

**BYLAW NO: 2379**

**CONSOLIDATION OF A BYLAW OF THE CITY OF MEDICINE HAT respecting water.**

THE MUNICIPAL CORPORATION OF THE CITY OF MEDICINE HAT, IN COUNCIL ASSEMBLED, ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the Water Service Bylaw of the City of Medicine Hat. Where the terms of this Bylaw conflict with the provisions of any other Bylaw of the City of Medicine Hat, this Bylaw shall prevail.

2. **DEFINITIONS**

In this Bylaw unless the context otherwise requires:

Amended by:  
Bylaw 3137  
June 2, 1998

- (a) "Backflow" means the reversal of flow of any water, wastewater, or any other liquid, chemical, or substance back into the water works system.

Amended by:  
Bylaw 3137  
June 2, 1998

- (a.1) "Consumer" includes any person who has contracted with the City for the purchase of water from the water works system.

Amended by:  
Bylaw 3137  
June 2, 1998

- (b) "Cross Connection" means any temporary, permanent or potential connection of any piping, fixture, fitting, container, or appliance to the water works system which may allow water, wastewater, or any other liquid, chemical, or substance to enter the water works system. This includes, but is not limited to, swivel or change over devices, removable sections, jumper connections and bypass arrangements.

Amended by:  
Bylaw 3137  
June 2, 1998

- (b.1) "Cross connection control device" means a device or method that prevents backflow.

Amended by:  
Bylaw 2772  
July 6, 1992

- (c) "Environmentally Inappropriate" when used to describe a use or flow of water means a use or flow of water that results in a quantity of water.
  - (i) soaking into the ground,
  - (ii) entering the City's domestic sewer or storm sewer system, or
  - (iii) escaping in any manner from the property upon which the use or flow of water originates,

in excess of the quantity required for a necessary or desirable domestic, commercial, industrial or public purpose.

Amended by:  
Bylaw 3137  
June 2, 1998

- (c.1) "General Manager" means the City employee holding the position of General Manager of Environmental Utilities, and includes any other City employee that City employee that the General Manager of Environmental Utilities authorizes to perform any duties or exercise any powers of the General Manager of Environmental Utilities as set out in this Bylaw.

- (d) "Owner" means and includes the owner, occupier, or any person in possession of any premises within the City of Medicine Hat, and includes a consumer.

Amended by:  
Bylaw 3137  
June 2, 1998

- (d.1) "Testable cross connection control device" means a cross connection control device which is capable of being inspected and tested in accordance with the National Plumbing Code of Canada 1995, as amended or replaced.

- (e) "Treasurer" means the City Treasurer of the City of Medicine Hat.

- (f) "Water Works System" means the water distribution system owned and operated

by the City of Medicine Hat and all accessories and appurtenances thereto.

3. ADMINISTRATION - CONTROL

Amended by:  
Bylaw 3137  
June 2, 1998

The General Manager, subject to the control of City Council, shall have charge of all the various properties and works required for the supply of water to the City and its inhabitants.

Amended by:  
Bylaw 3137  
June 2, 1998

(a) A person appointed as a bylaw enforcement officer pursuant to City of Medicine Bylaw No. 2436, including any peace officer, police officer or special constable employed by the Medicine Hat Police Service, or any other person appointed by the City to enforce compliance with this Bylaw has the authority to do any things and issue any charges, summons, tickets or orders as may be necessary for carrying out the provisions of this Bylaw.

Amended by:  
Bylaw 3137  
June 2, 1998

(b) The General Manager may have the water shut off the premises of any owner or consumer infringing any of the rules and regulations or amendments thereto made by the City.

4. EXTENSION OF MAINS

No extension of mains shall be constructed except as may be authorized from time to time by City Council.

5. INTERRUPTIONS OF SERVICE

Amended by:  
Bylaw 3137  
June 2, 1998

The General Manager is hereby authorized to:

(a) Order that the water be shut off without notice for such length of time as may be necessary to permit the construction or repairs to the water works system.

(b) In cases of fires or a conflagration, to shut off the water without notice in any part of the City as required. No consumer or consumers shall have a claim against the City for non-supply of water, whether it be caused by water stoppage pursuant to this section or by frozen mains, breakdown of machinery, power interruptions or other mechanical failures or malfunction, unless such non-supply of water is shown to be directly due to the negligence of the City or its employees.

(c) Damages  
In all cases where any pressure vessel or equipment is supplied with water from the water works system, the City shall not be responsible for damage to such vessel or equipment, person or premises when there is failure of the water supply due to any cause whatsoever, even where no notice is given. No deduction from the water bills shall be made in consequence thereof.

6. TEMPORARILY RESTRICTED USE OF WATER

Water restrictions in all or part of the City may be set out during any period fixed by Council by resolution and after one advertisement in the Medicine Hat News.

7. EMERGENCY RESTRICTIONS AND PROHIBITIONS

Amended by:  
Bylaw 3137  
June 2, 1998

(a) The General Manager may at any time make orders restricting the use of water either by all consumers or by any particular class of consumers and either throughout the City or in any particular area or areas of the City. The order may specify that such restricted use of water shall apply during such hours of any day of the week as may be specified in the order.

- Amended by:  
Bylaw 3137  
June 2, 1998
- Amended by:  
Bylaw 3137  
June 2, 1998
- (b) No person shall use any water from the water works system in contravention of the terms of any order made by the General Manager under this section.
  - (c) The General Manager shall take such steps as he deems necessary to publicize the terms of an order made pursuant to this and the preceding section.

