

**Town of Bon Accord**  
**AGENDA**  
**Regular Council Meeting**  
**January 21, 2020 8:30 am**  
**Council Chambers**

- 1. CALL TO ORDER**
- 2. ADOPTION OF AGENDA**
- 3. ADOPTION OF MINUTES**
  - 3.1. Regular Meeting of Council – January 7, 2020 (enclosure)
- 4. DEPARTMENT REPORTS**
  - 4.1. Finance (enclosure)
  - 4.2. Community Services (enclosure)
  - 4.3. Operations (PW) (enclosure)
  - 4.4. Planning and Economic Development (enclosure)
  - 4.5. Chief Administrative Officer (CAO) (enclosure)
- 5. UNFINISHED BUSINESS**
  - 5.1. Gift for Peggy Teneycke (enclosure)
  - 5.2. Council Request for Roles and Responsibilities (enclosure)
- 6. NEW BUSINESS**
  - 6.1. Use of Council Chambers (enclosure)
  - 6.2. Lilian Schick Career Fair (enclosure)
  - 6.3. ICF Waste to Energy Pilot Project
  - 6.4. Utility Account Write-offs (enclosure)
  - 6.5. Estate of Dr. Douglas Palmer (enclosure)
- 7. BYLAWS/POLICIES/AGREEMENTS**

**BYLAWS**

  - 7.1. Waste Collection Bylaw #2020-02 – 2<sup>nd</sup> and 3<sup>rd</sup> readings (enclosure)
  - 7.2. Wastewater Bylaw #2020-01 – 2<sup>nd</sup> and 3<sup>rd</sup> readings (enclosure)
  - 7.3. Tax Installment Payment Plan (TIPP) Bylaw #2020-03 – 2<sup>nd</sup> and 3<sup>rd</sup> readings (enclosure)
  - 7.4. Cemetery Bylaw #2020-04 – 1<sup>st</sup> reading (enclosure)
  - 7.5. Borrowing Bylaw – Capital #2020-06 – 1<sup>st</sup> reading (enclosure)
  - 7.6. Borrowing Bylaw – Operating #2020-07 – 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings (enclosure)
- 8. WORKSHOPS/MEETINGS/CONFERENCES**
  - 8.1. FCM Conference 2020 (enclosure)
- 9. COUNCIL REPORTS**
  - 9.1. Mayor Hutton (enclosure)
  - 9.2. Deputy Mayor Bidney (enclosure)
  - 9.3. Councillor May (enclosure)
  - 9.4. Councillor Laing (enclosure)

**Town of Bon Accord**  
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- 9.5. Councillor Holden (enclosure)
- 10. CORRESPONDENCE**
- 10.1. Municipal Affairs – Assessment Year Modifiers
- 10.2. Alberta Health Services – Legalization of Edibles, Extracts and Topicals
- 11. CLOSED SESSION**
- 11.1. Intermunicipal Collaboration and Intermunicipal Development Plan
- 11.2. Business Development – *FOIP Act - Disclosure harmful to business interests of a third-party*  
*Section 16(1)(a)(i)(ii)(b)*
- 12. ADJOURNMENT**

**Town of Bon Accord**  
**Regular Meeting of Council Minutes**  
**January 7, 2020**  
**7 pm**



**PRESENT**

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

**ADMINISTRATION**

Joyce Pierce, Chief Administrative Officer

**CALL TO ORDER**

Mayor Hutton called the meeting to order at 7:00 pm.

**ADOPTION OF AGENDA**

DEPUTY MAYOR BIDNEY MOVED THAT the agenda be accepted as amended with the following additions:

***Hinkey Delegation; FOIP Act 23(1)(a) – Local public body confidences***

**CARRIED RESOLUTION 20-001**

**ADOPTION OF MINUTES**

***Regular Meeting of Council – December 17, 2019***

COUNCILLOR HOLDEN MOVED THAT the minutes of the regular meeting of council held on December 17, 2019 be accepted, as presented.

**CARRIED RESOLUTION 20-002**

**UNFINISHED BUSINESS**

***Council Request for Roles and Responsibilities***

COUNCILLOR LAING MOVED THAT Council direct administration to advise Municipal Affairs of the date January 31, 2020 and that all Council members will be in attendance.

**CARRIED RESOLUTION 20-003**

**NEW BUSINESS**

***Dog Park at Bon Acres | Sign Removal***

COUNCILLOR HOLDEN MOVED THAT Council direct administration to bring back further information regarding a dog park with previous history already researched.

**CARRIED RESOLUTION 20-004**

**Town of Bon Accord**  
**Regular Meeting of Council Minutes**  
**January 7, 2020**  
**7 pm**

COUNCILLOR LAING MOVED THAT Council direct administration to remove the signage at Bon Acres Park, leaving the post.

**CARRIED RESOLUTION 20-005**

***2020 Council Workshop Dates***

MAYOR HUTTON MOVED THAT Council approve holding the Council Workshop February 20 and 21, 2020.

**CARRIED RESOLUTION 20-006**

***Advertising Open House Clinic and Pharmacy***

COUNCILLOR HOLDEN MOVED THAT Council approve the scheduled date of January 24, 2020 from 10am to noon for the Medical Clinic and Pharmacy Open House AND THAT Mayor Hutton, Deputy Mayor Bidney, Councillor Laing and Councillor Holden will be in attendance.

**CARRIED RESOLUTION 20-007**

**BYLAWS | POLICIES | AGREEMENTS**

**BYLAWS**

***Water Bylaw #2019-16***

DEPUTY MAYOR BIDNEY MOVED THAT Water Bylaw #2019-16, be given second reading, as presented.

**CARRIED RESOLUTION 20-008**

COUNCILLOR HOLDEN MOVED THAT Water Bylaw #2019-16, be given third and final reading, as presented.

**CARRIED RESOLUTION 20-009**

***Wastewater Bylaw #2020-01***

COUNCILLOR MAY MOVED THAT Wastewater Bylaw #2020-01, be given first reading, as presented.

**CARRIED RESOLUTION 20-010**

***Tax Installment Payment Plan (TIPP) Bylaw #2020-03***

COUNCILLOR LAING MOVED THAT Tax Installment Payment Plan (TIPP) Bylaw #2020-03, be given first reading, as presented.

**CARRIED RESOLUTION 20-011**

***Waste Collection Bylaw #2020-02***

DEPUTY MAYOR BIDNEY MOVED THAT Waste Collection Bylaw #2020-02, be given first reading, as presented.

**CARRIED RESOLUTION 20-012**

**POLICIES**

***Cellular Phones & Communication Devices Policy #14-152***

MAYOR HUTTON MOVED THAT Council approve the Cellular Phones & Communication Devices Policy #14-152, as presented AND THAT Council accepts the Cellular Phones & Communication Devices Procedure, as information.

**Town of Bon Accord**  
**Regular Meeting of Council Minutes**  
**January 7, 2020**  
**7 pm**



**CARRIED RESOLUTION 20-013**

**WORKSHOPS | MEETINGS | CONFERENCES**

***AUMA President's Summit on Municipal Finances***

DEPUTY MAYOR BIDNEY MOVED THAT Council accept the AUMA President's Summit on Municipal Finances, as information.

**CARRIED RESOLUTION 20-014**

**CORRESPONDENCE**

COUNCILLOR HOLDEN MOVED THAT Council accept the correspondence, as information.

**CARRIED RESOLUTION 20-015**

**CLOSED SESSION**

***Letter In Review; FOIP Act 29(1)(b) – Information that is or will be available to the public***  
***Hinkey Delegation; FOIP Act 23(1)(a) – Local public body confidences***

DEPUTY MAYOR BIDNEY MOVED THAT Council move to closed session at, 8:00 pm.

**CARRIED RESOLUTION 20-016**

COUNCILLOR HOLDEN MOVED THAT Council return to open meeting at 8:45 pm.

**CARRIED RESOLUTION 20-017**

***Letter in Review; FOIP Act 29(1)(b) – Information that is or will be available to the public***

DEPUTY MAYOR BIDNEY MOVED THAT Council direct administration to mail the Year in Review letter to residents.

**CARRIED RESOLUTION 20-018**

***Hinkey Delegation; FOIP Act 23(1)(a) – Local public body confidences***

COUNCILLOR MAY MOVED THAT Council direct administration to send Mr. Hinkey the answer to his questions and close the file.

**CARRIED RESOLUTION 20-019**

**ADJOURNMENT**

COUNCILLOR HOLDEN MOVED THAT the January 7, 2020 regular meeting of council adjourn at 8:50 pm.

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Mayor David Hutton

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Joyce Pierce, CAO

# Council Report

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**Date:** January 21, 2020

**Department:** Finance

**Submitted by:** Falon Fayant

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## **GENERAL MUNICIPAL**

As of December 31, 2019, 95% of current municipal taxes were collected. A penalty of 15% was applied on all outstanding balances after the year end, effective January 1, 2020. On October 24, the town received the updated ASFF (Alberta School) requisition for 2019. The requisition increased by 3% from \$387,015 to \$397,631. The final invoice for 2019 was withdrawn in December for \$107,369 based on the 2019 requisition amount and included adjustments related to the March, June, and September 2019 invoices that reflected the increase as well.

## **PUBLIC WORKS**

Roads and storm sewer are in line with budget, both for revenues and expenses. Water and sewer sales and purchases are both coming in under budget currently. This is due to sending an average of 1,000m<sup>3</sup> less this year compared to 2018. Truckfill sales are slightly over budget. Contracted services for water and sewer are forecasted to be close to or slightly over budget due to main valve repairs. Garbage is forecasted to be on budget for revenue and expenses. Final invoices and year-end adjustments are still coming in.

## **PROTECTIVE SERVICES**

Contracted fire support invoice not yet received. Final invoices and year-end adjustments are still coming in.

## **ADMINISTRATION**

Administration revenue and expenses are forecasted to be on or under budget for the year. Final invoices and year-end adjustments are still coming in. The audit is scheduled for February 12-14, 2020.

## **COMMUNITY SERVICES**

Community services revenue and expenses are forecasted to be on or under budget overall. Final invoices and year-end adjustments are still coming in.

## **PARKS & RECREATION**

The summer season came to a successful end. Grant receipt for summer students has been received. Overall, expenses came in under budget.

## **ARENA**

The arena is open and is generating operating revenue and expenses for the 2019-2020 season. Final invoices and year-end adjustments are still coming in.

