

AGENDA  
TOWN OF TWO HILLS  
January 9, 2024  
1:00 P.M.



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Regular Council Meeting

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1. CALL TO ORDER
2. ADOPTION OF AGENDA
3. ADOPTION OF MINUTES
  - a) Special Council Meeting December 12, 2023
  - b) Regular Council Meeting December 12, 2023
  - c) Special Council Meeting Minutes of December 14, 2023
  - d) Special Council Meeting Minutes of December 18, 2023
4. DELEGATION
5. OPEN FORUM
6. ADMINISTRATIVE REPORTS
  - a) Public Works Report
  - b) Economic Development Officer Report
  - c) Chief Administrative Officer Report
7. CORRESPONDENCE
8. BYLAWS & POLICIES
  - a) 2024-1036 Town Council Procedural Bylaw
  - b) 2024-1037 Water & Sewer Bylaw
9. COUNCIL MEMBER REPORTS
10. NEXT MEETINGS
  - a) Regular Council Meeting Tuesday January 23, 2024 6:00 p.m.
11. CLOSED SESSION
  - a) FOIPP Act Section 25
12. ADJOURNMENT



TOWN OF TWO HILLS  
Minutes of the Special Meeting of Council for the Town of Two Hills  
held on December 12, 2023 at 1:30 P.M.



PRESENT: Mayor L. L. Ewanishan, Deputy Mayor A. Romaniuk, Councillor M. Tarkowski, Councillor S. Rajoo, Councillor E. Sorochan, C.A.O. A. Kozakewicz, A.C.A.O A. Clark, C.F.O. S. Lupul

CALL TO ORDER: Mayor L. L. Ewanishan called to order the Special Council Meeting at 1:32 P.M. on Thursday December 12, 2023.

AGENDA ITEMS: Special Meeting Purpose - SAC

2023-377 MOVED by Councillor E. Sorochan to adopt the agenda as presented.

CARRIED

ADJOURNMENT: Mayor L. L. Ewanishan adjourned the meeting at 2:45 P.M.

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LEONARD L. EWANISHAN, MAYOR

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ADAM KOZAKIEWICZ, CAO

TOWN OF TWO HILLS  
Minutes of the Regular Meeting of Council for the Town of Two Hills  
held December 12, 2023, at 7:00 P.M. in Council Chambers



**PRESENT:** Mayor L. L. Ewanishan, Deputy Mayor A. Romaniuk, Councillor M. Tarkowski, Councillor S. Rajoo, Councillor E. Sorochan, C.A.O. A. Kozakiewicz, A.C.A.O A. Clark, C.F.O S. Lupul, P.W. Supervisor T. Stefiuk, E.D.O B. Ross

**CALL TO ORDER:** Mayor L. L. Ewanishan called the Regular Town Council Meeting to order at 7:00 P.M. holding a moment of silence in respect for Cpl. Amy Lahoda.

**ADOPTION OF AGENDA:**

2023-378      **MOVED** by Councillor E. Sorochan, to accept the agenda with an addition under Old Business b) Van Insurance and removal of 9 a) 2024 Interim Budget.

**CARRIED**

**ADOPTION OF MEETING MINUTES:**

2023-379      **MOVED** by Deputy Mayor A. Romaniuk to accept the Special Council Meeting Minutes of November 20, 2023 as presented.

**CARRIED**

2023-380      **MOVED** by Councillor S. Rajoo to accept the regular Council Meeting Minutes of November 28, 2023 as presented.

**CARRIED**

2023-381      **MOVED** by Councillor M. Tarkowski to accept the Special Council meeting minutes of December 7, 2023 as presented.

**CARRIED**

**DELEGATION:**      None

**OPEN FORUM:**      One question was posed to Council due to recent events, what mental health supports do the Town offer to its employees. The CAO informed the resident that our benefits offer coverage for mental health supports in many ways and HR can offer more information if an employee should need.

**ADMINISTRATIVE REPORTS:**

Public Works Report

The Public Works Foreman's Report was provided to Council in advance for their review.

2023-382      **MOVED** by Councillor S. Rajoo that the Public Works report be



acknowledged as presented and incorporated into the minutes.

CARRIED

Economic Development Officer Report

The Economic Development Officer's report was provided to Council in advance for their review.