#### 8. WATER CHARGES

- Amended by:  
Bylaw 2722  
Feb. 4, 1991
- Amended by:  
Bylaw 2772  
July 6, 1992
- Amended by:  
Bylaw 2772  
July 6, 1992
- (a) A consumer supplied with water that is metered shall pay the Class "A" rates set out in Section 1 of Schedule "A".
  - (b) Repealed.
  - (c) Repealed.
  - (d) Wherever lawn and garden stand-pipes are placed on premises, the said stand-pipes shall be placed on the said premises not less than twelve feet from the property line thereof.
  - (e) Separate lawn or garden services on vacant garden lots or built-on lots shall only be permitted if equipped with a water meter installed in suitable pit or box to be constructed by the owner and conforming to Section 29 (Meter Chambers).

#### 9. UNAUTHORIZED USE OF WATER

- Amended by:  
Bylaw 2772  
July 6, 1992
- Amended by:  
Bylaw 2772  
July 6, 1992
- Amended by:  
Bylaw 2772  
July 6, 1992
- (a) No owner shall lend, sell or dispose of the water supplied by the water works system, or give away or permit the same to be taken or carried away or used or apply it to the use or benefit of others or to any other than his, her or their own use or benefit or shall increase the supply of water beyond that agreed for with the City.
  - (b) No owner or other person shall do or allow to be done any act or thing that results in an environmentally inappropriate use or flow of water from the City's Water Works System, irrespective of whether the owner or other person is responsible to pay for the water that is used or allowed to flow in an environmentally inappropriate manner.
  - (c) Where an unmetered Fire line is provided, no water shall be taken for other than fire protection or testing of the fire protection system.

#### 10. HYDRANTS AND VALVES

- Amended by:  
Bylaw 3137  
June 2, 1998
- Amended by:  
Bylaw 3137  
June 2, 1998
- Amended by:  
Bylaw 3137  
June 2, 1998
- Amended by:  
Bylaw 3137  
June 2, 1998
- (a) No person shall open, close or interfere with any hydrant or valve of the water works system without the permission of the General Manager.
  - (b) The General Manager may permit water to be taken from a hydrant during construction or otherwise, provided that:
    - (i) A deposit in the amount as set out in Schedule "A" is left with the General Manager and a Hydrant Permit is issued by the Water Department for a period of thirty (30) days;
    - (ii) Hydrant Permits may be renewed under the initial deposit for additional thirty (30) day periods upon advice to the Water Department. No deposit will be refunded on Hydrant Permits exceeding the thirty (30) day period;
    - (iii) Water taken from the hydrant may be measured by a meter supplied by the General Manager and shall be charged for at the rates set forth in this Bylaw;

- (iv) If various hydrants are being used throughout the City under one Hydrant Permit, it is the responsibility of the applicant to properly record the water consumption;
- (v) Minimum charge for the use of a fire hydrant shall be set forth in Schedule "A".

#### 11. SERVICE CONNECTIONS – GENERAL

Amended by:  
Bylaw 3137  
June 2, 1998  
Amended by:  
Bylaw 3137  
June 2, 1998

- (a) Normally, only one service connection per lot shall be permitted.
- (b) For lots other than single family residences, the General Manager may authorize more than one service connection.
- (c) The size of the service shall be determined by the Planning and Engineering Services Department in accordance with the provisions of the Plumbing and Drainage regulations of the Department of Health of the of the Province of Alberta.
- (d) The service shall be run from the main to the property line in the shortest way possible.
- (e) When any building can be served from the street or avenue, the General Manager may decide whether the building will be supplied with water from the street or from the avenue.

Amended by:  
Bylaw 3137  
June 2, 1998

#### 12. NEW SERVICE LINES IN PRIVATE PROPERTY

Amended by:  
Bylaw 2722  
Feb. 4, 1991

The Water Department of the City of Medicine Hat may, at the owner's request and expense, install the water service from the property line to a building or a point designated by the owner.

#### 13. APPLICATION FOR NEW SERVICE CONNECTIONS

Amended by:  
Bylaw 3137  
June 2, 1998

- (a) Any person requiring water service from the water works system shall apply to the Planning and Engineering Services Department and request that his premises be connected to the said system. The owner or his authorized agent at the time of making an application for a water service connection is required to pay to the City, in advance, an amount equal to:
  - (i) the cost of the water service connection as determined by the General Manager; or
  - (ii) the estimated cost of the water service connection as calculated by the General Manager subject to a refund or further payment depending on the actual cost when the work is completed.

Amended by:  
Bylaw 3137  
June 2, 1998

Amended by:  
Bylaw 3137  
June 2, 1998

- (b) The owner or his authorized agent shall provide the General Manager with a site plan on which the size and location of the required services are shown. This applies to row housing, each four-suite or larger apartment building and every commercial and industrial building.
- (c) The expense of installing any service connection to a sub-divided lot or a parcel of land, or portions of same, shall be borne by the applicant.

Amended by:  
Bylaw 3137  
June 2, 1998

- (d) A separate water service pipe to be used only for fire purposes may be constructed at the cost of the owner or occupier of property from the water main to his premises. Valves on said water service pipes may be sealed, as instructed by the General Manager. The said seal shall not be broken except in case of an emergency. The General Manager shall be notified within 24 hours if a seal is broken. Should said water service pipe not be maintained as required, the same

may be disconnected by order of the General Manager.