## **ECONOMIC DEVELOPMENT**

Economic development revenue and expenses are forecasted to be on or under budget. Final invoices and year-end adjustments are still coming in.

## **CAPITAL**

Sources of capital revenue will be MSI and GTF. Due to the 49<sup>th</sup> Avenue and Arena Upgrade projects not approved for ICIP grant funding, administration is forecasting there will be no carry-forward of either MSI or GTF funds. MSI applications for 49<sup>th</sup> Avenue Reconstruction and the Arena Upgrades projects have been revised to reflect the amended total financial support required.

### **Projects:**

*49<sup>th</sup> Avenue Reconstruction:* Some final expenditures still coming in. Current expenses: \$352,331

*Arena LED Lighting Retrofit:* The lights have been installed. Current expenses: \$33,300

*Arena Upgrades:* Completed for the year. Current expenses: \$59,312

*Development Infrastructure:* Master servicing plan, currently in progress. Expenses to date: \$141,596

*Ventrac Mower:* Purchased \$50,566

*Administration iCity Upgrade:* Ongoing project, training is underway. Expenses to date: \$13,007

**Town of Bon Accord**  
Year-to-Date Variance Report (*Unaudited*)  
for the month ending December 31, 2019

Department	2019 YTD Revenue		2019 YTD Revenue	2019 YTD Expense		2019 YTD Expense	2019 YTD Net	2019 YTD Net	2019 YTD Net	% Variance
	Actual	Budget	Variance	Actual	Budget	Variance	Actual	Budget	Variance	
General Municipal	2,235,012	2,248,865	-13,853	412,160	403,064	-9,096	1,822,852	1,845,801	-22,949	1%
	<b>2,235,012</b>	<b>2,248,865</b>	<b>-13,853</b>	<b>412,160</b>	<b>403,064</b>	<b>-9,096</b>	<b>1,822,852</b>	<b>1,845,801</b>	<b>-22,949</b>	
Public Works - Roads	13,024	12,500	524	362,159	430,556	-68,397	-349,135	-418,056	68,921	16%
Storm Sewer & Drain	0	0	0	16,867	17,527	-660	-16,867	-17,527	660	4%
Water	422,871	497,000	-74,129	535,961	604,606	-68,645	-113,089	-107,606	-5,483	5%
Sewer	248,263	324,600	-76,337	274,332	338,306	-63,974	-26,069	-13,706	-12,363	90%
Garbage	126,540	143,566	-17,026	162,305	163,065	-760	-35,764	-19,499	-16,265	83%
Cemetery	6,650	5,500	1,150	6,673	9,065	-2,392	-23	-3,565	3,542	99%
	<b>817,348</b>	<b>983,166</b>	<b>-165,818</b>	<b>1,358,296</b>	<b>1,563,125</b>	<b>-204,829</b>	<b>-540,948</b>	<b>-579,959</b>	<b>39,011</b>	
Fire Department	8,752	8,752	0	23,919	47,905	-23,986	-15,166	-39,153	23,987	61%
Emergency Services	0	0	0	17,020	17,803	-783	-17,020	-17,803	783	4%
Bylaw	53,826	53,236	590	29,548	49,236	-19,688	24,277	4,000	20,277	507%
	<b>62,578</b>	<b>61,988</b>	<b>590</b>	<b>70,487</b>	<b>114,944</b>	<b>-44,457</b>	<b>-7,909</b>	<b>-52,956</b>	<b>45,047</b>	
Administration	2,922	67,500	-64,578	372,988	528,457	-155,469	-370,067	-460,957	90,890	20%
Election	0	0	0	4,068	1,000	3,068	-4,068	-1,000	-3,068	307%
Library	11,948	10,480	1,468	33,569	56,824	-23,255	-21,621	-46,344	24,723	53%
Lilian Schick	3,508	400	3,108	0	0	0	3,508	400	3,108	777%
Council	0	0	0	84,722	99,647	-14,925	-84,722	-99,647	14,925	15%
	<b>18,377</b>	<b>78,380</b>	<b>-60,003</b>	<b>495,347</b>	<b>685,928</b>	<b>-190,581</b>	<b>-476,970</b>	<b>-607,548</b>	<b>130,578</b>	
Community Services	42,872	43,981	-1,109	84,578	92,666	-8,088	-41,706	-48,685	6,979	14%
Recreation Programs	29,983	27,433	2,550	70,913	84,116	-13,203	-40,930	-56,683	15,753	28%
Parks & Recreation	28,458	18,300	10,158	120,982	114,052	6,930	-92,524	-95,752	3,228	3%
Arena	184,639	175,000	9,639	208,356	252,683	-44,327	-23,717	-77,683	53,966	69%
Municipal Planning	8,019	6,600	1,419	112,334	198,192	-85,858	-104,315	-191,592	87,277	46%
Economic Development	1,777	0	1,777	91,500	117,544	-26,044	-89,723	-117,544	27,821	24%
	<b>295,747</b>	<b>271,314</b>	<b>24,433</b>	<b>688,662</b>	<b>859,253</b>	<b>-170,591</b>	<b>-392,915</b>	<b>-587,939</b>	<b>195,024</b>	
TOTAL	<b>1,194,051</b>	<b>1,394,848</b>	<b>-200,797</b>	<b>2,612,792</b>	<b>3,223,250</b>	<b>-610,458</b>	<b>-1,418,741</b>	<b>-1,828,402</b>	<b>409,661</b>	
TOTAL (incl. Gen Mun.)	<b>3,429,063</b>	<b>3,643,713</b>	<b>-214,650</b>	<b>3,024,952</b>	<b>3,626,314</b>	<b>-619,554</b>	<b>404,111</b>	<b>17,399</b>	<b>386,712</b>	
CAPITAL	335,194	429,181	-93,987	733,838	880,000	-146,162	-398,643	-450,819	52,176	12%



# Council Report

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**Date:** January 14, 2020

**Department:** Community Services

**Submitted by:** Jenny Larson

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## **COMMUNITY SERVICES**

### **Pickleball**

The first drop-in Pickleball session was held on Monday January 6, 2020. There were 4 participants from Gibbons, 1 from Opal, and a resident from Bon Accord. I have received a phone call from a potential volunteer hostess. Program was cancelled on January 13 due to extreme weather.

### **Family Day**

Details are being finalized for the Family Day event. The event will be held on February 17 at the arena. Free skating, hotdog lunch, board games, face painting and outdoor activities will be provided.

### **Spring/Summer Program Guides**

Preparation for the program guides have begun. They are scheduled to be mailed out in the beginning of March.

## **EVENTS/MEETINGS**

### **Lilian Schick Meeting**

Spoke with Mrs. Greenwood on ways to get kids more involved with the community. Ideas that were passed around: youth to partner with CiB or community garden. Organizing an intergenerational program with the seniors in town, a mock council meeting at the school. Other ideas have the youth participate in the Feed the Families food drive again, as well as have the drama class perform at the amphitheatre.

### **Preparation for Upcoming Events**

Ongoing preparation for events:

Pickleball (January)

Family Day (February)

Council Workshop (February)

## **UPCOMING MEETINGS/EVENTS**

MARD- SMART Van (January 22)

ESS Training (January 28)

Edmonton Evergreen FCSS Meeting (January 30)

Sturgeon Adult Learning (February 11)

# Council Report

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**Date:** December 2019 – January 2020

**Department:** Public Works

**Submitted by:** Operations Manager

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## **PUBLIC WORKS**

- Tree removal is nearly complete along 51<sup>st</sup> Ave between 53<sup>rd</sup> Street and 56<sup>th</sup> Street.
- The Public Works yard was broken into on January 13<sup>th</sup> at 1:00 am. The front gate and both overhead shop doors were destroyed. The culprit only removed a barrel pump and a tow strap. The damages will total nearly \$15,000.

## **ROADS**

- Intersections and streets were sanded numerous times.
- 1 full snow removal will be required to this point.

## **EQUIPMENT/VEHICLES**

- Regular maintenance continues on equipment and vehicles when necessary.

## **CEMETERY**

- 1 full burial

## **WATER**

- Monthly water reads occurred on January 2 /20.
- Completed 1 Alberta 1<sup>st</sup> Calls in December.
- Pump 102 was removed.

## **SEWER**

## **ARENA/PARKS & RECREATION**

- The ice plant repairs have been completed. The plant seems to be operating better.
- An outdoor rink liner was supplied to a resident on December 23/19.

## **SAFETY/TRAINING**

- Held weekly Public Works/Parks & Recreation Safety Meetings.

**SUMMARY**

This concludes the Public Works Report ending January 21, 2020.

*Respectfully submitted by:*

*Ken Reil*

*Operations Manager*

*Public Works/Utilities/Recreation*

**End of Report**

# Council Report

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**Date** January 2020

**Department:** Administration

**Submitted by:** Joyce Pierce, CAO

## **Administration**

Held management meetings in January which has included preliminary discussion and planning for the 2019 Council Workshop planned for Feb 20 & 21, 2020.

As Council is all aware, a devastating fire occurred on the evening of Jan 14, 2020 at the Rednex Liquor Store and Honey's BBQ. Council and staff have extended our sincere sympathies. They are working with their insurance companies as to what the next steps will be at this time.

## **Training**

President's Summit AUMA - Municipal Finances Transparent and Effective is a two-day session with a jam-packed agenda.

## **Emerging Trends Brownlee LLP**

The emerging trends in law workshop that Brownlee puts on every year is coming up on Feb 13, 2020. This workshop provides some insight into new trends and how municipalities can avoid any pitfalls that may be coming up with new legislations and regulations.

## **Medical Professional Welcome**

On Jan 24, 2020 the Town is hosting a Welcome Open House with cake and coffee at the Doctor Clinic/Pharmacy from 10:00 AM until 12:00 noon. Council members will be in attendance to welcome residents and help make introductions.

## **Break-In Public Works**

In the early hours of Monday Jan 13, 2020 our Public Works shops were broken into. Ken will provide details in his report.

## **Meetings Attended**

Management Meetings Regular Meeting Council

ICF/IDP meeting

## **Upcoming Meetings**

Regional CAO Breakfast Mtg Doctor/ Pharmacy Welcoming

AUMA Summit Finance Industrial Heartland Event

As you can see, we have hit the ground running in the new year and are looking forward to many new programs and developments coming forward in 2020. The Council's 2019 Year in Review was sent out to the residents. The letter is a record of all the accomplishments that have been achieved over the last year.

