BACKGROUND:

Administration is committed to providing feasible supports to residents and businesses in the Town of Bon Accord, and is **recommending Council consider extending the 2020 taxation payment deadline from the last business day in June to August 31, 2020 to allow for those experiencing financial pressure more time, without penalty, to pay their property taxes.**

Given the COVID-19 global pandemic situation, the Town of Bon Accord should consider implementing financial measures to assist residents during this critical time. Self-isolation and social distancing measures put in place have impacted the financial stability of some residents and businesses.

Many neighboring municipalities have or are considering implementing similar measures. The provincial and federal government are currently developing and implementing measures to help those impacted financially.

Municipal taxes are the main source of revenue for the Town of Bon Accord. The 2020 expected budgeted tax revenue is \$1,552,696. There are approximately 577 ratepayers within the Town. Of these, 25% are on the TIPP's program and 33% are currently registered to have their payments made by their mortgage companies. It is anticipated that most mortgage companies could meet the June 30<sup>th</sup> deadline, however that is difficult to accurately predict at this time. The remaining ratepayers pay their taxes by other personal means.

Currently, the Town of Bon Accord's combined assessment and tax mailing date is April 30, 2020, with the tax payment deadline being June 30, 2020.

Bylaw 2020-16 extends the property tax payment deadline from June 30, 2020 to August 31, 2020, with a 9% penalty applied on September 1, 2020, and 6% penalty on October 1, 2020 for current year taxes not paid. **The combined assessment and tax notice would still be mailed on April 30, 2020.**

For taxpayers who can pay their property taxes upon receiving their 2020 Assessment and Tax Notice, they are encouraged to do so, **as extending the deadline does not impact the balance owing**. The Town would then be able to use this cash flow to sustain operations and additionally and emergent COVID-19 initiatives.

**FINANCIAL IMPLICATIONS: N/A**

**LEGISLATIVE HISTORY**

Section 353 of the Municipal Government Act requires that Council pass a property tax bylaw annually. Tax Penalty Bylaw 1999-04 (attached for Council reference)

**ALTERNATIVES:**

1. That...Council gives all three readings to Bylaw 2020-16 as proposed above
2. That...Council gives 1<sup>st</sup> reading to Bylaw 2020-16 and directs administration to...
3. That...Council declines reading of Bylaw 2020-16 and directs administration to...

**Prepared and Submitted By:** Falon Fayant

**Reviewed By:** Joyce Pierce

**Date:** April 6, 2020

**TOWN OF BON ACCORD  
2020 TAX PENALTY BYLAW AMENDMENT FOR COVID-19  
BYLAW 2020-16**

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**A BYLAW TO EXTEND THE DEADLINE FOR PAYMENT OF TAXES IN THE 2020 TAX YEAR TO PROVIDE RELIEF TO TAXPAYERS IN LIGHT OF THE COVID-19 PANDEMIC.**

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**WHEREAS**, under the authority and pursuant to the Municipal Government Act, R.S.A. 2000, c. M-26, and amendments thereto, the Council of the Town of Bon Accord (Council) deems it expedient to impose penalties in the year in which a tax is imposed if the tax remains unpaid after the date shown on the tax notice;

**AND WHEREAS**, the penalty must not be imposed sooner than 30 days after the mailing of the tax notice or on the date specified in the tax notice whichever is later;

**AND WHEREAS**, the Municipal Government Act further authorizes Council, by Bylaw, to impose penalties in any year following the year in which a tax is imposed if the tax remains unpaid after December 31 of the year of which it is imposed (tax arrears);

**AND WHEREAS**, Council has passed Bylaw 1999-04, the Tax Penalty Bylaw;

**AND WHEREAS**, in order to alleviate the financial impact on residents financially impacted by the COVID-19 pandemic, Council deems it appropriate to amend Bylaw 1999-04 to provide relief to those taxpayers in accordance with the provisions of this Bylaw;

**NOW THEREFORE**, the Council of the Town of Bon Accord, in the Province of Alberta, duly assembled, enacts as follows:

1. This Bylaw may be cited as the "2020 Tax Penalty Bylaw Amendment for COVID-19".
2. Notwithstanding the provisions of Bylaw 1999-04, for the 2020 Tax Year only:
  - i. Any current taxes or portion thereof that remain unpaid on or before August 31, 2020, shall have late payment penalties imposed on the following dates:
  - ii. On September 1, 2020 at 9% on unpaid current taxes; and
  - iii. On October 1, 2020 at 6% on unpaid current taxes.
3. For the purpose of calculating any penalty to be added to unpaid taxes, there shall be excluded from the principal sum any amount already added as a penalty in the same particular year.
4. Any penalty added to current taxes, supplementary taxes, or tax arrears shall be added to and from part of the paid taxes.
5. Except as modified by this Bylaw for the 2020 Tax Year only, in all other respects Bylaw 1999-04 is in force.
6. This Bylaw shall come into force and effect on the day that it is passed.