2023-383

MOVED by Deputy Mayor A. Romaniuk that the Economic Development Officer's report be acknowledged as presented and incorporated into the minutes.

CARRIED

Chief Financial Officer Report

The Chief Financial Officer's report was provided to Council in advance for their review.

2023-384

MOVED by Councillor E. Sorochan that the Chief Financial Officer's report be acknowledged as presented and incorporated into the minutes.

CARRIED

Chief Administrative Officer Report

The Chief Administrative Officer's report was provided to Council in advance for their review.

2023-385

MOVED by Councillor S. Rajoo that the Chief Administrative Officer's report be acknowledged as presented and incorporated into the minutes.

CARRIED

CORRESPONDENCE:

2023-386

MOVED by Councillor M. Tarkowski that the correspondence be acknowledged as presented and filed.

CARRIED

NEW BUSINESS:

SAC Deficit

Administration has received the deficit numbers for 2023 and needs a motion to allow for the difference.

2023-387

MOVED by Councillor E. Sorochan to have administration send a cheque in the amount of \$51,784.94 to the Sports Activity Council to cover the deficit to be taken from G/L code 2-97-00-0000.

CARRIED



Van Insurance

Administration has received a request for pledge for the van insurance and is seeking direction from Council on how to proceed. Previously Council had made a motion to cover 50% of the cost of the insurance.

2023-388    MOVED by Councillor S. Rajoo to pay the van insurance (\$3448.00) and further to have administration address the cost at the Joint Municipality Meeting.

CARRIED

2023-389    MOVED by Councillor S. Rajoo to rescind motion 2023-373.

CARRIED

COUNCIL MEMBER REPORTS:

2023-390    MOVED by Deputy Mayor A. Romaniuk to accept the councillor reports as presented and filed.

CARRIED

CLOSED SESSION:

2023-391    MOVED by Mayor L. L. Ewanishan to go into closed session at 8:11 PM.

CARRIED

2023-392    MOVED by Mayor L. L. Ewanishan to come out of closed session at 8:36 PM.

CARRIED

NEXT MEETING:

Regular Council Meeting Tuesday January 9, 2024 at 1:00 P.M.

ADJOURNMENT:

With all items on the agenda having been addressed Mayor L. L. Ewanishan adjourned the Regular Council Meeting at 8:37 PM.

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LEONARD EWANISHAN, MAYOR

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ADAM KOZAKIEWICZ, C.A.O.



TOWN OF TWO HILLS  
Minutes of the Special Meeting of Council for the Town of Two Hills  
held on December 14, 2023 at 3:15 P.M.



PRESENT: Mayor L. L. Ewanishan, Deputy Mayor A. Romaniuk, Councillor M. Tarkowski, Councillor S. Rajoo, Councillor E. Sorochan, C.A.O. A. Kozakewicz

CALL TO ORDER: Mayor L. L. Ewanishan called to order the Special Council Meeting at 3:15 P.M. on Thursday December 14, 2023.

AGENDA ITEMS: Special Meeting Purpose - NRED Grant

2023-393 MOVED by Deputy Mayor A. Romaniuk to approve \$50,000 Town contribution for the Northern and Regional Economic Development grant.

CARRIED

ADJOURNMENT: Mayor L. L. Ewanishan adjourned the meeting at 3:37 P.M.

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LEONARD L. EWANISHAN, MAYOR

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ADAM KOZAKIEWICZ, CAO

TOWN OF TWO HILLS  
Minutes of the Regular Meeting of Council for the Town of Two Hills  
held December 18, 2023, at 1:30 P.M. in Council Chambers



**PRESENT:** Mayor L. L. Ewanishan, Deputy Mayor A. Romaniuk, Councillor M. Tarkowski, Councillor S. Rajoo, Councillor E. Sorochan, C.A.O. A. Kozakiewicz, C.F.O S. Lupul

**CALL TO ORDER:** Mayor L. L. Ewanishan called the Regular Town Council Meeting to order at 1:29 P.M.

**ADOPTION OF AGENDA:**

2023-394      **MOVED** by Councillor S. Rajoo, to accept the agenda as presented.