- (e) A consumer who has on his premises private fire service equipment connected to the City water system shall pay to the City the applicable monthly rate set out in Schedule "A" of this Bylaw.

14. PLUMBERS AND PLUMBING CONTRACTORS

Amended by:  
Bylaw 3137  
June 2, 1998

All persons doing any work or service upon a private service or the plumbing system attached thereto shall comply with the provisions of The *Safety Codes Act* S.A. 1991 Chapter S-0.5, all regulations passed pursuant thereto and any Bylaws of the City applicable thereto.

Amended by:  
Bylaw 3137  
June 2, 1998

15. NO UNAUTHORIZED TAPPING

No person without the prior authority from the General Manager shall tap or make any connection or communication whatsoever with any of the public mains either in the street or in the lanes.

Amended by:  
Bylaw 3137  
June 2, 1998

16. DISCONNECTION OF SERVICE - SERVICE KILL

No permit for the demolition or removal of a building shall be issued by the City nor shall any person cause, permit or allow to be demolished or removed a building connected to a water main until there has been paid to the City the fee for disconnecting the City service at the water main as provided for in Schedule "A". Notwithstanding the foregoing, the General Manager may in circumstances which he considers appropriate, permit the service to remain connected to the water main.

17. SERVICE CONNECTIONS - MAINTENANCE

The City shall be responsible for the maintenance of the water mains and all the connections from the main to the property line with the exception of those connections used for lawn services and fire services and with the exception of those limitations contained in paragraph 15.

18. INSTALLATION OF SERVICES

Amended by:  
Bylaw 3137  
June 2, 1998

- (a) The water service pipe from the main to the property line shall be of copper, cast iron, or other material approved by the General Manager and connected by fittings and materials approved by the General Manager, and such water service pipe shall be laid at least seven (7) feet below the surface of the ground if in clay and nine (9) feet if in gravel at any point between the property line and the house.

- (b) There shall be placed on each water service pipe a corporation valve at or near the property line, for the purpose of turning on the water supply or shutting it off. Over the corporation valve there shall be placed a metallic corporation valve box of approved pattern. The downstream edge of the corporation valve so placed shall be the limit of City responsibility with respect to the installation.

- (c) The main shut-off valve shall be located immediately inside the building

Amended by:  
Bylaw 3137  
June 2, 1998

(d) Operation of Corporation Valve

No person shall in any way interfere with a corporation valve on City property. Whenever water has been turned off, no person who is not duly authorized by the General Manager shall turn it on again.

Amended by:  
Bylaw 3137  
June 2, 1998

(e) Booster Pumps

No person shall use any boosting device on any water service unless the use of the boosting device has been approved by the General Manager and the device

is located on the downstream side of a water meter.

(f) Branch Lines

No person shall install branch supply lines, outlets or fixtures on the upstream side of a water meter or main shut-off valve, except for fire protection purposes.

19. APPLICATION FOR LARGER SERVICES FROM MAIN TO PROPERTY LINE

Amended by:  
Bylaw 3137  
June 2, 1998

Any person wishing to have a larger service shall apply to the Planning and Engineering Services Department and request that a larger service be installed. The owner or his authorized agent shall sign the property application form provided for that purpose and make the required deposit. If, in the opinion of the General Manager, the existing service is due for replacement, the applicant will be required after installation to pay all the costs less his deposit for the difference in material costs between the new and the existing pipe size. If, in the opinion of the General Manager, the existing service is in good condition, the applicant will be required after installation to pay all the costs less his deposit for the installation including surface restoration.

20. APPLICATION FOR SERVICE RENEWAL IN PRIVATE PROPERTY

Amended by:  
Bylaw 3137  
June 2, 1998

Any owner wishing the City to renew a service located in private property shall apply to the Planning and Engineering Services Department and request that such installation be made. The owner or his authorized agent shall sign:

(a) A Declaration stating that he has not been able to get a plumbing contractor to do the work.

Amended by:  
Bylaw 3137  
June 2, 1998

(b) The proper application form and provide the deposit required by the General Manager. After the installation is completed, he will have to pay the difference between his deposit and the actual installation cost.

21. FROZEN SERVICES

Amended by:  
Bylaw 3137  
June 2, 1998

(a) If the service or inside plumbing system is frozen and the General Manager is of the opinion that it has frozen without any negligence on the part of the consumer, or any other person for whose negligence the consumer is responsible, the General Manager may waive the cost of one thawing. Subsequent calls thereafter will be charged to the customer at the rate set forth in Schedule "A". If the consumer elects to leave a water tap open to prevent further freeze-ups, regular water meter charges will apply.

(b) The City shall not thaw a private service or plumbing system unless the consumer shall first have signed an acknowledgement recognizing that thawing may be inherently dangerous to property including the private service or plumbing system and may cause damage to electrical systems or the outbreak of fire and waiving any claim against the City for any such damage whatsoever except damage caused by the negligence of the City.

22. METERS - GENERAL

Amended by:  
Bylaw 3137  
June 2, 1998

(a) Except where otherwise provided in this Bylaw, all water supplied pursuant to this Bylaw shall be measured by a meter of a design and capacity approved by the General Manager. Should a meter, while on the property of the consumer, be damaged or destroyed, the cost of repairing or replacing the meter, as provided for in Schedule "A", shall be paid by the consumer.