**TOWN OF BON ACCORD  
2020 TAX PENALTY BYLAW AMENDMENT FOR COVID-19  
BYLAW 2020-16**

---

READ A FIRST TIME THIS 7<sup>th</sup> DAY OF April 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A SECOND TIME THIS 7<sup>th</sup> DAY OF April 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A THIRD TIME THIS 7<sup>th</sup> DAY OF April 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

**Town of Bon Accord  
Bylaw #1999-04**

**BEING A BYLAW OF THE TOWN OF BON  
ACCORD IN THE PROVINCE OF ALBERTA TO  
PROVIDE FOR IMPOSITION OF PENALTIES  
ON UNPAID TAXES AND TO PROVIDE A  
PLACE AND METHOD OF PAYMENT.**

WHEREAS, Section 344, 345 & 346 of the Municipal Government Act, Statutes of Alberta, 1994, Chapter M.26.1 (the "Act"), and amendments thereto, authorizes Council to impose penalties on unpaid taxes and add said penalties as part of the taxes in respect of which they are imposed;

NOW THEREFORE, the Council of the Town of Bon Accord, in the Province of Alberta, duly assembled, hereby enacts as follows:

1. In the event of any current taxes remaining unpaid after the 30th of June in the same year in which the taxes are levied, there shall be added thereto, by way of a penalty, amounts shown in the following manner:

July 1	9%
October 1	6%,

in the same year in which the taxes are levied. This penalty shall be imposed on the outstanding principle of current taxes and shall not be imposed on any penalties.

2. In the event of any taxes remaining unpaid after the 31st of December in the same year in which they are levied, there will be added thereto, by way of penalty, an amount of fifteen percent (15%), so long as the taxes remain unpaid and that the penalty imposed will be added on the first day of January of the succeeding year. Any penalties imposed under Section 1 shall be added to and form part of the unpaid current taxes.
3. All taxes levied by the Town of Bon Accord are due and payable at the Town of Bon Accord Municipal Office. The payment will be made by cash, cheque or money order.
4. The Town of Bon Accord considers the Canada Post Office in the same light as an agent and any tax forwarded by mail and postmarked prior to any specified penalty date will be deemed to have been received prior to the penalty date.

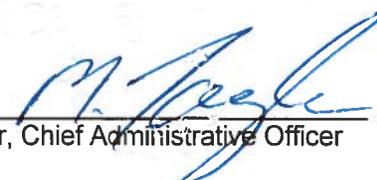
This Bylaw rescinds Bylaw #1997-01 relating to penalties on taxes and becomes effective upon third reading of this Bylaw.

READ a FIRST time this 18 Day of May, 1999.

READ a SECOND time this 18 Day of May, 1999.

READ a THIRD time and finally PASSED this 18 Day of May, 1999.

  
\_\_\_\_\_  
Dave Latta, Mayor

  
\_\_\_\_\_  
Martin Taylor, Chief Administrative Officer

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** *Special Meeting of Council*

**MEETING DATE:** **April 7, 2020**

**AGENDA ITEM:** **Taxation Bylaw # 2020-14**

**RECOMMENDATION:**

**THAT** ... the Taxation Bylaw – Bylaw #2020-14 be given 2<sup>nd</sup> reading, as presented.

**BACKGROUND:**

Overall assessments for 2020 have decreased by 1% from 2019, however due to increased costs and the new policing framework model, the amount of revenue required from municipal taxes has increased by 1%. The tax rates presented within this bylaw represent a slight increase of 2.5% for each tax assessment area.

The Government of Alberta will maintain the Alberta School Foundation Fund Requisition values at last years' (2019) rates. In addition, the government announced plans to defer the non-residential portion of the requisition for six months in order to maintain liquidity and help keep businesses viable. The ASFF requisition includes an under-levy from 2019. At the time of passing the 2019 Taxation Bylaw the ASFF requisition for 2019 had not been released and therefore values from 2018 were used and collected from ratepayers. When the school foundation released their information in October 2019, they increased their requisition value and collected more funds, thereby resulting in an under-levy for the year of \$10,616.

To date, the Homeland Housing requisition value has not been released for 2020.

To date, the designated industrial property requisition has not been released by the government. Information will be updated as received.

**FINANCIAL IMPLICATIONS: N/A**

**LEGISLATIVE HISTORY**

Property Tax Bylaw Sec 353 MGA

(1) Each Council must pass a property tax bylaw annually.

(2) The property tax bylaw authorizes the Council to impose a tax in respect of property in the municipality to raise revenue to be used toward the payment of

(a) the expenditures and transfers set out in the budget of the municipality, and

(b) the requisition.

**ALTERNATIVES:**

1. That...Council gives 2<sup>nd</sup> reading to Taxation Bylaw 2020-14.
2. That...Council declines 2<sup>nd</sup> reading of Taxation Bylaw 2020-14 and directs administration to...