**CARRIED**

**NEW BUSINESS:**

**NRED Grant**

Approve NRED \$160,000.00 ask \$50,000.00 contribution from the Town and \$30,000.00 Contribution from the County of Two Hills Council resolution of December 14, 2023: That the County of Two Hills collaborate with the Town of Two Hills (managing partner) for the Northern and Regional Economic Development Program (NRED) Economic Development, in the amount of \$30,000 with the following conditions: the NRED grant is approved, County Representative on the Hiring Committee, Quarterly Reports provided and an Evaluation at year end.

2023-395      **MOVED** by Councillor E. Sorochan to have administration apply for the NRED Grant in the amount of \$160,000.

**CARRIED**

**LGFF Allocation**

Discuss the LGFF Allocation pending approval of the Provincial Budget in March 2024.

**Small Community Opportunity Program Grant**

Small Community Opportunity Program Grant deadline January 10th 2024  
Marketing and promoting rural tourism Partnerships, Interconnectivity and Collaborations: Local projects that build capacity and enhance rural economic development through targeted partnerships and collaborations. Funding Applicants may apply for grants between \$20,000 and \$100,000 for each project. The grant may fund up to 90 per cent of eligible project costs and the applicant must fund at least 10 per cent.

2023-396      **MOVED** by Councillor M. Tarkowski to have administration apply for the Small Community Opportunity Program.

**CARRIED**



ADJOURNMENT:

With all items on the agenda having been addressed Mayor L. L. Ewanishan adjourned the Special Council Meeting at 1:55 PM.

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LEONARD EWANISHAN, MAYOR

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ADAM KOZAKIEWICZ, C.A.O.





# OPEN FORUM



(Council Procedural Bylaw, Amendment Bylaw 2014-949)

**Preamble:** Welcome. Town Council is providing an opportunity for the general public to individually address Council on any topic relevant to municipal government for a period not to exceed 2 minutes per person to a maximum of 20 minutes combined. Information presented to Council may or may not be acted on and will not be debated unless there is a majority vote to do so. The Open Forum is not a means of expressing insults, accusations or making any personal attacks on any member of Council or Staff. Any person who starts insulting or making accusations or attacks on any member of Council, Council as a Whole, or any Staff member will be kindly asked to remove themselves from Council Chambers. Once again, welcome.

## Division 3 - Open Forums

- 11.1 Individual members of the public who constitute the audience are to be provided an opportunity as part of the meeting to address the Council on any topic relevant to municipal government for a period of time not to exceed two (2) minutes per person. The intent of which is to provide residents an opportunity to address Council.
- 11.2 The information or comments heard may or may not be actioned by the Council. After a person has spoken, any Councillor may, through the Mayor or other presiding officer, ask that person or the Chief Administrative Officer relevant questions but may not debate the matter or the answers.
- 11.3 Actions by Council may only be 1) receiving the information without debate; 2) referred without debate to a Standing Committee or the Chief Administrative Officer for a report; or 3) debated if by a 2/3 majority vote a resolution is passed to allow a motion to be made without notice.

Notes:

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# Public Works Foreman Report

January 9, 2024



## Roads / Sidewalks

- a) Applied de-icer to all Town sidewalks as needed
- b) Sand and salt intersections where needed
- c) Picked up sand and salt mixture from EMCON
- d) Grade areas as needed-Isaac in training
- e) Apply beet juice to roads
- f) Sand and salt applied to both school parking lots

## Water/Wastewater

- a) The town experienced 0 power disruptions since last report-all systems good
- b) Calibrate pumphouse cl2 analyzer
- c) Continue to monitor Cl2 levels throughout distribution system - levels are back to normal
- d) Continue winter treatment cycle with sanitary system
- e) Reservoir pumphouse housekeeping
- f) Remove snow and add Ice melt to truck fill pad as required
- g) Service reconnects as per admin request
- h) Meter replacement as per admin request (meter not working since 2021)
- i) Meter installs as per admin request
- j) Emptied PRV

## Other

- a) Plumber replaced furnace in grader shop
- b) Service and repair snow removal equipment
- c) Replace battery in the loader
- d) Repair hoses on skidsteer sweeper
- e) Complete all service requests