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

**MEETING:** Regular Council Meeting  
**MEETING DATE:** January 21, 2020  
**AGENDA ITEM:** Purchase of Gift- Peggy Teneycke

**RECOMMENDATION:**

**THAT ...Council provides clarification on type of gift and budget of gift for Peggy Teneycke.**

**BACKGROUND:**

At the October 15, 2019 RMC, Council passed resolution #19-313, which directs administration to purchase a gift for Peggy Teneycke for her years of service with the Bon Accord Library, by March 2020. This gift will be presented in Council Chambers.

Flowers and a card were purchased in October of 2018 for Peggy's retirement in the amount of \$35.98.

**FINANCIAL IMPLICATIONS:**

Cost of gift

**LEGAL IMPLICATIONS:**

N/A

**LEGISLATIVE HISTORY**

N/A

**ALTERNATIVES:**

1. Council directs administration to purchase \_\_\_\_\_, not to exceed \$\_\_\_\_\_ for Peggy Teneycke.
  
2. Council directs administration to purchase a gift, at administration's discretion, but cost should not exceed \$\_\_\_\_\_ for Peggy Teneycke.

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

**Reviewed By:**

**Date: January 8, 2020**

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** Regular Council Meeting

**MEETING DATE:** Jan 21, 2020

**AGENDA ITEM:** Municipal Affairs Presentation of Roles and Responsibilities

**RECOMMENDATION:**

**THAT....** Council moves to direct administration to advise MA of 2 or 3 alternate dates between late February and late March, and that all Council members will be in attendance.

**BACKGROUND:**

At the Regular Meeting of Council Dec 3, 2019 Council resolved to direct administration to make an appointment with Municipal Affairs to present a full day training seminar on Roles and Responsibilities of Council. Administration was asked by Municipal Affairs to provide a resolution of Council that all Council members will attend the presentation and to pick what two other topics they would like to cover in the afternoon so MA can prepare those presentations.

At Regular Meeting of Council January 7, 2020, Council decided on the date of January 31, 2020, however, MA had to change the date, sending their apologies. They would like Council to give 2 or 3 alternate dates between late February and late March instead. Dates need to be determined to send back to MA for their review.

**FINANCIAL IMPLICATIONS:**

N/A

**LEGAL IMPLICATIONS:**

N/A

**LEGISLATIVE HISTORY**

**ALTERNATIVES:**

1. Council moves to direct administration to advise MA of 2 or 3 alternate dates between late February and late March, and that all Council members will be in attendance.
2. Council declines the Roles and Responsibilities Presentation from MA until a later date.

**Prepared and Submitted By:** Jessica Caines

**Reviewed By:** Joyce Pierce - CAO

**Date:** Jan 16. 2020

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

**MEETING:** Regular Council Meeting

**MEETING DATE:** January 21, 2020

**AGENDA ITEM:** Use of Council Chambers

**RECOMMENDATION:**

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

**BACKGROUND:**

At RMC October 1, 2019, Council approved the replacement of desks in Council Chambers – resolution #19-275. The new desks are now in place and administration would like further direction as to whether Council Chambers may be used for community groups and events.

In the past, the library has utilized the Council Chambers free of charge. Many of these programs have been predominantly child-aged programs. Damage to the old desks after some of these events was noticed on numerous occasions. It has become a concern that the replacement desks may be subject to damage should the Council Chambers continue to be used for such events.

Alternate locations for such events include the Town basement, the arena mezzanine and the arena meeting room, so there are alternate spaces that are available to these groups.

**FINANCIAL IMPLICATIONS: N/A**

**LEGISLATIVE HISTORY: N/A**

**ALTERNATIVES:**

1. Council direct administration to develop a policy on use of the Council chambers and bring back for discussion.
2. Council accept as information and take no further action.
3. Council decline use of the Council Chambers for organizational events and programs.

**Prepared and Submitted By:** Jessica Caines

**Reviewed By:** Joyce Pierce

**Date:** January 13, 2020

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

**MEETING:** Regular Council Meeting

**MEETING DATE:** January 21, 2020

**AGENDA ITEM:** Lilian Schick Career Fair

**RECOMMENDATION:**

**THAT ...** Council directs administration to RSVP (with names) for the Lilian Schick Career Fair, on Monday January 27, 2020.

**BACKGROUND:**

Lilian Schick school and its students are a vital part of our community, attending events like this will help strengthen the relationship between the town and school.

**FINANCIAL IMPLICATIONS:**

N/A

**LEGAL IMPLICATIONS:**

N/A

**LEGISLATIVE HISTORY**

N/A

**ALTERNATIVES:**

1. Council directs administration to RSVP (with names) for the Lilian Schick Career Fair.
2. Council is unable to attend and directs administration to send their regrets to the school.

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

**Reviewed By:**

**Date:** January 8, 2020



# TOWN OF BON ACCORD

## Request for Decision (RFD)

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

**MEETING DATE:** **January 21, 2020**

**AGENDA ITEM:** **Utility Account Write-Offs**

**RECOMMENDATION:**

**THAT** ... Council approve the write off of uncollectible inactive utility accounts to the Water Bad Debt Account as at December 31, 2019 and send any applicable accounts with a balance greater than \$100 to our Collection Agency.

**BACKGROUND:**

With the update of our program, administration can compile the report of inactive, uncollectible utility accounts and as such administration has compiled a list of accounts from 2009-2019 in the amount of \$4,184.49. Per the Town's Write-Off Policy #16.161, the final bill was sent, then a second bill, followed by subsequent arrears notifications. As these accounts are from residents that have moved, many of the letters are now being returned to sender.

Per the Write-Off Policy, with Council's approval these accounts can be written off to the Water Bad Debt's account as at December 31, 2019 and applicable accounts with a balance greater than \$100 can be sent to our Collection Agency. Should payment be received in the future, the revenue may then be recognized as unbudgeted revenues and applied back to the Water Bad Debt account.

**FINANCIAL IMPLICATIONS:**

The Water Bad Debt account closing balance for 2019 would be \$4,184.49.

**LEGISLATIVE HISTORY: N/A**

**ALTERNATIVES:**

1. Council approve the write off of uncollectible inactive utility accounts to the Water Bad Debt Account as at December 31, 2019 and send any applicable accounts with a balance greater than \$100 to our Collection Agency.
2. Council does not approve the write off of uncollectible inactive utility accounts to the Water Bad Debt Account as at December 31, 2019 and directs administration to continue collection by other means.

**Prepared and Submitted By:** Falon Fayant

**Reviewed By:** Joyce Pierce

**Date:** January 14, 2020

ACCOUNT	AMOUNT OWING	AGE
5-33803-003	\$ 122.64	2009
2-01902-002	\$ 231.21	2009
4-21300-004	\$ 412.35	2009
2-00403-002	\$ 138.37	2012
2-07107-000	\$ 193.71	2013
2-07107-001	\$ 790.23	2013
6-50700-003	\$ 394.25	2015
2-14000-001	\$ 662.28	2015
4-23000-004	\$ 6.77	2016
4-21101-001	\$ 108.56	2016
5-33600-002	\$ 298.69	2016
2-07107-004	\$ 108.32	2017
6-44701-003	\$ 3.01	2018
7-52600-002	\$ 46.59	2018
5-27703-001	\$ 68.54	2018
2-13402-000	\$ 4.17	2019
6-50103-001	\$ 78.29	2019
7-53700-003	\$ 85.90	2019
2-13003-003	\$ 170.13	2019
3-39901-002	\$ 260.48	2019
Total	4184.49	20

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** Regular Council Meeting  
**MEETING DATE:** Jan 21, 2020  
**AGENDA ITEM:** Estate of Dr. Douglas Palmer

**RECOMMENDATION:**

**THAT....** Council moves to direct administration to reply to Annie Luttggen, Estate Executrix that the Town of Bon Accord declines acceptance of the book collection of the late Dr. Douglas Palmer.

**BACKGROUND:**

On Jan 3, 2020 administration received this email from the Executrix of the Estate of the Late Dr. Douglas Palmer. The estate would like to donate his collection of 200 books on Astronomy, Astrophotography, Atlas of the Sky, Cosmos, etc. to a community interested in sharing this fascinating and avant-garde topic.

Administration spoke with the Librarian in regard to this request and was advised that the library does have a few books about astronomy that are borrowed from the library on a very rare basis and they do not have room to house 200 more books on astronomy and related topics.

Due in large to the Equinox and the Dark Sky initiative not achieving the outcome that the Town was expecting over the last number of years, this is no longer the primary focus of the Town Council.

As the email states it is interested in a community to share the books with, the consideration of offering it to the Undergraduate Astronomy Society is not an option and they probably would not have space to store the collection either.

**FINANCIAL IMPLICATIONS:** N/A

**LEGAL IMPLICATIONS:** N/A

**LEGISLATIVE HISTORY:**

**ALTERNATIVES:**

1. Council moves to direct administration to reply to Annie Luttggen, Estate Executrix that the Town of Bon Accord declines acceptance of the book collection of the late Dr. Douglas Palmer
2. Council moves to direct administration to ...

**Prepared and Submitted By:**

**Reviewed By:** Joyce Pierce - CAO

**Date:** Jan 21, 2020

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** *Regular Meeting of Council*  
**MEETING DATE:** **January 21, 2020**  
**AGENDA ITEM:** **Waste Collection Bylaw #2020-02**

**RECOMMENDATION:**

**THAT ...** the Waste Collection Bylaw – Bylaw #2020-02 be given 2<sup>nd</sup> reading, as presented.

**THAT ...** the Waste Collection Bylaw – Bylaw #2020-02 be given 3<sup>rd</sup> reading, as presented.

**BACKGROUND:**

Council approved the Waste Collection Bylaw #2018-19 in January of 2019 when the garbage collection rates increased through the GFL contract. The bylaw has been updated to reflect update to the procedure for new home construction. Point 7.1.7 has been added to Section 7 – Restrictions on Collection of Service to indicate that collection service will not be provided if the premise is a new construction and collection containers have not been requested by the householder. There have been no rate increases or other changes to intent.

Council heard 1<sup>st</sup> reading at RMC January 7, 2020; resolution #20-012.