**Prepared and Submitted By:** Falon Fayant

**Reviewed By:** Joyce Pierce

**Date:** March 27, 2020

**TOWN OF BON ACCORD  
2020 RATES OF TAXATION BYLAW  
BYLAW 2020-14**

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**A BYLAW TO AUTHORIZE THE RATES OF TAXATION TO BE LEVIED AGAINST ASSESSABLE PROPERTY WITHIN THE TOWN OF BON ACCORD FOR THE 2020 TAXATION YEAR.**

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**WHEREAS**, the Town of Bon Accord has prepared and adopted detailed estimates of the municipal revenue and expenditures as required, at the council meeting held December 17, 2019; and

**WHEREAS**, the estimated municipal expenditures and transfers set out in the budget for the Town of Bon Accord for 2020 total \$5,084,046 and

**WHEREAS**, the estimated municipal revenues and transfers from all sources other than taxation is estimated at \$3,084,276 and \$1,552,696 is to be raised by general municipal taxation; and

**WHEREAS**, the requisitions are:

Alberta School Foundation Fund (ASFF)	
Residential/Farmland	\$383,752
Non-residential	\$24,495
Homeland Housing	\$15,994
Designated Industrial Property (Including M&E)	\$136.54

**WHEREAS**, the Council of the Town of Bon Accord is required each year to levy on the assessed value of all property, tax rates sufficient to meet the estimated expenditures and requisitions; and

**WHEREAS**, the Council is authorized to classify assessed property, and to establish different rates of taxation in respect to each class of property, subject to the Municipal Government Act, Chapter M-26, Revised Statutes of Alberta, 2000 and

**WHEREAS**, the assessed value of all taxable property in the Town of Bon Accord as shown on the assessment roll is:

	<u>Assessment</u>
Residential	\$137,329,900
Farmland	\$63,000
Non-residential vacant	\$300,600
Machinery & Equipment	\$45,640
Non-residential	\$5,982,610
Residential – Annexed	\$1,311,710
Farmland – Annexed	\$99,100
Machinery & Equipment - Annexed	\$39,030
	<u>\$145,171,590</u>

**TOWN OF BON ACCORD  
2020 RATES OF TAXATION BYLAW  
BYLAW 2020-14**

---

**NOW THEREFORE**, under the authority of the Municipal Government Act, the Council of the Town of Bon Accord, in the Province of Alberta, enacts as follows:

1. That the Chief Administrative Officer is hereby authorized to levy the following rates of taxation on the assessed value of all property as shown on the assessment roll of the Town of Bon Accord.

	TAX LEVY	ASSESSMENT	TAX RATE
<u>General Municipal</u>			
Non-Residential (including M&E)	\$114,787	\$6,028,250	.01904147
Residential	\$1,418,277	\$137,329,900	.01032752
Farmland	\$3,118	\$63,000	.04948654
Non-Residential Vacant	\$10,393	\$300,600	.03457485
Annexed Non-Residential/M&E	\$401	\$39,030	.01028080
Annexed Residential	\$4,781	\$1,311,710	.00364490
Annexed Farmland	\$938	\$99,100	.00947000
	\$1,552,696	\$145,171,590	
<u>Education</u>			
Residential/Farmland	\$383,752	\$142,456,024	.00269382
Non-residential	\$24,495	\$5,938,121	.00412501
	\$408,247	\$148,394,145	
<u>Homeland Housing</u>	\$15,994	\$151,045,136	.00010589
<u>Designated Industrial Property (Including M&amp;E)</u>	\$136.54	\$1,737,090	.00007860

2. That levy values for annexed properties are subject to change based on Section 5(2) of Order in Council 032/2018 that states annexed land and assessable improvements must be assessed and levied as if they had remained in Sturgeon County. Therefore, those assessed properties will be subject to Sturgeon County taxation bylaw rates, once passed.
3. The minimum amount payable as property tax for general municipal purposes shall be \$300.
4. The rates in this Bylaw shall also apply to the assessed value of all designated industrial property.
5. That this Bylaw shall come into force and take effect upon the date of third reading.

**TOWN OF BON ACCORD  
2020 RATES OF TAXATION BYLAW  
BYLAW 2020-14**

---

READ A FIRST TIME THIS 17<sup>th</sup> DAY OF March 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A SECOND TIME THIS 31<sup>st</sup> DAY OF March 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

READ A THIRD TIME THIS 31<sup>st</sup> DAY OF March 2020.

\_\_\_\_\_  
Mayor David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce

If any portion of this bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** Special Council Meeting  
**MEETING DATE:** April 7, 2020  
**AGENDA ITEM:** Records Retention and Disposition Bylaw #2020-08

**RECOMMENDATION:**

**THAT....** Council approve 1<sup>st</sup> reading of Records Retention Bylaw #2020-08, as presented.

**BACKGROUND:**

In order to ensure the proper disposition and retention of records held at the Town of Bon Accord, the Records Retention Bylaw #2020-08 has been revised in accordance with:

the Canada Revenue Agency (CRA) website, which states records must be kept *“for a period of six years from the end of the last tax year they relate to”*; and in the case of records and supporting documents concerning *“long-term acquisitions and disposal of property, the share registry, or other historical information that would have an effect on the sale, liquidation or wind-up of the business”* they are to be kept *“indefinitely.”*

the Municipal Government Act (MGA);

*214(1) A council may authorize the destruction of the original bylaws and minutes of council meetings if the originals have been recorded on microfiche or on another system that will enable copies of the originals to be made.*

*(2) A council may pass a bylaw respecting the destruction of other records and documents of the municipality.*

*(3) A bylaw under subsection (2) must provide that if an individual’s personal information will be used by the municipality to make a decision that directly affects the individual, the municipality must retain the personal information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it.*

the Freedom of Information and Protection of Privacy Act (FOIP);

*35 If an individual’s personal information will be used by a public body to make a decision that directly affects the individual, the public body must*