- a) NRED grant application completed and submitted
- b) Regional Food initiative zoom meeting
- c) Small community Opportunity application completed and submitted
- d) Met with investors regarding greenhouse opportunity
- e) Met with Saddle lake EDO regarding tourism collaboration and M.O.U
- f) Christmas shop local bingo and light up contest completed and winners announced
- g) Christmas light up contest - completed and winners announced
- h) Rural renewal stream and business stream are active - approx. 500 applicants / 9 positions to date. 6 endorsements at this time
- i) Proof of concept submitted for federal Tourism Growth Program approval

1. Land for a new Greenhouse opportunity
2. We have begun the process to transfer land to The Town of Two Hills name from Tax arrears from 2021 list. This is a two-step process once the municipality completed a tax sale. (minimum 6-8 weeks process)
3. FCM completed the review of your pre-application (Town of Two Hills Sustainable Housing Study), your project meets GMF eligibility criteria and is ready to proceed to the full GMF application stage. Planning and Feasibility Study Grants taking up to 6-8 months for a funding decision. Note that once a full application package is submitted you may begin to incur eligible costs at your discretion that will be **backdated** if funding is approved.
  - a. Review the Feasibility Study overview (pg 16) and Appendix C (pg 67) within the Application Guide
  - b. Read all provided instructions and attach all required documentation.
  - c. Fully complete all tabs in the project workbook.
  - d. Provide a detailed/itemized budget, following the eligible/ineligible cost rules.
4. Ricoh Copier is setup in CAO office for printing.
5. Working on Small Community Opportunity Program with Bob and Ronda
6. Working with Ronda on application for Low Carbon Economy Challenge this will require a study of the Arena and curling rink Ice plant (paid by ACP)
7. Completed and submitted NRED grant with letter of support form Metis Crossing, County of Two Hills and others



Correspondence Listing  
Council Meeting of January 9, 2024

1. **Utility Safety Partners:** Utility Safety Partners (USP) is proposing comprehensive provincial damage prevention legislation for buried and above-ground utilities in Alberta. The new legislation will enhance safety across the province by creating a comprehensive provincial energy and utility notification system that would require the registration of all critical infrastructure with USP (formerly Alberta One-Call). This would include all municipalities in Alberta.
2. **Christmas Greetings:** Inspections Group, County of Two Hills, Shannon Stubbs MP, Pilling Family, Scott Builders Inc., Dodge Canada, All West Demolition Ltd., Luger Enterprises, TELUS, Quadient, Hon, Pierre Poilievre, Village of Myrnam, Hon, Ric McIver, Grynn Contracting Ltd.



Dec 14, 2023

#### Support Proposed Damage Prevention Legislation - Municipal Members with Registered Assets

Utility Safety Partners (USP) is proposing comprehensive provincial damage prevention legislation for buried and above-ground utilities in Alberta. The new legislation will enhance safety across the province by creating a comprehensive provincial energy and utility notification system that would require the registration of all critical infrastructure with USP (formerly Alberta One-Call). This would include all municipalities in Alberta.

While the majority of Alberta's municipalities and industries have registered their utilities with USP, some have not. That poses a safety risk in the province.

You are receiving this message because your municipality is a registered member of USP, which is a non-profit organization, and we would appreciate your municipality's support to help us get this important safety legislation passed into law. While there are many obvious reasons to support the legislation from a safety perspective, having all organizations registered also delivers administrative and operating cost efficiencies.

We currently anticipate that the proposed legislation will be brought to the Alberta Legislature in the coming months, depending on the Legislature's agenda.

For more information and to submit a Letter of Support for improved Damage Prevention legislation which will be delivered directly to your MLA through our automated mail-delivery system, please visit <https://damage-prevention.utilitysafety.ca>

If you have questions, please email us at [info@utilitysafety.ca](mailto:info@utilitysafety.ca).

Thank you,

A handwritten signature in black ink, appearing to read "Mike Sullivan".

Mike Sullivan

President, Utility Safety Partners

PO Box 87131 / Douglas Square RPO / Calgary, AB / 1.800.242.3447 [UtilitySafety.ca](http://UtilitySafety.ca)

Where's the LINE?