**FINANCIAL IMPLICATIONS:** N/A

**LEGISLATIVE HISTORY**

N/A

**ALTERNATIVES:**

1. Council approves 2<sup>nd</sup> and 3<sup>rd</sup> readings of Waste Collection Bylaw #2020-02, as presented.
2. Council gives Waste Collection Bylaw #2020-02 2<sup>nd</sup> reading and directs administration to amend, bringing back to Council for 3<sup>rd</sup> reading.

**Prepared and Submitted By:** Jessica Caines

**Reviewed By:** Joyce Pierce

**Date:** January 8, 2020

**TOWN OF BON ACCORD  
BYLAW 2020-02  
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;

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

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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,

**TOWN OF BON ACCORD  
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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  
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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.

**TOWN OF BON ACCORD  
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

**TOWN OF BON ACCORD  
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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.

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

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

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

2nd & 3rd Readings Jan 21 2020

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

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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

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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.

2nd & 3rd Readings Jan 21 2020



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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.

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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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**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 Council Meeting  
**MEETING DATE:** January 21, 2020  
**AGENDA ITEM:** Wastewater Bylaw #2020-01

**RECOMMENDATION:**

**THAT....** Council approve 2<sup>nd</sup> reading of Wastewater Bylaw #2020-01, as presented.

**THAT....** Council approve 3<sup>rd</sup> reading of Wastewater Bylaw #2020-01, as presented.

**BACKGROUND:**

Due to an increased flow through rate from the Alberta Capital Region Wastewater Commission (ACRWC), there will be an increase of \$0.08 cents per m<sup>3</sup> for the consumption charge of the Town's wastewater rates for residential, commercial and industrial. New rates will be as follows: residential \$2.80/m<sup>3</sup>, commercial \$2.75/m<sup>3</sup>, and industrial \$2.75/m<sup>3</sup>.

Further revisions were also made to ensure compliance with ACRWC Bylaw No.8, which include additions regarding *Compliance Programs, Best Management Practices (BMP) & Codes of Practice*, and the deletion of Schedules "C" and "D" which are duplicates from Schedule "F" (now Schedule "D") which is the ACRWC Bylaw.

Council heard 1<sup>st</sup> reading at RMC January 7, 2020; resolution #20-010.

**FINANCIAL IMPLICATIONS:**

Increased wastewater rates.

**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 approves 2<sup>nd</sup> and 3<sup>rd</sup> readings of Wastewater Bylaw #2020-01, as presented.
2. Council gives Wastewater Bylaw #2020-01 2<sup>nd</sup> reading and directs administration to amend, bringing back to Council for 3<sup>rd</sup> reading.

**Prepared and Submitted By:** Jessica Caines

**Reviewed By:** Joyce Pierce

**Date:** January 8, 2020

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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

2nd & 3rd Readings Jan 21 2020

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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:**

Billing Item	Charge	Application
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 Group 4" 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**

Substance	Concentration Limit– [mg/L]
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**

Parameter	Limit
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

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** Regular Council Meeting

**MEETING DATE:** January 21, 2020

**AGENDA ITEM:** Tax Installment Payment Plan (TIPP) Bylaw #2020-03

**RECOMMENDATION:**

**THAT....** Council approve 2<sup>nd</sup> reading of Tax Installment Payment Plan (TIPP) Bylaw #2020-03, as presented.

**THAT....** Council approve 3<sup>rd</sup> reading of Tax Installment Payment Plan (TIPP) Bylaw #2020-03, as presented.

**BACKGROUND:**

The Tax Installment Payment Plan (TIPP) Bylaw #2020-03 will repeal the Tax Installment Payment Plan Policy #16-186. Creation of the bylaw is necessary to comply with the MGA as follows:

*340(1) A council may by bylaw permit taxes to be paid by instalments, at the option of the taxpayer.*

Council heard 1<sup>st</sup> reading at RMC January 7, 2020; resolution #20-011.

**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 2<sup>nd</sup> and 3<sup>rd</sup> readings of Tax Installment Payment Plan (TIPP) Bylaw #2020-03, as presented.
2. Council gives Tax Installment Payment Plan (TIPP) Bylaw #2020-03 2<sup>nd</sup> reading and directs administration to amend, bringing back to Council for 3<sup>rd</sup> reading.

**Prepared and Submitted By:** Jessica Caines

**Reviewed By:** Joyce Pierce

**Date:** January 8, 2020

**TOWN OF BON ACCORD  
TAX INSTALLMENT PAYMENT PLAN (TIPP) BYLAW  
BYLAW 2020-03**

---

**A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, TO AUTHORIZE THE REGULATION AND COLLECTION OF A MONTHLY TAX INSTALLMENT PAYMENT PLAN (TIPP).**

---

**WHEREAS**, section 340 of the Municipal Government Act, Chapter M-26.1, R.S.A., 2000, as amended, a Council may establish installment plans for the payment of property taxes;

**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:

This Bylaw shall be cited as the "Tax Installment Payment Plan (TIPP) Bylaw" of the Town of Bon Accord.

**1 ELIGIBILITY**

- 1.1 Taxpayers of the Town of Bon Accord shall have the right to submit an application to participate in TIPP to provide for the payment of property taxes and local improvement taxes in equal monthly installments from January to December in any year.
- 1.2 Taxes may be paid over a twelve (12) month period beginning in January each year, provided the following requirements are met:
  - 1.2.1 The tax account is paid in full is in good standing with the Town;
  - 1.2.2 The applicant must have chequing privileges at a financial institution;
  - 1.2.3 Taxes are not being paid through a mortgage company;
  - 1.2.4 An application, along with a void cheque or pre-authorized debit form, is submitted to the Town and approved no later than January 8th of the tax year.

**2 GENERAL PROVISIONS**

- 2.1 CALCULATION OF TIPP
  - 2.1.1 Each of the first four installments (January to April) shall be equal to 1/12 of the previous years' tax levy.
  - 2.1.2 The next twelve (12) payments (May to the following April) shall be equal to the remaining balance on the tax account divided by eight (8 months remaining in the year to bring account balance to zero (\$0)).
  - 2.1.3 Each May thereafter TIPP will be calculated based on the new tax levy.
- 2.2 PAYMENT METHOD & DATE
  - 2.2.1 Pre-authorized payment with VOID cheque or pre-authorized debit form
  - 2.2.2 Post-dated cheques will not be accepted for TIPP.
  - 2.2.3 Payments are to be made beginning January 15<sup>th</sup> each year, and on the 15<sup>th</sup> of each month thereafter.
- 2.3 WITHDRAWAL OF TIPP
  - 2.3.1 In order to withdraw from TIPP, written notice must be provided to the Town at least 10 business days prior to the next installment date.
- 2.4 TERMINATION OF TIPP
  - 2.4.1 If an installment fails to be honoured, a service charge (according to the Fees for Service Delivery Policy) will be added to the tax account. Failure to remit the dishonored payment and the service charge prior to the next installment date will result in termination of TIPP.

**TOWN OF BON ACCORD  
TAX INSTALLMENT PAYMENT PLAN (TIPP) BYLAW  
BYLAW 2020-03**

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2.4.2 If TIPP is terminated, the taxpayer may submit a new application for the following taxation year, subject to Eligibility requirements in section 1.

**3 PENALTIES**

3.1 All unpaid taxes pursuant to sections 2.3 and 2.4 will become due and payable immediately and will be subject to penalties as provided in the current Taxation Bylaw.

**4 INTERPRETATION**

4.1 References to provisions of statutes, rules or regulations shall be deemed to include references to such provisions as amended, modified or re-enacted from time to time.

4.2 Nothing in this Bylaw relieves any person from compliance with any other bylaw or applicable federal or provincial law, regulation or enactment.

**5 SEVERABILITY**

5.1 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.

**6 EFFECTIVE DATE**

6.1 This Bylaw becomes effective upon third and final reading.

**7 REPEAL OF POLICIES**

7.1 Upon third and final reading of Bylaw 2020-03, Policy 16-186 is hereby repealed.

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  
Request for Decision (RFD)**

**MEETING:** Regular Council Meeting

**MEETING DATE:** January 21, 2020

**AGENDA ITEM:** Cemetery Bylaw #2020-04

**RECOMMENDATION:** THAT ... Council approves 1<sup>st</sup> reading of the Cemetery Bylaw #2020-04, as presented.

**BACKGROUND:**

The Cemetery bylaw enables the Town to change fees, charges, and standards for the improvement and operation of the Cemetery. All plot fees, open and closing fees, as well as overtime charges will increase and will be comparable to surrounding municipalities, but still be competitive with larger city cemeteries.

The cemetery is a costly endeavor to maintain and the increase will help offset those costs for future improvements, maintenance (land and equipment), and overtime salaries.

**FINANCIAL IMPLICATIONS:**

Maintain overhead costs to service the cemetery.

**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 Bylaw.

Province of Alberta Cemeteries ACT

Province of Alberta Cemeteries General Regulation

**ALTERNATIVES:**

1. Council approves 1<sup>st</sup> reading of the Cemetery Bylaw #2020-04, as presented.
2. Council give 1<sup>st</sup> reading to the Cemetery Bylaw #2020-04 and directs administration to amend the Bylaw 2020-04 before bringing back for 2<sup>nd</sup> and 3<sup>rd</sup> readings.

**Prepared and Submitted By:**

Jenny Larson Community Services

**Reviewed By:**

**Date: January 16, 2020**

TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~2020-04  
CEMETERY BYLAW

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**A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA, TO PROVIDE FOR THE CONTROL AND REGULATION OF THE TOWN OF BON ACCORD MUNICIPAL CEMETERY.**

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**WHEREAS** the Town of Bon Accord is the owner and operator of the Town of Bon Accord Municipal Cemetery; and

**WHEREAS** the Municipal Government Act RSA 2000, Chapter M-26 authorizes Council to pass such a Bylaw;

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

**1. DEFINITIONS**

- a) **“Artificial Ornaments”** means any cut flowers, silk flowers or wreaths.
- b) **“Caretaker”** means the Town employee ~~actually working~~working at the cemetery under the instruction and supervision of the Town Manager.
- c) **“Cemetery”** means the cemetery in the Town of Bon Accord known as the Municipal Cemetery owned and operated by and under the control of the Town and named “Bon Accord Cemetery”
- d) **“Council”** means the Council of the Town of Bon Accord.
- e) **“Family Plot”** means a plot or ~~a number of plots~~several which lie adjacent to one another and which are to be reserved for the burial of more than one deceased member of the family.
- f) **“Flowering Ornamental”** means any perennial, annual, and biannual flowering plant.
- g) **“Grave”** means a plot or columbarium niche used as a place of burial.
- h) **“Manager”** means the Manager for the Town, or any person acting under his or her instructions, or other persons designated by the Town of Bon Accord.
- i) **“Marker”** means a memorial which shall be flat and not exceed the surface of the ground.
- ~~j) **“Perpetual Care”** means the basic maintenance of all plots and shall include leveling of the ground and the seeding and cutting of grass as required. It shall not include the maintenance, repair or replacement of markers.~~
- k) **“Plot”** means a plot as shown on a plan of subdivision on record in the Town Office.
- l) **“Public Works Department”** means the Department of Public Works, including Parks and Recreation, of the Town of Bon Accord.

TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~2020-04  
CEMETERY BYLAW

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~~l~~) **“Summer”** means May 1 to October 31.

~~m~~) **“Town”** means the Town of Bon Accord.

~~n~~) **“Winter”** means November 1 to April 30.

~~o~~) **“Woody Ornamental”** means any trees, shrubs, creepers and climbers.

## 2. GENERAL

- a) The Manager shall have charge of the cemetery and shall exercise control over all persons employed therein.
- b) The Town shall have authority to remove any weeds, or grass, funeral designs or floral pieces which, may become wilted, or any other article or thing, which is, in its opinion, unsightly.
- c) If, in the opinion of the Town, any woody ornaments situated on or about the cemetery shall become, by means of their roots or branches, prejudicial to the general appearance to the ground or dangerous or inconvenient to the public, the Town shall have the right to remove such woody ornaments, or any parts thereof.
- d) No person shall disturb the quiet or good order of the cemetery by improper noise, improper conduct or otherwise. A member of the Royal Canadian Mounted Police, Special Constable or a representative appointed by the Town to be in charge of the cemetery may evict there from, using such force as is reasonably necessary, or deny entrance to any person who contravenes this Bylaw.
- e) Whenever the owner or family of a marker neglects to make the required repairs or alterations to a marker within thirty (30) days after receiving notice from the Town to do so, the Town shall have the power to repair such marker and charge the cost to the owner or family which may be recovered as a debt from the owner or family to the Town.
- f) No person shall turn loose or allow going at large or feed any cattle, swine, horses, dogs or any other animal in the cemetery.
- g) Any Society desiring to hold a memorial service shall give the Town at least three (3) business ~~days-noticedays'~~  
notice in writing of their intention to do so.
- h) No persons shall destroy damage, deface or write upon any marker, tablet or other structure or object in any cemetery.
- i) No person shall deposit any paper, sticks, or refuse of any sort on any portion of the land within the boundaries of the cemetery except in receptacles provided for the purpose and as excepted by the Town Public Works department.
- j) All grading, seeding of grass, and sod work shall be done under the direction of the Town by employees of the Town.

**TOWN OF BON ACCORD**  
**BY-LAW ~~2014-08~~2020-04**  
**CEMETERY BYLAW**

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- k) Benches of a style approved by the Town may be permitted in the cemetery under such conditions as the Town may order.

### **3. PLOTS**

- a) The plans of subdivision of the lands made available by the Town for burial purposes on record at the Town Office, together with all subsequent plans of subdivision of such lands approved by the Town, shall be the plans of the cemetery herein referred to and all interments shall be made and records kept by the Town in accordance with such plans. Copies of all such plans shall be available for inspection free of charge at the Town Office during normal office hours.
- b) The Manager shall supervise all sales of plots ~~and interments in the cemetery~~.
- c) Plots in the cemetery shall be sold by the Town upon the purchaser paying in advance the amounts shown in Schedule "A" of the resolution in support of this Bylaw, and subsequent Bylaws pertaining to the Cemetery, and on completion of an application to purchase a burial deed in the form of Schedule "B". One individual may purchase a maximum of eight (8) plots at any one time.
- d) The Council may from time to time, by resolution, amend the fees and charges for plots and service shown on Schedule "A" of this Bylaw.
- e) The owner of a plot may transfer ~~the deed same~~ only upon payment of the necessary fees as shown on schedule "A" and make the necessary application to the Town as shown on Schedule "D"
- f) No plots shall be used for any purpose other than burial grounds for human bodies, and the cremated remains of human bodies.
- g) No person other than an employee of the Town or its designate, or the owner of a plot or his agent, shall be permitted to care for any plot in the cemetery.
- h) Fences, railings, walls, cooping, hedges, woody ornaments, and flowering ornamentals in or around the plots are prohibited.
- i) The top of plots or graves shall be kept level with the surrounding ground.
- j) The purchaser(s), or its legal representative(s), of a single or family plot will have direct control over the burial access rights of said plot, unless a transfer of title is obtained per Schedule "D".

### **4. BURIALS**

- a) Disinterment of a body or ashes shall not take place until a permit for disinterment is issued by the Provincial Director of Vital Statistics and delivered to the Town. All disinterments are to be conducted using through the use of an approved contractor under the supervision of the Town.



**TOWN OF BON ACCORD**  
**BY-LAW ~~2014-08~~2020-04**  
**CEMETERY BYLAW**

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b) No interment shall be permitted until a burial application and permit in the form of Schedule "B", hereto annexed, has been completed and given to the Town. Such permit shall contain the following particulars:

- Name of Deceased
- Date and Time of Burial
- Description of Burial Plot
- Name of Undertaker or Person Responsible for Burial
- Name of Applicant for Burial Permit

c) ~~(i)~~ Orders for weekend and holiday burials must reach the office of the Town Manager seventy-two (72) hours, not including holiday and weekends, before the burial is to take place, unless the Town, for emergent reasons, otherwise allows.

(ii) Additional charges in respect of burials carried out on a ~~weekend, Saturday,~~ Statutory holiday, a declared holiday or after ~~4:30~~3:00 p.m. weekdays shall be in accordance with the rates as established in Schedule "A" attached hereto.

d) The owner of a plot, or the person instructing the Town to open a grave, shall give complete and precise instructions regarding the location of the grave, and the Town shall not be responsible for any errors resulting from the lack of proper instruction.

e) Graves shall be opened and closed, and interments made only by persons authorized to do so by the      Town.

f) No grave for the burial of a deceased shall be less than five (5) feet in depth from the surface of the ground surrounding the grave.

~~g) No grave for the burial of a stillborn child shall be less than five (5) feet in depth from the surface of the ground surrounding the grave.~~

gh) No grave for the burial of cremated remains shall be less than twenty-four (24) inches in depth from the surface of the ground surrounding the grave.

hi) Cremated remains may be interred in a plot or in the same plot with a full burial or in a plot with other cremated remains. A maximum of two (2) cremated remains may be interred in the same plot as a body. A maximum of eight (8) cremated remains may be interred in one regular plot.

ij) The full burial of a person shall not be interred in the same grave in which another full body has previously been interred.

jk) No second inurnment shall be permitted in any plot in the cemetery on which there are unpaid charges due and payable to the Town.

kl) All burials within the limits of the cemetery shall be under the supervision and control of the Town.

lm) Concrete liners or vaults are required for the burials of a body.

**TOWN OF BON ACCORD**  
**BY-LAW ~~2014-08~~2020-04**  
**CEMETERY BYLAW**

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**5. MARKERS**

- a) All markers will be flat markers (i.e. not to exceed ground surface) except in the old section (initial phase) of the cemetery grounds where pillow markers are allowed (Upright markers may be allowed in the old section, upon written permission).
- b) All persons employed in the construction and erection of markers or doing other work in the cemetery shall be subject to the direction and control of the Town.
- c) No markers shall be erected in the cemetery until an application is made to the Town and a permit in the form of Schedule "C", hereto annexed, has been issued. Permit fees shall be charged in accordance with the amounts shown on Schedule "A" of this Bylaw.
- d) When cremated remains are placed in a plot where a body has been interred, flat markers shall be placed over top of the plot marking the cremated remains.
- e) When up to eight (8) cremated remains are placed in a plot, flat markers shall be placed at the top of each of the burial sites.
- f) No markers shall be erected on Saturdays, Sundays or holidays unless permission in writing has been granted by the Town.
- g) All persons erecting markers shall insure that such markers are firmly secured to a foundation.
- h) All persons erecting markers shall insure that the surrounding areas are left in the same condition as found.
- i) No work shall be done upon any marker, nor shall any marker be removed from any grave or plot without permission from the Town.
- j) No permanent marker shall be placed on any grave plot ~~prior to the interment of human remains in such grave plot~~ unless it is a double and one of the persons are interred in the plot or is placed so as not to interfere with future burials (eg-e.g. cremations).
- k) No grave cover is allowed in any portion of the cemetery.

**~~6. PERPETUAL CARE~~**

- ~~a) A perpetual care fee will be added to the purchase price of all burial, cremation and columbarium plots. Where the plot was purchased prior to the Perpetual Care Fee coming into effect the fee will be added at the time of burial of the remains.~~
- ~~b) The Cemetery Perpetual Care Reserve Fund shall be established for the future care of the cemetery once the Town establishes that the cemetery is full as determined by the Town Manager.~~

**TOWN OF BON ACCORD**  
**BY-LAW ~~2014-08~~2020-04**  
**CEMETERY BYLAW**

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- ~~c) Interest from the Perpetual Care Fund shall be used for maintenance of the cemetery as determined by the Town.~~
- ~~d) Perpetual care to be supplied by the Town shall not include the care, maintenance, upkeep, repair or replacement of any marker, which has been placed in the cemetery.~~
- ~~e) Tax deductible donations will be accepted and held in the Town of Bon Accord Cemetery Perpetual Care Reserve Fund.~~

**67. VISITORS**

- a) No persons shall enter or remain in the cemetery between the hours of 11:00 p.m. of any day and 6:00 a.m. of the next day following.

**78. VEHICLES IN CEMETERY**

- a) No person shall drive any vehicles through the cemetery at a greater rate of speed than 10 km per hour on designated roadways.
- b) The Town may prohibit the driving of vehicles in any part of the cemetery.
- c) Unless authorized by the Town, no bicycle, motorcycle or horse shall be allowed in the cemetery except when it is a part of a funeral procession.
- d) The owner of any moving vehicle shall be responsible for any damage done by such vehicle within the boundaries of the cemetery.