(i) Subject to Clause (d)(iii), one meter will be supplied by the City free of charge to the consumer for each water service connection which is not a lawn service, fire protection service, or a meter measuring a combined

- Amended by:  
Bylaw 3137  
June 2, 1998  
Amended by:  
Bylaw 3137  
June 2, 1998
- (ii) flow of fire protection and consumer demand.  
All water meters installed by the City shall at all times be the property of the City.
- (iii) Any metered water service in use before or after the enactment of this Bylaw shall remain a metered water service.
- (iv) No person, other than an employee of the Water Works Division or a person authorized in writing by the General Manager, shall install, test, remove, repair, replace or disconnect a water meter.
- (v) Consumers shall immediately notify the General Manager of any breakage, stoppage or irregularity in a water meter.
- (vi) The City shall not be responsible for any damage to buildings, or property occasioned by or in the course of the installation, maintenance, repair or disconnection of any water meter provided that reasonable care has been taken by the employees or agents of the City in the course of such installation, maintenance, repair or disconnection.
- Amended by:  
Bylaw 2772  
July 6, 1992
- (b) Repealed.
- (c) If buildings or premises require two or more meters, the owner shall be billed separately for water used through each meter.
- (d) Meter Size  
The size of the water meter shall be determined as follows:
- (i) If the internal diameter of the service is 25mm or less, a 16mm x 20mm meter shall be used.
- (ii) If the internal diameter of the service exceeds 25mm, the size of the meter shall be one size smaller than the size of the service.
- (iii) A 20mm or 25mm meter for a residential water service will be supplied and installed in premises by The City at the request of the owner of the premises and upon payment of the charge set out in Schedule "A". Under no circumstances shall a meter larger in size than the water service be supplied and installed.
- (iv) If the service is a combined service (to supply water for fire protection as well as water for other purposes), the internal diameter of the service branch to be used for other purposes shall determine the meter size as set out in Sub-sections (1) and (2) of this Section.
- Amended by:  
Bylaw 2722  
Feb. 4, 1991
- (e) Except where otherwise provided in this Bylaw, no owner or other person shall do or allow to be done any act or thing that results in a use or flow of water from the City's Water Works System that is not measured by a water meter of a design and capacity approved by the General Manager.
- Amended by:  
Bylaw 3137  
June 2, 1998
- (f) If the General Manager becomes aware of any use or flow of water that is not measured by a water meter of a design and capacity approved by the General Manager and that does not fall within a specific exception to the general requirement of water metering as set forth in Sub-section (a) of this Section, the General Manager may take all necessary steps to stop that use or flow of water until:
- (i) a water meter has been installed pursuant to the provisions of this Bylaw; and
- (ii) an application for water service has been made in accordance with the provisions of this Bylaw.

23. PROTECTION OF METERS

A consumer is responsible for the safekeeping of the water meter and any remote reading device that may be installed with the water meter on the consumer's property. A consumer shall protect the water meter and connecting valves and pipes from freezing, excessive heat, overheating of water, external and internal damage of any kind or any other thing which may affect the operation or reading of a water meter and shall pay the cost of repairing or replacing any water metering facility supplied and installed by the City that may be damaged from the foregoing causes or any other causes within the consumer's control.

24. INSTALLATION RESPONSIBILITY

- (a) The main shut-off valve shall be located immediately inside the building.
- (b) The owner of every building shall make provision for the installation of meters in a horizontal position.
- (c) Water meters shall be located at the point at which a water service pipe enters a premises unless the General Manager directs in writing that another location be used.
- (d) The owner of a building shall at its expense ensure that the City has access to all related piping when a meter is installed.
- (e) The owner of a commercial or industrial building who has to install a meter of a size 25 mm or larger shall at his expense provide a valved bypass and a valve within 300 mm on either side of the meter. The bypass valve must be sealed and shall be opened only in case of emergencies. The General Manager must be notified within twenty-four hours after the seal is broken.
- (f) If the owner of a commercial building requires two meters and there is only water service, the cost of the second water meter shall be the responsibility of the owner.
- (g) It shall be the owner's responsibility to provide such support for the meter as may be required by the General Manager.
- (h) Meters supplied by the City being 50mm in size or smaller shall be installed by the City.
- (i) Meters 50mm and larger shall be supplied by the City less flanges. Installation shall be the responsibility of the consumer.
- (j) Remote Reading Devices
  - (i) The City shall supply and install a remote-reading device in all new premises at no cost to the consumer.
  - (ii) A remote-reading device shall be installed in existing premises upon request of the owner and payment of the charge set out in in Schedule "A".
  - (iii) Notwithstanding Clause (1) above, the City may install remote reading devices in all or any part of a particular development area and/or subdivision.
  - (iv) Every water meter and remote-reading device shall be installed in a manner readily accessible to employees and agents of the City.
  - (v) All remote-reading devices supplied and installed by the City shall at all times be the property of the City, notwithstanding the fact that a consumer may have paid an installation fee or any other charge for

Amended by:  
Bylaw 2772  
July 6, 1992  
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Bylaw 3137  
June 2, 1998

Amended by:  
Bylaw 3137  
June 2, 1998

Amended by:  
Bylaw 2722  
Feb. 4, 1991

having a remote-reading device installed.