## DAMAGE PREVENTION LEGISLATION FOR ALBERTA

### PREAMBLE

Incorporated by over a dozen buried utility owners that provided the seed money (shares) to establish the system in 1984, Alberta One-Call Corporation was the first One-Call system in Canada simplifying identification of buried energy and utility assets prior to a ground disturbance. Since then, Alberta One-Call Corporation has processed millions of locate requests and notified its members ten-fold of proposed excavations allowing them to identify, locate and mark those energy and utility assets to prevent damage, serious injury or fatalities.

In 2005, the Alberta Energy Regulator introduced language within the Alberta Pipeline Act requiring governed pipelines to register with Alberta One-Call and to respond to requests for locates within 48 hrs/2 working days. In 2016, the National Energy Board (now the Canada Energy Regulator) introduced the Damage Prevention Regulations requiring the same of federally-regulated transmission pipelines. All other buried energy and utilities registering with Alberta One-Call do so voluntarily. Today, Alberta One-Call Corporation (AOC) operates under its rebrand and legal tradename, Utility Safety Partners (USP). The rebrand followed unification of services between AOC, the Alberta Common Ground Alliance and the Where's the LINE campaign promoting overhead power line safety. All three organizations were financially supported by buried utility owners. Unification reduced overlap and redundancies, and improved governance and operational alignment. Utility Safety Partners annually commits 20% of its budget to promoting awareness of its services across the province. Unfortunately, despite decades of awareness, damages to buried and overhead utilities continues causing unnecessary disruptions to essential services, injury and death. In Alberta, almost 30% of damages to buried utilities are the result of no locate request despite Alberta OH&S legislation mandating that the ground not be disturbed until buried facilities have been identified and their locations marked (Alberta OH&S is silent with respect to USP's services). Beyond the cost of repairs, and according to the Canadian Common Ground Alliance's annual DIRT Report, damages to buried and overhead utilities cost Albertans an estimated \$300 Million per year in service disruptions, deployment of emergency services, evacuation, product loss, environmental impact and mitigation, economic impact, work delays; and, administrative and legal costs. Legislation mandating buried and overhead energy and utility assets register their location with USP is long overdue. It will reduce damages, improve the reliability of Alberta's critical energy and utility infrastructure and ultimately, save lives.

### SUMMARY

This enactment creates a provincial energy and utility infrastructure notification system that requires, among other things,

a) operators of underground and aboveground infrastructure that are either provincially regulated or located on provincial land or within a public right of way, to register that infrastructure with Alberta One-Call Corporation, now operating under its legal tradename, Utility Safety Partners, and provide information on it;

- b) persons planning to undertake a ground disturbance or work in the vicinity of an overhead powerline to make a locate request to Utility Safety Partners; and
- c) operators of registered underground and aboveground infrastructure or their agents to respond to the notification of proposed activity as follows:

For underground infrastructure

1. mark the location of the underground infrastructure on the ground within 5 working days;
2. provide in writing an accurate and clear description of the location of the underground infrastructure within 3 working days; or,
3. indicate that the ground disturbance shall not cause damage to the underground infrastructure within 3 working days.

For aboveground infrastructure

1. USP to provide in writing an alert to the requester of the presence of aboveground infrastructure in the work area;
2. provide in writing the safe work measures to follow when working in proximity to the aboveground infrastructure; and
3. provide contact information to the requester should additional information or action from the aboveground utility owner or operator be required.

## Definitions

The following definitions apply in this Act.

**Alberta One-Call Corporation / Utility Safety Partners / The Corporation** means the non-profit Notification Centre for Alberta that provides a communication service between the digging community and the owners of buried facilities to arrange for the marking of the location of buried facilities prior to a ground disturbance.

**Alternate Locate Agreement** means permission to excavate, subject to the terms and conditions outlined by a written agreement between the Excavator and the Distributor.

**Board of Directors** means the governing body of Alberta One Call Corporation / Utility Safety Partners that meets regularly to determine the organization's guiding principles, confirm annual budget and related fees, select top management positions, and oversee policies for the business.

**Clearance** means notification to an excavator either by a completed locate or written / electronic notice indicating there is no underground or aboveground infrastructure affected by the ground disturbance.



Consortium means the Utility Safety Partner members forming an association to facilitate a single locate for multiple buried distribution or civic-owned buried energy and utility assets.

Damage means physical harm caused to something in such a way as to impair its value, usefulness or normal function. Defunct means pipelines and associated areas where an energy company ceased its operations without having properly closed its infrastructure, or is declared bankrupt.