*(b) retain the personal information for at least one year after using it so that the individual has a reasonable opportunity to obtain access to it...*

and the Limitations Act;

*3(1) Subject to subsections (1.1) and (1.2) and sections 3.1 and 11, if a claimant does not seek a remedial order within*

*(b) 10 years after the claim arose, ... the defendant, on pleading this Act as a defence, is entitled to immunity from liability in respect of the claim.*

Revisions include grammatical corrections and changes for clarification, removal of redundant categories from Schedule “A”, removal of “Calendars/Day timers” from Schedule “A”, the addition of “Audio Recordings” to Schedule “A”, and updated Disposition Periods for various categories to better align with the needs of the Town and the MGA’s suggested retention schedule. All Town department managers have been consulted in these revisions.

**FINANCIAL IMPLICATIONS:** N/A

**LEGAL IMPLICATIONS:** N/A

**LEGISLATIVE HISTORY:**

MGA RSA2000, Chapter M-26 as amended or repealed and replaced from time to time, authorizes council to pass such a Bylaw.

**ALTERNATIVES:**

1. Council approve 1<sup>st</sup> reading of Records Retention Bylaw #2020-08, as presented.
2. Council gives of Records Retention Bylaw #2020-08 1<sup>st</sup> reading and directs administration to amend, bringing back to Council for 2<sup>nd</sup> and 3<sup>rd</sup> readings.

**Prepared and Submitted By:** Jessica Caines

**Reviewed By:** Joyce Pierce

**Date:** March 24, 2020

**TOWN OF BON ACCORD**  
**RECORDS AND RETENTION DISPOSITION BYLAW**  
**BYLAW [2013-092020-08](#)**

**BEING A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, RESPECTING THE RETENTION AND DESTRUCTION OF MUNICIPAL DOCUMENTS.**

---

**WHEREAS**, Section 214 of the Municipal Government Act, Chapter M-26.1, R.S.A., [49942000](#), as amended, provides that a Council may pass a bylaw respecting the retention and destruction of records and documents of the municipality;

**WHEREAS**, it is the desire of the Town of Bon Accord to provide regulations and procedures with respect to the retention and disposal of records including, but not limited to, correspondence, records, vouchers, receipts, instruments and other documents in the custody or control of the Town of Bon Accord.

**WHEREAS**, it is the desire of the Town of Bon Accord to establish the necessary authority to release municipal records to the Alberta Archives or other Archival Centres on either a permanent loan or retention basis, and

**WHEREAS**, the authority for such regulations and authorities must be consistent with other Federal and Provincial Statutes and Regulations, in particular the Freedom of Information and Protection of Privacy Act, Chapter F-[48-525](#), R.S.A., [49942000](#) and the [Limitations Act, Chapter L-12, R.S.A. 2000.-](#)

**NOW THEREFORE**, the Council of the Town of Bon Accord in the Province of Alberta, duly assembled, enacts the following:

**TITLE**

This Bylaw shall be called the "Records Retention and Disposition Bylaw" of the Town of Bon Accord.

**Part I. DEFINITIONS AND SYMBOLS**

1. In this Bylaw, unless the content otherwise requires, the word, term or expression:
  - a) "CAO" means the Chief Administrative Officer and shall be the Administrator duly appointed by the Council of the Town of Bon Accord.
  - b) "Records" shall mean ledgers, receipts, vouchers, instruments, correspondence, maps, rolls, or other information in the custody or control of the Town of Bon Accord in any form or format.
  - c) "Disposition" means the disposal of Records via destruction or transfer of Records of enduring value to Archives.
  - d) "Confidential" shall mean any records which contains personal information about individuals, third-party, commercial, financial, scientific or technical information supplied either explicitly or implicitly in confidence or other sensitive information as described in the Freedom of Information and Protection of Privacy Act.
  - e) "General Records" shall mean those records, which are used in day to day operations and are required to formulate recommendations, are used for scheduling and as information to assist in the efficient operation of the Town of Bon Accord.
  - f) "Transitory Records" shall mean records that have short-term, immediate or no value and will

**TOWN OF BON ACCORD**  
**RECORDS AND RETENTION DISPOSITION BYLAW**  
**BYLAW [2013-092020-08](#)**

not be required for future reference. Refer to "Schedule B" for a more detailed definition of Transitory Record.

2. When used in this Bylaw and the Schedules attached, as well as, in the operation of any Records Management Systems established consistent with this Bylaw, the following symbols shall be used to designate the form of retention or disposal required.
  - D - Destroy
  - P - Permanent Retention
  - A - Permanently Held in Alberta or other Archival Center
  - T - Transfer to Appropriate Authority
  - R - Review at a Later Date

**Part II. RECORDS RETENTION AND DESTRUCTION**

1. All Transitory Records, which do not contain confidential information, shall be disposed of at any time, when they no longer serve any valid purpose.
2. All Transitory Records containing potentially confidential information shall be disposed of in a manner so that the information contained within it is completely obliterated, at any time, when they no longer serve any valid purpose.
3. All General Records of the Town of Bon Accord shall be destroyed in accordance with "Schedule A".
4. Should an individual's personal information be used by the Town of Bon Accord to make a decision that directly affects the individual, the Town of Bon Accord shall retain the personal information for at least one (1) year from the date it was used to make the determination, so that the individual has a reasonable opportunity to obtain access to it.
5. Where, in this Bylaw and "Schedule A" and "Schedule B" attached hereto, it is provided that particular records in the custody or control of the Town of Bon Accord shall be:

**Destroyed (D);**

Such records shall be destroyed, so that the information contained ~~in it~~ is completely obliterated, without any copy being retained or another approved long-term storage media: and

**Permanent (P);**

Such original records shall be preserved and never destroyed, excepting original records which have been recorded on microfilm; and

**Permanently Held in Archives (A):**

Such records shall be released to either of Provincial Archives or other local archives upon decision and direction of the CAO. A copy of the transferred record index shall be permanently retained on file; and

**Transferred to an Appropriate Authority (T):**

**TOWN OF BON ACCORD**  
**RECORDS AND RETENTION DISPOSITION BYLAW**  
**BYLAW [2013-092020-08](#)**

Such records shall be transferred to the authority responsible for the records upon decision and direction of the CAO, when they are no longer under the authority or responsibility of the Town of Bon Accord. A copy of the transferred record index shall be permanently retained on file by the Town.

**Reviewed at a Later Date (R):**

Such records are those where retention or destruction cannot be determined at the time the record originated. These records will be retained for a period of two (2) years then reviewed for a final retention or destruction decision.

6. The CAO shall always have the discretion to retain records longer than the period provided for in the Bylaw and shall do so where the CAO deems it appropriate. Such decisions to retain the records longer than the period provided for herein must be recorded.

Where the CAO has received an indication that there will be litigation involving any records scheduled for destruction the CAO is obligated to retain the said records until such litigation is complete. Such decisions to retain the records longer than the period provided for herein must be recorded.

7. Where the CAO has received an indication that there is or may be a FOIPP request involving any record scheduled for destruction, that CAO is obligated to retain said records for a period of two (2) years after the FOIPP request has been made. Such decisions to retain the records longer than the period provided for herein must be recorded.

8. When records have been destroyed under this Bylaw, with the exception of records destroyed under Part II, Section 1 and 2, the CAO shall so certify in writing. Such certification shall refer to the relevant schedule and item of this Bylaw and must identify the records destroyed.

9. The CAO shall keep an index of:
- Records Destroyed
  - Records Transferred to Archives
  - Records Transferred to Another Authority.

10. Where records are destroyed under this bylaw, the proper and complete destruction is the responsibility of the CAO.

11. When records are recorded on microfilm, and /or any other electronic means of capture, the CAO shall ensure that such recordings are properly prepared, identified and indexed.

12. Destruction of all records shall be carried out in the presence of a witness. The person destroying the records shall provide a statement in writing attesting to the date and location of the destruction of the records, together with a list of records destroyed and also the names of the persons who witnessed the destruction. The statement of disposition shall be permanently filed with the Town of Bon Accord.

13. Election material that has been locked/sealed in ballot boxes may be destroyed in accordance with the provisions of the Local Authority Election Act, RSA.

**TOWN OF BON ACCORD  
RECORDS AND RETENTION DISPOSITION BYLAW  
BYLAW ~~2013-09~~2020-08**

14. The CAO will ensure that the retention schedule shall be adhered to and that annual audits of the records will be conducted to ensure compliance with this Bylaw.
15. All general records, those records held in the general filing system of the Town of Bon Accord (~~excluding~~ rolls, receipts, vouchers, invoices, any financial ledgers of this means), shall be stamped or labelled "Retain To:"
  - a) The records to be retained as outlined in "Schedule A" shall also ~~illustrate~~ indicate the date in which it is to be retained to.
  - b) All records to be permanently retained shall have no date but shall indicate (P) - Permanent Retention.
16. Files are to be held until the appropriate time frame after the date of last file activity. (Ie. If a file is ATIP'd, FOIPP'd or in litigation the countdown starts over)
17. Bylaw ~~1999-07~~2013-19 is hereby repealed.
18. This Bylaw comes into force on the final passing thereof.

READ A FIRST TIME THIS ~~XX DAY OF XX 2020~~<sup>5<sup>th</sup></sup> ~~DAY OF November A.D. 2013~~

READ A SECOND TIME THIS ~~18<sup>th</sup>~~ ~~xX~~ DAY ~~XX OF~~ ~~November A.D. 2013~~

READ A THIRD TIME AND FINALLY PASSED THIS ~~XX~~<sup>18<sup>th</sup></sup> DAY OF ~~xXX~~ ~~November A.D.~~  
~~2013~~

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Mayor, ~~Randolph Boyd~~David Hutton

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Chief Administrative Officer, ~~Vicki Zinyk~~Joyce Pierce

TOWN OF BON ACCORD  
RECORDS AND RETENTION DISPOSITION BYLAW  
BYLAW [2013-092020-08](#)

DRAFT

**TOWN OF BON ACCORD  
RECORDS AND RETENTION DISPOSITION BYLAW  
BYLAW [2013-092020-08](#)**

**Schedule A DISPOSITION**

**SCHEDULE**

The subject matter is listed alphabetically followed by a suggested retention period. The retention period is identified by "P" (permanent retention) or expressed by a figure in years such as 5 (five years), or other specified comments such as Superseded (replaced or take the place of) or Obsolete (no longer in use) identified as "S/EO".