- Amended by: 25. RELOCATING METERS  
Bylaw 3137  
June 2, 1998
- If the General Manager is dissatisfied with the location of any meter due to alterations to the building, he may require that the meter be moved to a different location. Any expense in relocating the meter shall be borne by the owner or occupier.
26. READING OF METERS
- Every owner and occupier of premises connected to the water works system shall provide free and convenient access to his premises at all reasonable times for the purpose of reading meters. In the event that a meter reader employed by the City is unable to obtain access to the premises, the water consumption will be estimated. If no reading is obtained at the end of the next billing period, the owner or occupier will be required to leave a key at the office of the City Treasurer or otherwise make suitable arrangements for regular bi-monthly readings. If the owner or occupier fails to comply with the request of the City, the water service may be disconnected without further notice.
- Amended by: If an owner or occupier is unable to provide free and convenient access to his premises at all reasonable times for the purpose of meter reading a remote-reading device may be requested pursuant to Clause 24 (j)(ii) of this Bylaw.  
Bylaw 2722  
Feb. 4, 1991
27. UNDERGROUND SPRINKLER SYSTEMS
- Amended by: (a) Prior to installation, the owner or his agent shall apply to Planning and Engineering Services Department for a permit.  
Bylaw 3137  
June 2, 1998
- (b) All residential and commercial lawn and garden sprinkler systems regardless of the size of the service, must be metered.
- (c) All meters for a sprinkler system shall require, at the owner's expense, a valve within 300mm on either side of the meter.
- (d) Any owner or occupier of property within the City may purchase outright from the City a separate meter to measure water used for lawn or garden. Upon approval of the Mechanical Inspector, the Water Department will stamp the meter "Sewer Exempt". The consumer is responsible for any repairs to the said meter.
- Amended by: 28. CROSS CONNECTIONS AND BACKFLOW PREVENTION  
Bylaw 3137  
June 2, 1998
- (1) No person shall connect, cause to be connected, or allow to remain connected to the water system any piping, fixture, fitting, container or appliance, in a manner which, under any circumstances, may allow water, waste water or any other liquid, chemical or substance to enter the water system.
- (2) For the purposes of preventing a cross connection as prohibited in Section 28(1), the General Manager may require any consumer to install a testable cross connection control device or devices.
- Amended by: 28.1 (a) At the time of installation and thereafter as required by the General Manager, every consumer required by any Act, regulation or code or by the General Manager pursuant to Section 28 to install a testable cross connection control device or devices shall:  
Bylaw 3137  
June 2, 1998
- (i) ensure that the testable cross connection control device or devices installed are inspected and tested; and
- (ii) report the results of the inspection and testing on the form prescribed by the General Manager to the General Manager within the time frame

specified by the General Manager.

- (b) Every consumer required by the General Manager pursuant to Section 28 to install a testable cross connection control device or devices shall install only testable cross connection control device or devices approved by the General Manager.
  - (c) Every consumer required by this Section to ensure that testable cross connection control device or devices installed are inspected and tested shall ensure that only persons approved by the General Manager inspect and test the testable cross connection control device or devices. In approving persons to inspect and test cross connection control devices, the General Manager may take into consideration the following qualifications:
    - (i) a certificate from an accredited organization as a Certified Backflow Prevention Device Tester;
    - (ii) a calibration certificate for test equipment;
    - (iii) another trade or professional qualification (e.g. Plumbing Certificate, Sprinkler Fitter Certificate, etc.); and
    - (iv) liability insurance coverage.
  - (d) If a consumer fails to have a testable cross connection control device or devices inspected or tested or fails to report the results of the inspection or testing to the General Manager:
    - (i) the General Manager may notify the consumer that the testable cross connection control device or devices must be inspected and tested and a test report must be submitted to the General Manager within the time frame specified by the General Manager; and
    - (ii) the City may discontinue providing water service to the consumer until the consumer has the testable cross connection control device or devices inspected and tested and the consumer submits a report with results satisfactory to the General Manager.
  - (e) Every consumer shall display an up to date information record card issued by the General Manager on or immediately adjacent to the testable cross connection control device or devices.
- 28.2 For the purpose of verifying that Sections 28 and 28.1 are complied with, every consumer shall, at the request of the General Manager and within the time frame specified by the General Manager, provide such information as may be reasonably required by the General Manager, including information required by a survey on the form prescribed by the General Manager.
- 28.3 For the purpose of ensuring that Section 28 and 28.1 are complied with, the City may carry out an inspection of any land or structure.
- 28.4 The General Manager may issue a written order if the General Manager believes, on reasonable and probable grounds, that Section 28 or 28.1 is contravened. The written order shall be in a form prescribed by the General Manager and:
- (a) shall set out what the consumer is required to do or stop doing to comply with Section 28 or 28.1;
  - (b) may direct the consumer to, without limitation, install, maintain, alter, repair or replace or test a testable cross connection control device or devices and may direct the site or sites at which the cross connection control device or devices shall be installed, maintained, altered, repaired, replaced or tested; and

(c) shall set out a reasonable time within which the consumer must comply with the written order.

28.5 If a consumer to whom a written order is issued under Section 28.4 fails to comply with the written order, the City may discontinue providing water service to the consumer until the consumer complies with the written order to the satisfaction of the General Manager.