Emergency means any situation where there is an immediate threat to human health or the safety of persons, property or underground or aboveground infrastructure or to prevent damage to the environment.

Entity means a body corporate, a partnership, a trust, a joint venture or an unincorporated association or organization.

Ground disturbance means any work, operation or activity that results in a disturbance of the earth, including but not limited to excavating, digging, trenching, plowing, drilling, tunneling, augering, backfilling, blasting, pulverizing, post pounding, scarifying, topsoil stripping, land levelling, peat harvesting, quarrying, deforestation and earthworks. It does not include a disturbance of the earth caused by any of the following:

- a) cultivation to a depth of less than 450 mm below the surface over a pipeline;
- b) routine, minor road maintenance; or
- c) hand-digging to a depth of no more than 300 millimeters below the ground surface, so long as it does not permanently remove cover over a buried utility.

Ground Disturber means any person or entity, such as a contractor, worker, buried facility owner, land. owner, or private individual who undertakes a ground disturbance.

Locate request means a request referred to in 4. Locate Requester means an individual who creates a locate request

Member means a person or entity is a member of Utility Safety Partners if the person or entity owns or operates underground infrastructure or aboveground powerlines:

- 1) Every municipality in Alberta;
- 2) Every gas distributor and every gas transmitter;
- 3) Every provincially regulated and federally regulated transmission pipeline;
- 4) Every operator of a distribution system;

- 5) Every person or entity that owns or operates underground infrastructure within a public right of way or that crosses a public right of way;
- 6) Every person or entity that owns or operates aboveground energy or utility infrastructure within a public right of way or that crosses a public right of way; and
- 7) Every electricity distributor and every electricity transmitter in the province of Alberta.

**Members of the Board** On the day this Act comes into force, the members of the Board of the Corporation shall be the members of the Board who held office immediately before that day.

**Non-profit Corporation** The business and affairs of the Corporation shall be carried on without the purpose of financial gain and any profits shall be used by the Corporation for the purpose of carrying out its objects.

**Notification Centre** means the non-profit corporation called Alberta One-Call Corporation, operating under its legal tradename, Utility Safety Partners, which transmits a notification to registered members with underground infrastructure and aboveground infrastructure in the vicinity of proposed ground disturbance(s) or aboveground activity(ies) following receipt of a locate request.

**Objects** The following are the objects of the Corporation:

- a) To operate a system and service capable of receiving requests for the location of registered underground and aboveground infrastructure within Alberta 24hrs/day, 7 days/wk.
- b) To identify and communicate to the ground disturber / person requesting a locate / locate requestor whether underground and aboveground infrastructure are located in the vicinity of a proposed ground disturbance or aboveground activity.
- c) To notify registered members of the Corporation of proposed ground disturbances or aboveground activities that may affect registered underground infrastructure or aboveground energy and utility assets
- d) To promote public awareness of the Corporation and the need for safe work (example: ClickBeforeYouDig, Where's the LINE?).

**Operator** means a person or a group of persons that operates underground or aboveground infrastructure.

**Overhead powerline, Overhead Energy and Utility Asset; or Aboveground Infrastructure** means real and personal property, immovable and movable, and works connected to them, carrying electrical power or telecommunications services supported by pylons or poles.

**Person** means an individual or an entity.

**Pipeline** means a line or transportation system that is used or to be used for the transmission or distribution of oil, gas or any other commodity in the province of Alberta, and includes all branches, extensions, tanks, reservoirs, storage facilities, pumps, racks, compressors, loading facilities, interstation systems of communication by telephone, telegraph or radio and real and personal property, or immovable and movable, and works connected to them, but does not include a sewer or water pipeline that is used or proposed to be used solely for municipal purposes.

**Positive response** means correspondence to the person or entity submitting a locate request that includes but is not limited to; a Clearance, a copy of a locate document, a meeting schedule or other information regarding the identification of the location of the member's infrastructure in the defined dig area.

**Powers** The Corporation has the capacity and the rights, powers and privileges of a natural person, subject to the limitations set out in this Act.

**Priority** means an outgoing request for locates from the notification centre to the member which has a lead time of more than 2 hours but less than 3 days, where excavation is required to correct a condition that poses a potential threat to life, health or property.