**89. PROVISIONS FOR RULES AND REGULATIONS**

- a) The Council may make rules and regulations consistent with this bylaw for the effectual carrying out of this bylaw and for the efficient management, control and regulation of the cemetery.

**910. PENALTY**

- ~~a) a) — Any person who is guilty of an offence is liable
  - 1. to a fine of \$250.00 or
  - 2. on summary of conviction, to a fine not exceeding \$10,000.00 or to an order of imprisonment for not more than 1 year, or both.Any person who commits a breach of any of the provisions of this bylaw shall on conviction for such breach, be liable to a penalty not exceeding five hundred dollars (\$500.00) exclusive of costs, or in the case of non-payment of the fine and cost imposed to imprisonment for any period not exceeding sixty (60) days. This bylaw shall come into force and effect upon third and final reading thereof.~~

TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~2020-04  
CEMETERY BYLAW

---

READ A FIRST TIME THIS ~~18<sup>th</sup>~~21<sup>st</sup> DAY OF ~~NOVEMBER~~January, 2020~~14~~.

\_\_\_\_\_  
Mayor ~~Randolph Boyd~~David Hutton

\_\_\_\_\_  
Chief Administrative Officer ~~Vicki Zinyk~~Joyce Pierce

READ A SECOND TIME THIS ~~2<sup>nd</sup>~~2<sup>nd</sup> DAY OF ~~DECEMBER~~January, 2020~~14~~.

\_\_\_\_\_  
Mayor ~~Randolph Boyd~~David Hutton

\_\_\_\_\_  
Chief Administrative Officer Joyce Pierce~~Vicki Zinyk~~

READ A THIRD TIME THIS ~~16<sup>th</sup>~~16<sup>th</sup> DAY OF ~~DECEMBER~~January, 2020~~14~~.

\_\_\_\_\_  
Mayor ~~Randolph Boyd~~David Hutton

\_\_\_\_\_  
Chief Administrative Officer ~~Vicki Zinyk~~Joyce Pierce



TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~2020-04  
CEMETERY BYLAW

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**Other Charges**

1. Transfer of Burial Deed - ~~\$100.00~~ \$250
2. Disinterment (on production of certificate from Vital Statistics) - Flow through of external contractor costs plus 10%, if billed through the Town
3. Re-interments shall be at burial costs
4. Grave Marker Permit Fee \$100.00 ~~within first three years \$25.00, otherwise \$50.00~~
5. Inscription on Columbarium Doors: Damage Deposit fee as per schedule "A"  
~~Double as quoted by contractor~~  
~~Single as quoted by contractor~~

**TOWN OF BON ACCORD**  
**BY-LAW ~~2014-08~~2020-04**  
**CEMETERY BYLAW**

**SCHEDULE "B"**

**PART I - PURCHASE OF BURIAL DEED**

In making this application, and in consideration of the Town of Bon Accord selling to the undersigned, the undersigned acknowledges and agrees:

1. This application shall constitute a binding contract between the parties for the purchase of the lot(s) specified, and all of the provisions of the Cemetery Bylaw, as amended from time to time hereafter shall be deemed to be included as terms and conditions of this contract.
2. That the title deed issued for the lot shall not be a title in fee ~~simple, but~~ simple but shall be an easement or license only to use the burial plot.
3. That this agreement shall be binding upon the parties hereto, their respective heirs, executors, administrators, successors and, where permitted, their assigns.
4. The undersigned hereby waives, releases, and discharges the Town, its officers, agents and employees from all claims demands and rights of action which the undersigned may hereafter have against the Town for loss or damages, howsoever caused, resulting from the theft or vandalism to the grave markers situated with, upon or under the lots howsoever caused.
5. The undersigned understands that any/all grave markers will not exceed the surface of the ground, unless Section 5a. of the Bylaw applies. The applicant further understands that they will abide by the rules and regulations for the installation of grave markers.
6. The Town of Bon Accord does not allow the purchasers to resell the cemetery plot(s) on the open market but the owner of the deed may transfer the deed to another person upon application at the Town of Bon Accord and payment of the transfer fee. Or the purchaser may return the plot to the Town of Bon Accord for 85% of the market value at time of re-sale. The owner of a Burial Deed may sell, re-assign or dispose of the deed. The deed holder shall file with the CAO/Delegate a transfer of assignment in writing and the CAO/Delegate shall issue a new contract of Burial Deed as required.
7. The opening and closing fees will be charged at the rate in effect on the date of interment or inurnment.

Regular Grave <del>-( )</del>	Section ( <del> )</del> )	Plot ( <del> )</del>	
\$ _____			
Cremation <del>Grave</del> Grave ( _____ )	Section ( _____ )	Plot ( _____ )	\$ _____
Columbarium <del>-( )</del>	Niche <del>-( )</del>		\$ _____
<del>Perpetual Care Fee</del>			
<del>Administration Fee</del>			
			<b>\$100</b>
Subtotal			\$ _____
GST			\$ _____

TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~2020-04  
CEMETERY BYLAW

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Total \$ \_\_\_\_\_

\_\_\_\_\_  
Signature of Purchaser

\_\_\_\_\_  
Printed Name of Purchaser

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Address of Purchaser

\_\_\_\_\_  
Telephone No. of Purchaser

\_\_\_\_\_  
Date of Purchase

In consideration of the payment made by the Applicant, the Town hereby grants to the Applicant a burial lot deed entitling the Applicant to a license or easement to use the burial lot herein described and has access thereto.

\_\_\_\_\_  
Town of Bon Accord Representative



TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~ 2020-04  
CEMETERY BYLAW

PART II - BURIAL APPLICATION AND PERMIT

DATE: \_\_\_\_\_

Name of Deceased: \_\_\_\_\_

Maiden Name: \_\_\_\_\_

Age: \_\_\_\_\_ Sex: M / F

Date of Death: \_\_\_\_\_

Date of Birth of Deceased: \_\_\_\_\_

Residence at time of death: \_\_\_\_\_

Date of Burial: \_\_\_\_\_

Time of Burial: \_\_\_\_\_

Service from: \_\_\_\_\_ Church/Chapel

Funeral Home in Charge: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Phone No. of Applicant: \_\_\_\_\_

**Lot Description** Section: \_\_\_\_\_ Plot No: \_\_\_\_\_

Regular Grave - (\_\_\_\_\_) —with Concrete Liner (\_\_\_\_\_) —Vault (\_\_\_\_)

Cremation Grave (\_\_\_\_\_) Columbarium -(\_\_\_\_\_) Other (\_\_\_\_)

~~Perpetual Care Fee (For burials in plots purchased prior to Perpetual Care Fee coming into effect. \$ \_\_\_\_\_)~~

Opening & Closing Fee: Weekdays Regular Hours \$ \_\_\_\_\_

Weekday Overtime & Weekend & Holiday Additional Charges \$ \_\_\_\_\_

**TOWN OF BON ACCORD**  
**BY-LAW ~~2014-08~~2020-04**  
**CEMETERY BYLAW**

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Subtotal	\$ _____
GST	\$ _____
TOTAL	\$ _____

The Applicant acknowledges and agrees that a permit for burial is issued subject to the provisions of the Town of Bon Accord Cemetery Bylaw and amendments thereto.

\_\_\_\_\_  
Signature of Applicant

**PERMIT FOR BURIAL**

The Town of Bon Accord grants permission for the burial of the above deceased in the Bon Accord Cemetery this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Town of Bon Accord

TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~2020-04  
CEMETERY BYLAW

SCHEDULE "C"

GRAVE MARKER PERMIT

Permit No: \_\_\_\_\_

Name of Monument Company: \_\_\_\_\_

Address of Monument Company: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone No. of Monument Company: \_\_\_\_\_

Name of Purchaser: \_\_\_\_\_

Address of Purchaser: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of Deceased: \_\_\_\_\_

Location: Section: \_\_\_\_\_ Plot: \_\_\_\_\_

Type of Marker: ~~-Not to exceed ground surface~~

Material Used: Granite \_\_\_\_\_ Other \_\_\_\_\_

Size of Monument: Width \_\_\_\_\_ Height \_\_\_\_\_ ~~Foundation~~ Foundation Proposed: Yes ~~\_\_\_~~ No No

Inscription on Monument: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of Application: \_\_\_\_\_ ~~Est.~~ Est. Date of Placement: \_\_\_\_\_

Permit Fee: \_\_\_\_\_ ~~Cash~~ Cash \_\_\_\_\_ ~~Cheque~~ Cheque

Application Completed ~~By~~ by

Signature of Applicant

TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~2020-04  
CEMETERY BYLAW

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Fee: ~~\$25.00 if within first three years of burial, otherwise \$50.00, plus GST, 100.00 plus GST as per schedule~~  
"A"

DRAFT

TOWN OF BON ACCORD  
BY-LAW ~~2014-08~~2020-04  
CEMETERY BYLAW

SCHEDULE "D"

TRANSFER OF DEED FROM OWNER TO ANOTHER PERSON

Name of Current Owner: \_\_\_\_\_

Name of Person Receiving the Transfer: \_\_\_\_\_

Address of Person Receiving the Transfer: \_\_\_\_\_

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

Phone No. of Person Receiving the Transfer: \_\_\_\_\_

Date of Transfer: \_\_\_\_\_

Section: \_\_\_\_\_ -Plot No: \_\_\_\_\_ Niche No: \_\_\_\_\_

\_\_\_\_\_  
Signature of Transferor

\_\_\_\_\_  
Signature of Transferee

**NOTE:** TRANSFER FEES MUST BE PAID IN ACCORDANCE WITH SCHEDULE "A"

# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** *Regular Council Meeting*  
**MEETING DATE:** **January 21, 2020**  
**AGENDA ITEM:** **Municipal Borrowing Bylaw - Capital**

**RECOMMENDATION:**

**THAT ...** Council review and give first reading to Municipal Borrowing Bylaw - Capital 2020-06.

**BACKGROUND:**

The Municipal Borrowing Bylaw gives the Town authorization to borrow the sum of \$560,065 for completion of the solar micro-generation project (Bon Accord Solar Farm) capital project approved for the 2020 budget. The total project cost is estimated to be \$1,031,521. Grant funding in the amount of \$471,456 has been approved, so the remaining expenditures will need to be funded through debenture.