28.6 If the City has discontinued water service to a consumer under Section 28.1(d)(ii) or Section 28.5, no person shall cause the water service to be turned on without authorization of the General Manager.

28.7 Any costs or damages, direct, indirect or consequential, arising out of:

(i) complying with any requirement under Section 28, 28.1, 28.2, 28.3, 28.4, 28.5 or 28.6; or

(ii) the discontinuance of water service to a consumer, including any costs or damages, direct, indirect or consequential, arising out of the water service being turned on again,

shall be at the sole expense of the consumer.

Amended by: 29.  
Bylaw 3137  
June 2, 1998

METER CHAMBERS

(a) Where meters cannot be contained in an existing building, the consumer shall supply, at his own expense, an underground meter chamber which shall be approved by the General Manager. The meter chamber may be constructed by the City and the consumer billed for the expense incurred. For new buildings, meter chambers will only be allowed subject to approval of the General Manager.

(b) Underground meter chambers shall be kept in good repair by the owner. If an owner, after receiving notice from the General Manager, neglects to repair or improve his meter chamber, then the General Manager shall cause the necessary repairs to be made and the owner shall be liable for the cost of such repairs.

30. TAMPERING WITH METERS

No person shall tamper in any way with a meter or remote-reading device.

Amended by: 31.  
Bylaw 3137  
June 2, 1998

TESTING OF METERS

Whenever requested by a consumer, the meter shall be removed and tested. If, on testing, it is found that the meter registers within three per cent (%) of the water passing through same, the meter shall be deemed to be measuring correctly. If, however, the meter is found to register a greater or lesser amount than said percentage, the General Manager shall notify the Treasurer to add or deduct from the amount as registered by said meter such sum that the balance will properly represent the water delivered through said meter for a period not exceeding six (6) months. When a consumer requests a meter test and such meter is found to be within three per cent (%) accurate, that consumer shall be billed at a rate as set out in Schedule "A". As a regular maintenance service, meters shall be removed and tested by the City without charge as deemed appropriate by the General Manager.

32. DETERMINING CONSUMPTION WHEN METER INOPERATIVE

When meters have failed to register, the following methods shall be used for determining consumption.

(a) If the same or similar conditions prevail, consumption shall be estimated on the

basis of the consumption during the same month in the preceding year.

Amended by:  
Bylaw 3137  
June 2, 1998

- (b) If the same or similar conditions do not prevail, a fair estimate shall be set by the the General Manager.
- (c) The rates applied shall be those in effect for that type of service during the months in question in accordance with Schedule "A" attached hereto.

Amended by:  
Bylaw 3137  
June 2, 1998

33. REMOVING METERS AND CITY EQUIPMENT

When any owner discontinues the use of water services furnished by the City or the City lawfully refuses to continue any longer to supply the same, the General Manager, or any person authorized by him may at all reasonable times, enter the premises in or upon which such owner was supplied with water services and may remove meters, pipes or other things that are the property of the City.

Amended by:  
Bylaw 3137  
June 2, 1998

34. TEMPORARY USE OF WATER PRIOR TO METER INSTALLATION

When any owner or contractor requires water during construction prior to a water meter being installed, the General Manager may permit a temporary use of water provided that a deposit in an amount as set out in Schedule "A" is left with the General Manager and a Temporary Water Use Permit will be issued by the Water Department. Water supplied pursuant to a Temporary Water Use Permit will be charged at the Class "B" rate set out in Section 2 of Schedule "A".

35. WATER SERVICE DISCONNECTIONS

- (a) A consumer wishing to discontinue a water service shall advise the Utilities Billing Department and sign off.
- (b) Any consumer requesting a temporary disconnect for water shall pay a service charge for such disconnection and a further service charge for the reconnection, both in the amounts set out in Schedule "A". Service charges would not apply if the water service disconnection is requested for the purpose of routine maintenance.

36. APPLICATION FOR WATER SERVICE

Amended by:  
Bylaw 2772  
July 6, 1992

(1) Contract for Water Services

Any person desiring to be supplied with water service by the City shall sign an application on a form provided by the office of the Treasurer and pay the fee set out in Schedule "A". The said application when accepted by the Treasurer, shall be a contract between such person and the City by which said person agrees to be bound by all the provisions of this Bylaw or any other Bylaw or regulations of the City in connection with the supply of water by the City to such person. The said contract shall not be transferrable.

Amended by:  
Bylaw 2772  
July 6, 1992

- (2) A person who has contracted with the City to receive and pay for a supply of water from the City's Water Works System is deemed to have contracted to receive water that is measured by, and billed on the basis of, a water meter, irrespective of whether the person contracted to receive and pay for a water supply on some other basis at the time the contract was made.

37. DEPOSITS - PERSONS NOT BEING OWNERS OF THE PREMISES

Any person desiring to be supplied with water service by the City who is not the registered owner or purchaser of the premises to be serviced shall together with his application for service make a deposit as set out in Schedule "A". This deposit will be held by the City as a guarantee that all water rates will be paid and will be returned to the

applicant when vacating the premises. The applicant may provide an indemnity bond in lieu of each deposit.

38. COLLECTION

All charges and rates payable under this Bylaw shall be paid to the office of the Treasurer and the collection of all disbursements connected with the operation of the water works and supervision of books of accounts shall be under the immediate control and direction of the Finance Department.