<b>File -Type</b>	<b>Description</b>	<b>Suggested Disposition Period <u>in</u> Years</b>
Accountants	Working Papers	7
Accounts Paid	Summary Sheet	<del>p</del> P (filed with minutes)
	Payable Vouchers	7
	Receivable Duplicate	7
Administration	Reports (not part of minutes)	7
Advertising	General	2
	As per Legislation	7
Agendas	Part of Minutes	<del>p</del> P
Agenda Packages	File Copy	2 (original documents of package filed elsewhere)
Agreements/Contracts	Development	<del>7</del> S/O +12
	Forms	12S/O+5
	General	S/O+512
	Government	S/O0+5
	Major Legal	S/O +12S/O+7
	Minor <u>Legal</u>	S/O +12S/O+5
	Mutual Aide	S/O0+7
	Service	S/O0+5
Annexations	All Correspondence	7
	Final Order	<del>p</del> P
Announcements	General	3
Annual Reports	Municipal	7
	Local Boards	5

**TOWN OF BON ACCORD  
RECORDS AND RETENTION DISPOSITION BYLAW  
BYLAW [2013-092020-08](#)**

<b>File -Type</b>	<b>Description</b>	<b>Suggested -Disposition Period <u>in</u> Years</b>
Applications	Employment	(see Personnel)
	Site Plan Approval	2
	Subdivision (after final approval)	<del>7</del> 3
Appointments	Other than those in minutes	3
Approvals	Government	S/O+ 7
Architect Drawings	Buildings, Park Sites, etc.	P
Assessment	Appeals	<del>12</del> 7
	Assessment Review Board Minutes	P
	Assessment Review Records	7
	Balancing Records	7
	Equalized Assessments	P
	Pipeline	P
	Rolls	P
Assets	Ledger	P
	Record of Surplus	5
	Temporary Files	2
<a href="#">Audio Recordings</a>		<a href="#">Once minutes approved</a>
Bank	Deposit/Pass Books	7
	Deposit Slips	7
	Memos (Debit & Credit)	7
	Reconciliation	7
	Statements	7
Boards	Authority & Structure	<del>S/O + 5</del>
	Minutes	P
	Routine Correspondence	5
Briefs/Reports	To Council	P (filed with minutes)
Budgets	Estimates Working Papers	3
	Final Capital	P (filed with minutes)
	Final Operating	P (filed with minutes)
Building Permits		(see Permits)
Bylaws	All	P
<a href="#">Calendars/Daytimers</a>	<a href="#">All Staff</a>	<del>5</del>

**TOWN OF BON ACCORD**  
**RECORDS AND RETENTION DISPOSITION BYLAW**  
**BYLAW [2013-092020-08](#)**

<b>File Type</b>	<b>Description</b>	<b>Suggested Disposition Period <del>in</del> Years</b>
Cash	Disbursements Journal	7
	Duplicate Receipts	7
	Receipt Journal	7
Certificates	Compliant	P (filed in land files)
	Tax	7
	Of Title	P (filed in land files)
Census	Reports	<del>10</del> 12
Cheques	Paid (cancelled)	7
	Register	7
	Stubs	7
Claims	Notice of	<del>S/O +12</del> 0
	Statement of	<del>S/O +12</del> 0
Committee	Council Committee Minutes	P
Compensation	Records	<del>7</del> 10
Complaints	Citizen	<del>3 in binder; P as digitized files in iCity</del> 7
Compliant Certificates		(see Certificates)
Computer Cards		1
Contracts		(see Agreements)
Construction Projects		<del>S/O</del> 0 +7
Council	Minutes	P
Courses & Conference Material		<del>3</del> 5
Court Cases		<del>S/O +12</del> 7 years after
Debentures		<del>S/O</del> 0 +7
Destroyed Records Index		P
Development Permits		(see Permits)
Easements		P (file in land files)

**TOWN OF BON ACCORD  
RECORDS AND RETENTION DISPOSITION BYLAW  
BYLAW [2013-092020-08](#)**

<b>File -Type</b>	<b>Description</b>	<b>Suggested Period <del>i</del>n Years</b>
Elections	Nomination Papers	As per LAEA
	Records	As per LAEA
Engineering	Drawings	<del>S/0</del> + 7P
Employee Benefits	ARC, EHC, Dental, etc. files	75
	Local Authorities Pension Plan	P- (annual summary)
	W.C.B. Claims	<del>P</del> (file in personnel files) 5-7
Employees	Job Applications (hired)	(see Personnel)
	Job Applications (not hired)	(see Personnel)
	Job Descriptions	(see Personnel)
	Oaths of Office	<del>P</del> 1 after position vacated
	Personnel Files	(see Personnel)
Financial Statements	Final/Year End	P (file with minutes)
	Interim	7
	Month End	P (filed with minutes)
	Working Papers	3
Franchises		P
Government Corr. <del>esp.</del>	General in Nature	5
Historical	Awards	P
	First <del>s</del> of <del>s</del>	P/A
	Special Events directly related to Village	P
Income Taxes	Deductions	7
	TDI Forms	<del>S/0</del> + 1
	T4 Slips	7
	T4 Summaries	7
Inquiries	From the Public	3
Insurance	Accident Reports (no claim filed)	10
	Accident Reports (claim filed)	5 (after settled)
	Claims	<del>5</del> -12 (after settled)
	General Info/Annual Reports & Listings	S/00+3
Inventory Listings	Annual reports	7
Investment Notes		S/0-0 +7