**Province** means Alberta

**Provincial lands** means land of the Crown in right of Alberta.

**Self-locating** means identifying and marking buried utilities by a certified locator.

**Underground infrastructure** means cables, ducts, equipment, pipes, pipelines, power lines, energy and utility lines and networks and vaults that are buried in the ground and that are located on provincial lands or regulated by any of the following:

- Alberta Energy Regulator
- Alberta Utilities Commission
- Canada Energy Regulator
- Canadian Radio-Television and Telecommunications Commission
- Alberta Electric System Operator
- Irrigation Council
- Ministry of Transportation
- Geological Survey of Canada
- Transport Canada
- Fisheries and Oceans Canada (Coast Guard) (re: navigable waterways)
- Fisheries Act

- Species at Risk Act
- Environment and Climate Change Canada
- Alberta Environment and Parks
- Special Areas Board
- The Rural Utilities Act

Working day means a day other than a Saturday, Sunday or a statutory holiday in the province of Alberta.

Working hours means 8am to 4:30pm Monday to Friday.

## Application

Exclusion — This Act does not apply to underground or aboveground infrastructure that is privately

owned within private property and does not operate on a commercial basis.

Registration with Notification Centre

### 1. Registration

The operator of any underground or aboveground infrastructure must register its location with, Utility Safety Partners.

\*Utility Safety Partner's strongly suggests Alberta Municipalities and Rural Municipalities are provided with a five-year grace period to register underground and aboveground infrastructure with Utility Safety Partners.

### 2. Communication of information

The operator of any underground or aboveground infrastructure must provide the following information to Utility Safety Partners and at minimum, update it within 30 days of new construction

or abandonment:

a) the geographical location of the underground or aboveground infrastructure such as the digital

geospatial data / shape files or legal description of the location; and

b) any other information that Utility Safety Partners considers necessary to exercise its functions or that legislation requires.

### 3. Modifications

The operator must inform Utility Safety Partners, in writing, of any modification to the information

provided to the centre under 2 (above).

In the case of insolvency or bankruptcy resulting in abandonment of underground infrastructure or defunct pipeline status, the notification centre will maintain the registered data and label the defunct pipeline as “defunct”. Any person who has been notified of a defunct pipeline in the vicinity of their proposed ground disturbance will secure locating and marking services to identify its location prior to disturbing the ground.

#### Location and Identification of Underground and Aboveground Infrastructure

##### 4. Locate request

Before a person undertakes any ground disturbance, or aboveground activity that has the potential to encroach overhead utilities within 7 metres, that person must submit a locate request to the notification centre.

Examples of aboveground activities that have the potential to contact an overhead powerline include but are not limited to:

- Tree pruning or tree removal
- Using a ladder
- Delivering materials with a crane or cherry-picker
- Working on scaffolding
- Working on a roof
  
- Moving high loads (included but not limited to)
  - o Mobile homes
  - o Farming equipment
  - o Pipeline equipment
- Moving wide loads
- Trucks hauling or dumping material

##### 5. Communication — other information

Before undertaking the ground disturbance, the person must also provide the notification centre with the following information:

- a) the type of ground disturbance they are planning to undertake;
- b) the exact location of the anticipated ground disturbance; and
- c) any other information that the notification centre considers necessary to exercise its functions.

##### 6. Provision of information — period of time and manner

The information referred to in section 5 must be provided to the notification centre at least five working days' notice in advance of the day on which the ground disturbance is to start — or as soon as possible before the ground disturbance is to start in the case of emergency locates described in section 9 — and in the manner specified by the notification centre.

#### 7. Notification to operators of registered underground infrastructure — ground disturbance

Immediately after receiving a locate request, the notification centre must provide notification of the ground disturbance, in writing, to all operators of registered underground infrastructure that could be damaged by that ground disturbance.

#### 8. Notification to person undertaking a ground disturbance

Immediately after receiving a locate request, the notification centre must also indicate, in writing, to the person that made the locate request:

- a) whether or not any registered underground and aboveground infrastructure is located in the area in which the ground disturbance is anticipated to take place; and
- b) the name of the operator of any registered underground or aboveground infrastructure in that area.