The Utilities Department shall be promptly notified of all connections made or permits granted or of any discontinuance of water service so that the proper charges or allowances may be made against or to any person or persons liable to pay for the water consumed or who is entitled to a refund where the supply of water is discontinued.

39. WATER RATES

(a) Accounts for water service shall be forwarded monthly to the consumer and shall be payable at the office of the Treasurer and such other places as may be designated by him.

(b) Forwarding Accounts

Accounts shall be deemed to be sufficiently forwarded if they are left on the property or if they are mailed by ordinary mail to the consumer at the municipal address of the property.

Amended by: 40.  
Bylaw 3210  
Feb. 17, 1999

PENALTY

According to Bylaw No. 3210, the Utilities Penalty Bylaw.

41. ENFORCING PAYMENT

(a) The Treasurer may order that the water service to any consumer be shut off if the water account is not paid within 30 days of being posted to the consumer.

Amended by:  
Bylaw 3888  
Dec. 16, 2008

(b) A consumer who receives a notice warning that the consumer's water supply will be disconnected for non-payment shall pay the service charge set out in Schedule "A".

Amended by:  
Bylaw 3888  
Dec. 16, 2008

(c) When a consumer's water supply is disconnected for non-payment:

(1) The consumer shall pay the disconnection service charge set out in Schedule "A"; and

(2) If the consumer requests that the consumer's water supply be reconnected, the consumer shall pay the reconnection service charge set out in Schedule "A".

Amended by: 41.1  
Bylaw 3137  
June 2, 1998

APPOINTMENT CANCELLATIONS

If an appointment is scheduled for the General Manager or any other employee or agent of the City to attend at the premises of an owner with respect to any matter relating to this Bylaw, the owner shall pay the charge set out in Schedule "A" in the event that he fails to attend at the premises at the appointed time.

Amended by: 42.  
Bylaw 2772  
July 6, 1992

OFFENCES, PENALTIES AND VIOLATION TAG PROCEDURE

(1) A person who contravenes any provision of this Bylaw by doing any act or thing that is prohibited, or by failing to do any act or thing that is required, is guilty of an offence and liable upon summary conviction:

(a) to pay a fine of not less than \$100.00 and not more than \$2,500.00; or

(b) to be imprisoned for a period of not less than three days in default of payment of the fine within the time for payment allowed by the Court.

Amended by:  
Bylaw 2772  
July 6, 1992

(2) A peace officer employed by the City's Police Service or an Enforcement Officer appointed under Section 3 of this Bylaw may, in lieu of serving court process under the Provincial Offences Procedure Act for an alleged contravention of this Bylaw, serve upon the alleged offender a tag in a form prescribed by the City's Police Chief, specifying the nature of the alleged contravention and stating that the City will accept payment of \$100.00 at the Police Service headquarters within seven days of the date of service of the tag, in lieu of prosecution.

Amended by:  
Bylaw 2772  
July 6, 1992

43. SEVERANCE  
It is the intention of City Council that if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction then all other provisions of this Bylaw shall remain valid and enforceable.

Amended by:  
Bylaw 2772  
July 6, 1992

44. Bylaw No. 1506 and all amendments thereto are hereby repealed.

Amended by:  
Bylaw 2772  
July 6, 1992

45. This Bylaw shall come into force and effect on the 3rd day of December, A.D., 1984.

READ A FIRST TIME in Open Council this 19th day of November, A.D., 1984

READ A SECOND AND THIRD TIME AND FINALLY PASSED in Open Council this 3rd day of December, A.D., 1984

I HEREBY CERTIFY that this is a true and correct copy of Bylaw No. 2379 consolidated pursuant to Section 69 of the *Municipal Government Act* to incorporate all subsequent amendments thereto, printed under the authority vested in me by the said Section 69 and by City of Medicine Hat Bylaw No. 1957.

CERTIFIED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
BETTY KOCH  
ACTING CITY CLERK  
CITY OF MEDICINE HAT

**SCHEDULE "A" TO BYLAW NO. 2379  
AS AMENDED BY BYLAW NO. 4081 - DECEMBER 20, 2011  
(Effective January 1, 2012)**

**THE WATER SERVICE BYLAW OF THE CITY OF MEDICINE HAT**

**1. CLASS "A" RATES FOR METERED SERVICES (OTHER THAN AQUIFER):**

Base Rate, irrespective of consumption: \$21.07 per month

In addition to the Base Rate, the amount payable by each Consumer per cubic metre (m<sup>3</sup>)\* of water used is:

- (a) \$0.8460/m<sup>3</sup> or
- (b) for water purchased by a non-resident Consumer:\*\*
  - (i) \$1.0123/m<sup>3</sup> plus

\* The conversion factor utilized is 1m<sup>3</sup> = 219.97 Imperial gallons.

\*\* The term "non-resident Consumer" means the Cypress County, the Green Valley Water Association and the Roytal Water Users' Association, regardless of whether the water purchased by these Consumers is used inside or outside the corporate boundaries of the City of Medicine Hat, and any other Consumer purchasing water for use outside the corporate boundaries of the City of Medicine Hat.