**FINANCIAL IMPLICATIONS:**

Principal sum: up to \$560,065

Term of the loan is not to exceed TEN (10) years at a rate of interest per ACFA rates, current 10 year rate is 2.349%

**LEGISLATIVE HISTORY**

Municipal Government Act – Section 258

**ALTERNATIVES:**

1. Council gives 1<sup>st</sup> reading to Municipal Borrowing Bylaw – Capital 2020-06
2. Council directs Administration to investigate alternative sources of financing.

**Prepared and Submitted By:** Falon Fayant

**Reviewed By:** Joyce Pierce

**Date:** January 16, 2020

**TOWN OF BON ACCORD  
BYLAW – 2020-06  
MUNICIPAL BORROWING BYLAW**

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**A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA TO INCUR INDEBTEDNESS BY THE ISSUANCE OF DEBENTURE(S) IN THE AMOUNT OF \$560,065 FOR THE PURPOSE OF CONSTRUCTING THE SOLAR MICRO-GENERATION PROJECT (BON ACCORD SOLAR FARM).**

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WHEREAS the Council of Town of Bon Accord (hereinafter called the "Municipality") has decided to issue a bylaw pursuant to Section 258 of the *Municipal Government Act* to authorize financing, undertaking, and completion of the solar micro-generation project (Bon Accord Solar Farm).

Plans and specifications have been prepared and the total cost of the project is estimated to be \$1,031,521 and the Municipality estimates the following grants and contributions will be applied to the project:

Capital Reserves	\$0
Provincial Grants	\$471,456
Debenture(s)	\$560,065
<b>TOTAL COST</b>	<b>\$1,031,521</b>

In order to complete the project it will be necessary for the Municipality to borrow the sum of \$560,065, for a period not to exceed TEN (10) years, from the Alberta Capital Finance Authority or another authorized financial institution, by the issuance of debentures and on the terms and conditions referred to in this bylaw.

The estimated lifetime of the project financed under this bylaw is equal to, or in excess of TEN (10) years.

The principal amount of the outstanding debt of the Municipality at December 31, 2019 is \$1,205,201 and no part of the principal or interest is in arrears.

All required approvals for the project have been obtained and the project is in compliance with all *Acts* and *Regulations* of the Province of Alberta.

NOW, THEREFORE, THE COUNCIL OF THE MUNICIPALITY DULY ASSEMBLED, ENACTS AS FOLLOWS:

1. That for the purpose of constructing the solar micro-generation project (Bon Accord Solar Farm) the sum of FIVE HUNDRED SIXTY-ONE THOUSAND AND SIXTY-FIVE DOLLARS (\$560,065) be borrowed from the Alberta Capital Finance Authority or another authorized financial institution by way of debenture on the credit and security of the Municipality at large, of which the full sum of \$560,065 is to be paid by the Municipality at large.
2. The proper officers of the Municipality are hereby authorized to issue debenture(s) on behalf of the Municipality for the amount and purpose as authorized by this bylaw, namely the construction of the solar micro-generation project (Bon Accord Solar Farm).
3. The Municipality shall repay the indebtedness according to the repayment structure in effect, namely semi-annual or annual equal payment of combined principal and interest installments not to exceed TEN (10) years calculated at a rate not exceeding the interest rate fixed by the Alberta Capital Finance Authority, or another authorized financial institution, on the date of the borrowing, and not to exceed EIGHT (8) percent.
4. The Municipality shall levy and raise each year municipal taxes sufficient to pay the indebtedness.
5. The indebtedness shall be contracted on the credit and security of the Municipality.
6. The net amount borrowed under the bylaw shall be applied only to the project specified by the bylaw.
7. This bylaw comes into force on the date it is passed.

**TOWN OF BON ACCORD  
BYLAW – 2020-06  
MUNICIPAL BORROWING BYLAW**

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READ A FIRST TIME THIS 21<sup>st</sup> day of January 2020.

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

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

READ A SECOND TIME THIS 3<sup>rd</sup> day of March 2020

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

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

READ A THIRD TIME THIS 3<sup>rd</sup> day of March 2020

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

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



# TOWN OF BON ACCORD

## Request for Decision (RFD)

**MEETING:** *Regular Council Meeting*

**MEETING DATE:** **January 21, 2020**

**AGENDA ITEM:** **Municipal Borrowing Bylaw – Operating; Bylaw #2020-07**

**RECOMMENDATION:**

Resolution #1

**THAT...**

the Municipal Borrowing Bylaw – Operating; Bylaw #2020-07 be given first reading, as presented.

Resolution #2

**THAT...**

the Municipal Borrowing Bylaw – Operating; Bylaw #2020-07 be given second reading, as presented.

Resolution #3

**THAT...**

Council give unanimous consent to hear three readings of the Municipal Borrowing Bylaw – Operating; Bylaw #2020-07 in one meeting.

Resolution #4

**THAT...**

the Municipal Borrowing Bylaw – Operating; Bylaw #2020-07 be given third and final reading, as presented.

**BACKGROUND:**

The Municipal Borrowing Bylaw – Operating gives the Town of Bon Accord authorization to borrow from Alberta Treasury Branches ("ATB") up to the principal sum of \$250,000.00 for operating expenditures if necessary, repayable upon demand at a rate of interest of 3.95% per annum from time to time established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month, for a term not exceeding three (3) years. The interest rate has been provided by ATB revolving line of credit statement documents (currently at a zero (0) balance owing) and the term is not to exceed three (3) years per the MGA Section 256 which states an operating borrowing bylaw does not require advertisement if the term does not exceed three (3) years.

The Municipal Borrowing Bylaw is a document that is updated yearly and submitted to the bank as part of their documentation requirements. The MAP review indicated that the Borrowing Bylaw must state the allowable terms and the rate of interest, therefore this bylaw has been updated to reflect the additional information.

**FINANCIAL IMPLICATIONS:**

Principal sum: up to \$250,000 if necessary.

Term of the loan is not to exceed three (3) years at a rate of interest of 3.95% per annum.

**LEGISLATIVE HISTORY**

Municipal Government Act – Section 256

**ALTERNATIVES:**

1. Council gives all three readings to Bylaw 2020.07 Municipal Borrowing Bylaw – Operating.
2. Council directs Administration to investigate alternative sources of short-term financing.

**Prepared and Submitted By:** Falon Fayant

**Reviewed By:** Joyce Pierce

**Date:** January 14, 2020

**TOWN OF BON ACCORD  
BYLAW -2020-07  
MUNICIPAL BORROWING BYLAW-OPERATING**

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**A BYLAW OF THE TOWN OF BON ACCORD, IN THE PROVINCE OF ALBERTA FOR THE PURPOSE SPECIFIED IN SECTION 256 OF THE MUNICIPAL GOVERNMENT ACT**

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WHEREAS the Council of Town of Bon Accord (hereinafter called the "Corporation") in the Province of Alberta considers it necessary to borrow certain sums of money for the purpose of: Operating Loan for the period ending December 31, 2020.

NOW THEREFORE pursuant to the provisions of the *Municipal Government Act*, it is hereby enacted by the Council of the Corporation as a Bylaw that:

1. The Corporation may borrow from Alberta Treasury Branches ("ATB") up to the principal sum of \$250,000.00 repayable upon demand at a rate of interest per annum of 3.95% established by ATB, and such interest will be calculated daily and due and payable monthly on the last day of each and every month, for a term not exceeding three (3) years.
2. The Chief Elected Officer and the Chief Administrative Officer are authorized for and on behalf of the Corporation:
  - a. To apply to ATB for the aforesaid loan to the Corporation and to arrange with ATB the amount, terms, and conditions of the loan and security or securities to be given to ATB
  - b. As security for any money borrowed from ATB
    - i. To execute promissory notes and other negotiable instruments or evidences of debt for such loans and renewals of all such promissory notes and other negotiable instruments or evidences of debts;
    - ii. To give or furnish to ATB all such securities and promise and ATB may require to secure repayment of such loans and interest thereon; and
    - iii. To execute all security agreements, hypothecations, debentures, charges, pledges, conveyances, assignments, and transfer to and in favor of ATB of all or any property, real or personal; moveable or immoveable, now or hereafter owned by the Corporation or in which the Corporation may have any interest, and any other documents or contracts necessary to give or to furnish to ATB the security or securities required by it.
3. The source or sources of money to be used to repay the principal and interesting owing under the borrowing from ATB are: taxes, reserves, or grants.
4. The amount to be borrowed and the term of the loan will not exceed any restrictions set forth in the Municipal Government Act.
5. In the event that the Municipal Government Act permits extension of the term of the loan and in the event the Council of the Corporation decides to extend the loan and ATB is prepared to extend the loan, any renewal or extensions, bill, debenture, promissory note, or other obligation executed by the officers designated in paragraph 2 hereof and delivered to ATB will be valid and conclusive proof as against the Corporation of the decision of the Council to extend the loan in accordance with the terms of such renewal or extension, bill, debenture, promissory note, or other obligation, and ATB will not be bound to inquire into the authority of such officers to execute and deliver any such renewal, extension document, or security.

**TOWN OF BON ACCORD  
BYLAW -2020-07  
MUNICIPAL BORROWING BYLAW-OPERATING**

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6. Bylaw 2019-08 is hereby repealed.

7. This Bylaw comes into force on the final passing thereof.

READ A FIRST TIME THIS 21<sup>st</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

## Request for Decision (RFD)

**MEETING:** Regular Council Meeting

**MEETING DATE:** January 21, 2020

**AGENDA ITEM:** Federation of Canadian Municipalities (FCM) Conference 2020

**RECOMMENDATION:**

**THAT....** Council approve those members wishing to attend the FCM Conference 2020 held June 4<sup>th</sup> – 7<sup>th</sup> 2020, and direct administration to register members attending and make travel arrangements.

**BACKGROUND:**

This annual conference is Canada’s largest gathering of municipal leaders. There will be dozens of engaging workshops and study tours and it is an opportunity to see how empowering local leaders with modern fiscal tools assist our communities.

From the FCM website:

“At the conference you will:

- Learn best practices and gain new insights to tackle your municipality’s challenges.
- Network with more than 2,000 delegates from across the country.
- Influence the municipal agenda while hearing from federal party leaders.
- Exchange and share knowledge that can help strengthen your community.
- Achieve your municipality’s full potential and raise your community’s profile.”