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<b>File -Type</b>	<b>Description</b>	<b>Suggested Disposition Period In Years</b>
Invoices		7
Job Descriptions		(see -Personnel)
Lab Reports	Water, Sewer, Gas, etc.	5
Land	Appraisals	1 (after sold)
	Files	P
	Titles	P (file in land files)
Leases	All	S/O + 7
Legal	Opinions	7
	Proceedings	7
Legislation	Act	S/O + 1
Licenses	Applications	3
	Business	<a href="#">S/O+35 after expired</a>
	Literature	2
Loans	From Bank	S/O + 7
	To Other Organizations	S/O + 7
Local Improvements	Records	P
Maps	Base (original)	P
	Contour	P
Maintenance Reports	To Administration and/or council	(see Reports)
Minutes	Board	P
	Council	P
	Committee	P
	Third Party Copies (ie: Lodge)	3
Municipal Affairs		(See Gov't Corresp.)
Newsletters	Public	3
Newspapers	Local only	1
Organization	Structure & Records	5 S/O

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<b>File_Type</b>	<b>Description</b>	<b>Suggested Disposition Period <del>i</del>n Years</b>
Payroll	Absentee Records	7
	Employment Insurance Records	<del>p</del> (filed in personnel 5 after cessation of employment files)
	Garnishees	3 after garnish removed
	Individual Earnings Record	<del>P</del> 6
	Journal	<del>6</del> P
	Pension - Annual Summary	P
	Remittance Records	7
	Time_Cards	4
	<del>Time Sheets—Daily—</del>	<del>7</del>
	<del>TD1</del>	<del>S/O+1</del>
	T4's and T4 Summaries	7
Permits	Development/Building	P (file in land files @YE)
Personnel	Employee Personnel Files	<del>P</del> 1 after cessation or 6
	Employment	1
	Employment Applications (hired)	<del>P</del> (file in Personnel files)3
	Job Descriptions	(see Policy) 3 after position abolished
	Record of Employment	P (file in Personnel files)
	Salary Grids	<del>S/O</del> +5
	Salary Surveys	5
Petitions		<del>7</del> 10
Plans	Official	P
	Official (amendments)	P
	Subdivision	P
Policy		<del>S/O</del> + 5
Progress Reports	Project	7
Property Files		P until sold + 10
Prosecution	All	7
Publications	Local Reports	3
	Newspapers	1
Public Auction		(see Taxes)
Purchase	Land	<del>S/O</del> +7until sold + 12
	Orders	7

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<b>File- Type</b>	<b>Description</b>	<b>Suggested Disposition Period <u>in</u> Years</b>
Quotes		5
Receipts	Books	7
	Duplicate Cash	7
	Registration	7
Receptions & Special Events (non- <del>H</del> historic)		3
Reference Material		3 (or as long as relevant)
Reports	Accident	<del>10</del> <a href="#">S/O + 12</a>
	Admin/P.W./FCSS -- to CAO	7
	-to Council	P (filed with minutes)
	Accident Statistics	<a href="#">S/O + 12</a>
	Field	<a href="#">S/O + 12</a>
	<a href="#">Safety</a>	<a href="#">Refer to OH&amp;S Act</a>
Requisitions	Annual	P (filed with budget)
	Duplicate - general files	7
Resolutions	Minutes	P
<a href="#">Record of Employment</a>		<a href="#">P (filed in Personnel file)</a>
Right of Ways		(see Easements)
Salary Grids		(see Personnel)
Salary Surveys		(see Personnel)
Signs	Inventory Register	P
Studies	Produced Specific for Village	P
Subdivision	After Final Approval	<del>7</del> <a href="#">12</a>
Tax Recovery	Records (All)	P

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<b>File Type</b>	<b>Description</b>	<b>Suggested Period In Years</b>
Taxes	Arrears Cards	<del>4</del> 7
	Arrears Notifications	<del>4</del> 7
	Final Billing	<del>4</del> 12
	Grant <del>i</del> n Lieu Records	7
	Municipal -Credits	7
	Public Auction Documentation	P
	Receipts	7
	Rolls	P
	Sale Deeds	P
	Tax Certificates	(see Certificates)
	Trial Balance Reports	7
<del>Termination</del>	<del>Employees</del>	<del>P</del>
Tenders	Files	<del>7</del> 12
	Successful	<del>7</del> 12
	Purchase Quotations	<del>7</del> 12
	Unsuccessful	5
Timesheets		(see Payroll)
Traffic	Streets	7
Trial Balances	Monthly	<del>2-3</del> (if YE recap report avail)-avail)
	Yearly	(see Year End)
Utility Billings		2 (if YE recap report avail)
<del>Vendors</del>	<del>Acknowledgement To</del>	<del>2</del>
	<del>Contracts</del>	<del>(see Agreements)</del>
	<del>Suppliers Files</del>	<del>3</del>
Vouchers		7
<del>Vendors</del>	<del>Acknowledgement To</del>	<del>2</del>
	<del>Contracts</del>	<del>(see Agreements)</del>
	<del>Suppliers Files</del>	<del>3</del>
Writs		<del>4</del> 12
Weed Control -Reports		<del>3</del> 1 until updated