**2. CLASS "B" TEMPORARY USE RATE:**

EFFECTIVE JANUARY 1, 2012	EFFECTIVE JANUARY 1, 2013	EFFECTIVE JANUARY 1, 2014
\$55.00	\$56.25	\$57.50

**3. CLASS "C" INSTALLATION AND REMOVAL CHARGE FOR SEASONAL METER INSTALLATION:**

DESCRIPTION	EFFECTIVE JANUARY 1, 2012	EFFECTIVE JANUARY 1, 2013	EFFECTIVE JANUARY 1, 2014
15mm (5/8") Service	\$52.00	\$53.10	\$54.20
20mm (3/4") Service	\$52.00	\$53.10	\$54.20
25mm (1") Service	\$52.00	\$53.10	\$54.20
32mm (1 1/4") Service	\$62.40	\$63.70	\$65.00
38mm (1 1/2") Service	\$75.40	\$77.00	\$78.60
50mm (2") Service	\$75.40	\$77.00	\$78.60
75mm (3") Service	\$88.40	\$90.25	\$92.15
100mm (4") Service	\$88.40	\$90.25	\$92.15

**4. CLASS "D" STANDBY CHARGE:**

(Applicable to all buildings situated on City Water Lines but not connected to them.)  
\$0.70 per square metre of building area/month

**5. CLASS "E" SERVICE CHARGE PER MONTH FOR FIRE SPRINKLER SYSTEMS:**

DESCRIPTION	EFFECTIVE JANUARY 1, 2012	EFFECTIVE JANUARY 1, 2013	EFFECTIVE JANUARY 1, 2014
50mm (2") System	\$ 8.40	\$ 8.60	\$ 8.80
75mm (3") System	\$11.25	\$11.50	\$11.75
100mm (4") System	\$14.15	\$14.45	\$14.75
150mm (6") System	\$16.95	\$17.30	\$17.65
200mm (8") System	\$19.90	\$20.30	\$20.70
250mm (10") System	\$22.50	\$22.95	\$23.40
300mm (12") System	\$26.30	\$26.85	\$27.40
Individual Fire Hydrants (on private property) per month	\$15.60	\$15.90	\$16.20

**6. CLASS "F" AQUIFER RATE**

For all water drawn from the "Police Point Aquifer" (Reference: Licence #07997, File #16713-2 under the *Water Act*) the rate is \$0.2829/m<sup>3</sup> of water used.

**7. MISCELLANEOUS FEES, RATES AND CHARGES**

BYLAW SECTION	DESCRIPTION	EFFECTIVE JANUARY 1, 2012	EFFECTIVE JANUARY 1, 2013	EFFECTIVE JANUARY 1, 2014
10(b)(i)	Deposit for use of hydrant	\$ 355.00	\$ 365.00	\$ 375.00
10(b)(v)	Minimum charge for use of hydrant	\$ 103.00	\$ 105.00	\$ 107.05
13(e)	Private Fire Service per month	\$ 15.60	\$ 15.90	\$ 16.20
16	Disconnection of service in pavement	\$2,505.00	\$2,555.00	\$2,610.00
16	Disconnection of service other than pavement	\$1,820.00	\$1,860.00	\$1,900.00
21(a)	Thawing frozen service (per hour)	\$ 95.15	\$ 97.15	\$ 99.20
22(a)	Meter repair or replacement costs for meters shall be billed at cost of labour and materials			
22(d)(iii)	20mm water meter initial installation	\$ 90.50	\$ 91.60	\$ 92.70
22(d)(iii)	20mm water meter replacement	\$ 107.50	\$ 109.00	\$ 110.60
22(d)(iii)	25mm water meter initial installation	\$ 139.00	\$ 140.50	\$ 142.00
22(d)(iii)	25mm water meter replacement	\$ 154.00	\$ 155.60	\$ 157.10
24(j)(ii)	Installation of remote reading device	\$ 63.75	\$ 65.00	\$ 66.30

<b>BYLAW SECTION</b>	<b>DESCRIPTION</b>	<b>EFFECTIVE JANUARY 1, 2012</b>	<b>EFFECTIVE JANUARY 1, 2013</b>	<b>EFFECTIVE JANUARY 1, 2014</b>
24(j)(ii)	Installation of remote reading device (12 monthly instalments charge)	\$ 5.31	\$ 5.42	\$ 5.53
31	Dispute Meter Test Residential	\$ 109.25	\$ 111.50	\$ 113.80
31	Dispute Meter Test Commercial	\$ 123.00	\$ 125.50	\$ 128.20
34	Deposit for temporary water supply	\$ 55.00	\$ 56.25	\$ 57.50
35(b)	Disconnection of Service	\$ 57.00	\$ 58.15	\$ 59.35
35(b)	Reconnection of Service	\$ 57.00	\$ 58.15	\$ 59.35
36	Application Fee	\$ 14.00	\$ 14.00	\$ 14.00
41(b)	Disconnection warning notice	\$ 20.00	\$ 20.00	\$ 20.00
41(c)	Disconnection of Service	\$ 57.00	\$ 58.15	\$ 59.35
41(c)	Reconnection of Service	\$ 57.00	\$ 58.15	\$ 59.35
41.1	Non attendance after appointment has been scheduled	\$ 64.80	\$ 66.10	\$ 67.40

NOTE: WHEREVER APPLICABLE, THE GOODS AND SERVICES TAX SHALL BE ADDED TO THE FEES, RATES, CHARGES OR OTHER AMOUNTS PAYABLE TO THE CITY PURSUANT TO THE PROVISIONS OF THIS BYLAW (SEE BYLAW NO. 2716)