This event will be held June 4<sup>th</sup> – 7<sup>th</sup> 2020 in downtown Toronto, ON. Online registration opens January 20, 2020.

**FINANCIAL IMPLICATIONS:** Airfare, hotel and registration fees.

**LEGAL IMPLICATIONS:** N/A

**LEGISLATIVE HISTORY:** N/A

**ALTERNATIVES:**

1. Council approve those members wishing to attend the FCM Conference 2020 held June 4<sup>th</sup> – 7<sup>th</sup> 2020, and direct administration to register members attending and make travel arrangements.
2. Council decline invitation to attend the FCM Conference 2020.

**Prepared and Submitted By:** Jessica Caines

**Reviewed By:** Joyce Pierce

**Date:** January 16, 2020

TOWN OF BON ACCORD  
Mayor's Report  
for the period Dec. 17, 2019 to Jan. 21, 2020

Dec. 17, 2019	Attended regular meeting of council
Dec. 19, 2019	Attended Personnel Meeting
Jan. 3, 2020	Attended Meeting with CAO Pierce
Jan. 7, 2020	Attended regular meeting of council
Jan. 9, 2020	Attended Roseridge Commission Meeting

Notes:

The medical leave that I had requested was shortened by Christmas and with the healing I was able to return at the beginning of Jan. Thank you all for your support during this difficult time.

*David Hutton*  
Mayor  
Town of Bon Accord

**TOWN OF BON ACCORD**

*Deputy Mayor Report – for Dec 11, 2019 – Jan 14, 2020*

December 12, 2019	Attended the Roseridge Commission meeting. The budget was presented and accepted. Some efficiencies have been found and the budget is smaller than the 2019 budget.
December 13, 2019	Attended the staff Christmas luncheon. Great food and a great time had by all.
December 19, 2019	Attended the Homeland Housing board meeting and Christmas lunch. To understand transportation needs of seniors in the region a questionnaire was distributed. The Sturgeon Mobility Assisted Regional Transportation (SMART) Van Program model is hoping to improve seniors' transportation in the area and plans to purchase/operate a van service are being worked on. There will be a charge for this service. The average amount seniors are willing to pay for a trip to Edmonton is \$20.00. Also of note is that there is a political willingness to get the specialty unit at Diamond Springs lodge up and running perhaps as soon as March. AHS has identified there is a need for 75 more of these type of beds within the Sturgeon/Westlock region. A good percentage of these individuals are taking up acute care beds waiting for suitable housing.
January 7, 2020	Attended the Regular Meeting of Council
January 13, 2020	Attended the ICF/IDP Meeting with Sturgeon County.
January 15, 2020	Meeting with Sturgeon Public School Board was cancelled by the School Board

*Lynn Bidney*  
Deputy Mayor  
Town of Bon Accord

**TOWN OF BON ACCORD***Councillor Report for December 15, 2019 – January 15, 2020*

December 17, 2019	Regular meeting of council.
January 7, 2020	Regular meeting of council.
January 14, 2020	Library board meeting – Cancelled due to weather.
January 15, 2020	Public school division board meeting – Cancelled due to weather.

*Tanya May*  
Councillor  
Town of Bon Accord



**TOWN OF BON ACCORD**

*Councillor Report – for period Dec 11- January 16, 2020*

December 17, 2019	Regular Meeting of Council
January 7, 2020	Regular Meeting of Council
January 13, 2020	Intermunicipal Development Planning ICF meeting

Note: I found this meeting interesting, especially being so new to the Council position. I can see why the MGA would require the Town, in cooperation with the County, to have a written document outlining all specified duties and agreements. This takes time, consideration and gives the Town/County a chance to really review their policies and who is responsible for each thing.

Some things were addressed that I am sure we will see pop up again in the near future, such as the relationship with the County and the water fill station, cost sharing of repairs, Town owned roads maintained by County/Town, revision as well as annexation. I personally think that if we were to annex some of the land only in and around the highway, it would be beneficial to us. It seems as we may not have the best interest in our Town, by one particular Sturgeon Council member, but the Town of Bon Accord does indeed have a beneficial location, right on the highway. If we were to acquire more land, that would be my position.

Lacey Laing  
Councillor  
Town of Bon Accord

**TOWN OF BON ACCORD**

*Councillor Report – for period Dec 10 – Jan 15, 2020*

- December 11, 2019      Attended Seniors dinner at the Jewel box. Lots of good conversation and good positive views of the town.
- December 13, 2019      Attended Christmas lunch in Chambers. Great time! An opportunity to see town staff having a good time and enjoying each other's company. I was very impressed.
- December 16, 2019      Watched Doug Griffiths Webinar on his view of economic development. Very interesting with lots of good information that we may be able to use in the future.
- December 17, 2019      Attended Regular Meeting of Council.
- December 31, 2019      Brought in the new year with our town's seniors. One comment was about the trees and long grass on 54<sup>th</sup> Ave between 47<sup>th</sup> and 49<sup>th</sup> street. A resident told me that there were trees marked for removal several years ago, but the markings have been removed and that this appears to be a dumping area for garbage. I drove by and determined that this would need to be revisited when the snow is gone.
- January 7, 2020          Attended Regular Meeting of Council.
- January 13, 2020        Attended ICF/IDP meeting with Sturgeon County. This was a preliminary meeting to go over both drafts. More meetings to follow.
- January 15, 2020        School Trustee meeting for today was cancelled due to weather.

*Brian Holden*  
Councillor  
Town of Bon Accord

# Council Report

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**Date:** December 11/19 – January 16/20  
**Department:** Economic Development | Planning  
**Submitted by:** Dianne Allen, Manager

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## **ECONOMIC DEVELOPMENT**

### Edmonton Economic Development Corporation (EEDC)

EEDC will likely be scaled down considerably, focusing on Tourism, managing the EXPO Centre and Edmonton convention center. Currently EEDC employs 1400 full time, part-time and program employees with an annual budget of \$20 Million. It is unclear how many jobs will be affected by the separation of duties. Edmonton Global will tentatively manage attracting foreign investment and developing trade. An innovation authority will be created for TEC Edmonton, InnovateYEG, Start-Up Edmonton and Health City. Changes to happen in March 2020.

### Cannabis - Commercial Tax Rates

Towns, counties and other municipalities will be allowed to charge cannabis growers commercial property taxes in 2020. Rural and Urban Municipalities have pushed for the change, as the sizeable new facilities put a strain on municipal services. The intent is recognizing development is taking place. The cost will depend on local property tax rates and how the local assessor calculates the value of property. In a small municipality with facilities as large as one million sq. ft., the extra revenue could be substantial.

### Metro Region Budgets

Recently passed budgets in the Region:

*Parkland County* – interim budget with an overall municipal tax increase of 2.1%. The adopted budget recognizes cost reduction across departments, while trying to recover from the economic downturn.

*St Albert* – 2020 budget with an average 2.5% property tax increase. The majority is earmarked for work to repair, maintain and replace infrastructure.

*Sturgeon County* – 2020 budget is a tax increase of 1.18%. Recent policing costs is a large expense to incur.

*Fort Saskatchewan* - 2020 budget is a minor increase of .44% for property tax increase. The increase was reduced from an earlier proposed 2.1% hike through funding adjustments, refusals, including three new city staffing position requests.

*Morinville* – 2020 budget with a 2% residential property tax increase. Utility costs are also expected to rise 5%

*Gibbons* – interim budget with an increase of around 4%.

### Greater Parkland Regional Chamber

The Spruce Grove, Wabamun and Stony Plain District Chambers of Commerce united to become the Greater Regional Chamber of Commerce. The new organization has a 16-member board and is one of the largest chambers in the Province.

### St. Albert – Land Donation or Lease

St. Albert is investigating an option for expanding affordable housing in the downtown core. Two city-owned lots will go up for donation or a long term lease for developers and non-profits that are interested in offering accessible affordable housing.

Developers or non-profits could take the land as a donation and follow city requirements to offer rates at 20 percent below market value of an agreed upon number of units. The other option is for interested parties to enter a land lease, which would see the land and buildings returned to the City after the lease is up.

An expression of interest will be initiated in the beginning of 2020 and administration will provide recommendations by the end of May.

### Nation's Largest Shopping Mall – South Florida

American Dream Miami will be the largest shopping center in the US. Mall is expected to open by 2025, with construction set to begin in late 2021 by Canadian development firm Triple Five Group. Triple 5 expects to spend \$4.5 billion to \$5 billion to build five million square feet in unincorporated Miami-Dade County. There will be a theme park inside the shopping centre (water park, ice skating rink, indoor ski slope, 14 screen 3-D movie theatre and a performing arts centre. The mall park will have indoor lakes and an aquarium. There has been concern raised by locals and local government regarding the effect the mall will have on traffic in the area. Triple Five Group will spend \$210 million in road and interchange improvements. The company will also pay \$5.9 million in upfront impact fees to expand five Miami-Dade bus routes to the mega-mall. Building a \$12 million transit centre is also part of the plan.

Concerns of taxpayer money being used to fund the project is part of Triple Five Group history of demanding taxpayer financing and public funds for its projects. County Mayor is opposed to tax dollars funding projects and has informed Triple Five Group they would receive no public funds, tax breaks or incentives.

### The Inspections Group

A new system is being implemented by the Inspections Group to complete inspections reports in the field. The inspectors will be able to use their phones to complete reports while on site. Once complete, the reports are sent out directly from their phones to the applicant. Sending reports directly from site will eliminate delays in getting reports to the applicants and municipality.

**PLANNING AND DEVELOPMENT**

Development / Investment

- Inquiry on available commercial lands
- Application submitted for redistricting

Business and Development Inquiries

- Commercial Business

Complaints

Complaints received and investigated for this reporting period include:

- No complaints reported for this reporting period
- Ongoing monitoring of residential property (unsightly)

Business Inquiries	Compliance Certificates	Development Permits	Business Licenses	Bylaw Complaints	
1	0	0	13	0	This Period
1	0	0	13	0	YTD

Meetings/Events Attended/Education

- Manager Meetings – internal exchange of information & updates of Council
- UDI
- Council Meetings
- GEEDT – meeting
- Municipal Planning Services – discuss / review permits / compliance certificates
- Investigation / Inspection – complaints
- Resident Meetings – development questions

Respectfully Submitted – Dianne Allen