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<b>File Type</b>	<b>Description</b>	<b>Suggested Disposition Period <u>in</u> Years</b>
Year End Files	Accounts Payable	7
	Accounts Receivable	7
	Assessment	P
	General Ledger	10
	Financial Statements	P
	Payroll	P
	Tax Account Payment Recap	7
	Trial Balances	7
	Utility Account Payment Recap	7
	Zoning	Applications to Amend & follow-up procedures
Bylaws		<u>P</u>

In the event that a document to be retained is not specifically listed, the CAO may determine as to what file type category the document is similar and follow that suggested retention period.

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**Schedule B TRANSITORY**

**RECORDS**

**Definition of Transitory Record:**

Transitory records are records such as memos, letters, reports, computer files, voice or e-mail messages, etc. that you create or receive while doing your job that have only short-term, immediate or no future value to the municipality.

~~[Transitory records can legally and routinely be destroyed](#)~~

[Transitory records can legally and routinely be destroyed.](#)

There are no firm rules as to what is and is not a transitory record. The decision will be based on the judgment of each employee.

If the information in a record will have some future administrative, financial, legal, research or historical value to the municipality then it is not transitory and should be filed. (refer to "Schedule A" of this Bylaw). For example, e-mail messages that record approvals, recommendations, opinions, decisions or government business transactions. These have future value and are not transitory.

***Categories of Transitory Records:***

**Part I. Temporary Information**

This includes telephone messages, routing slips, post-it notes, opened envelopes, memos, notes and messages (either paper, voice or electronic) where the information has only immediate or very short-term value. Once they have been used to perform the required activities, the records have no further value.

On occasion, records such as these must be kept. Envelopes might be kept because the time and date of receipt are stamped on them. A telephone message slip may have to be filed as it provides evidence of an individual calling at a certain time and date. If there is any doubt as to whether recorded information will have any future reference value, file the record.

**Part II. Duplicates**

This includes exact reproductions of a master document. Common examples are photocopies, or extra copies printed from a computer system or by a commercial printer. After the master version has been filed, the duplicate may be destroyed. Clearly identify duplicates that are circulated strictly for reference purposes, so they are not filed.

Someone adding handwritten comments, notes or initials to it can sometimes alter a duplicate. This action creates a new record. If this added information will have future value to the

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municipality, file the document.

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**Part III. Draft Documents and Working Material**

This includes source material used in the preparation of documents and earlier versions of final documents. Usually, drafts and working materials, where paper or electronic, do not have long-term value and can be destroyed as transitory records.

Some exceptions include drafts and working papers related to the preparation of legislation, legal documents, budgets, policies, standards, guidelines and procedures. These documents may not be transitory if the municipality was primarily responsible for their creation. This information may have some future value to the municipality that warrants filing it.

**Part IV. Publications**

This includes books, magazines, periodicals, pamphlets, brochures, journals, newspapers and software documentation obtained from sources *outside* the municipality. If they have no future value and their usefulness is finished, they can be discarded in accordance with the municipality's guidelines.

Master copies of publications produced by or for the municipality are not transitory and should be filed. Extra copies are transitory once the publication is obsolete and may be destroyed. If it is believed that an obsolete publication has some historical significance, the Provincial Archives of Alberta or the local Archives may be contacted.

**Part V. Direct Mail**

This includes solicited or unsolicited information received from organizations or individuals advertising their products or services. If it is directly relevant to the operation of the municipality, this material may be filed for future reference. The vast majorities of these types of documents are "junk mail" and can routinely be destroyed.

**Part VI. Blank Information Media**

This includes anything that was created or acquired for the purpose of collection or storing information but which has not been used and has become obsolete. Example: blank forms.

This category can be used when storage media information must be physically destroyed such as videos, audio or dictation tapes, diskettes, magnetic tapes, disk drives, or optical disks, where:

- Sensitive or confidential information was previously stored
- Where that information was erased according to an approved records retention and disposition schedule; and
- Where it is possible that someone could recover the erased information by technical means.

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**Part VII. Process for Transitory Records Disposal:**

Disposal of transitory records depends on two factors:

- Whether or not the records are confidential, and
- The physical format or medium of the records.

**Part VIII. Confidentiality**

Many transitory records do not contain confidential information, but some include personal information about individuals, third-party business information, cabinet confidences, or other sensitive information. Section 15 - 28 of the Freedom of Information and Protection of Privacy Act provides guidance on what could be considered sensitive or confidential.

Obsolete blank forms that could be misused should be treated as confidential transitory records. Example: purchase orders.

**Part IX. Physical Format**

The two most common record formats are paper and electronic media. Paper records can be recycled, pulped or shredded. Records on electronic media can be deleted through a specific action or erased automatically after a specified period of time. Information obtained from Alberta Public Works, Supply and Services: "A Guide to Identifying and Disposing of Transitory Records" brochure.