#### 9. Emergency locates

##### (a) Emergency

An operator of registered underground or aboveground infrastructure will respond without delay to an Emergency notification referred to in section 6 — including outside normal business hours — if the notification centre considers that a person must undertake a ground disturbance or conduct an aboveground activity in order to respond to an emergency.

##### (b) Priority

An operator of registered underground or aboveground infrastructure will respond within four (4) hours, or the time prescribed on the Ticket, to a Priority notification referred to in section 6 — including outside normal business hours — if the notification centre considers that a person must undertake a ground disturbance or conduct an aboveground activity in order to respond to the Priority.

#### 10. Positive Response

All underground and aboveground infrastructure locate requests shall result in a positive response from the owner or authorized representative of the owner to the person who submitted the locate request and the notification centre. A Positive Response is not required for a locate request submitted by the asset owner or their agent for work on their own assets.

#### 11. Response — location of registered underground infrastructure

The operator of registered underground infrastructure, or its agent, that receives a notification referred to in section 7 must, within the period of time specified in section 6, do one or more of the following:

- a) by using the prescribed colour codes, mark on the ground the location of the underground infrastructure and provide:
  - i. a description of that location to the person planning to undertake a ground disturbance;
  - or
  - ii. their facility data to a private locator for identification of the facilities.
- b) Provide to that person, in writing, an accurate and clear description of the location of the underground infrastructure that could be damaged by the ground disturbance for the purpose of self-locating (Alternative Locate Agreement);
- c) provide to that person a written confirmation that the ground disturbance is not likely to cause damage to the underground infrastructure; or
- d) request additional information about the proposed ground disturbance to determine the impact on existing underground infrastructure.

#### 12. Response – Aboveground infrastructure

Following receipt of a locate request that intersects with the registered location of aboveground infrastructure, the notification centre shall:

- a) provide in writing an alert to the requester of the presence of aboveground infrastructure in the work area;
- b) provide in writing the minimum safe work precautions to follow when working in proximity to the above ground infrastructure; and
- c) provide contact information to the requester should additional information or action from the above ground utility owner or operator be required.

#### 13. Period of time

The operator of registered underground infrastructure must provide the response referred to in section 11 within the minimum notice period unless the operator of the registered underground infrastructure and the person planning to undertake the ground disturbance agree in writing to an alternate period of time.

#### 14. Separate responses

An operator of registered underground or aboveground infrastructure must provide a separate response for each notification they receive.

#### 15. Duration

The response is valid for thirty (30) days unless otherwise indicated by the operator of the underground or aboveground infrastructure.

#### 16. Response not valid

A response from the operator of registered underground or aboveground infrastructure is not valid unless it complies with section 11 or 12, as the case may be.

#### 17. Restrictions

A person planning to undertake any ground disturbance, or aboveground activity that has the potential to encroach overhead utilities within 7 metres, must not undertake it before:

- a) the person has received a notification from a notification centre under section 11 and 12; and
- b) the operators of registered underground or aboveground infrastructure cited in that notification have provided the person with a response in accordance with section 11 or 12, as the case may be.

#### 18. Obligation to Report Damages

Any party associated with a ground disturbance that damages underground or aboveground infrastructure must report the damage to the owner and Utility Safety Partners.

#### 19. Agreements with Other Provinces

The Notification Centre may provide services to other provinces with approval from the Board of Directors.



TOWN OF TWO HILLS  
COUNCIL MEETING  
AGENDA ITEM



|                               |               |     |  |    |   |
|-------------------------------|---------------|-----|--|----|---|
| Meeting Date: January 9, 2024 | Confidential: | Yes |  | No | X |
|-------------------------------|---------------|-----|--|----|---|

Topic: 2024-1036 Town Council Procedural Bylaw

|                                 |        |     |
|---------------------------------|--------|-----|
| Originated By: Adam Kozakiewicz | Title: | CAO |
|---------------------------------|--------|-----|

**BACKGROUND:**

As we have made some changes to our meeting procedures our current 2024 Town Council Procedural Bylaw to reflect the changes

**DOCUMENTATION ATTACHED:**

2024-1036 Town Council Procedural Bylaw

**DISCUSSION:**

**COMMUNICATION PLAN/COMMUNITY INVOLVEMENT:**

**RECOMMENDED ACTION(S):**

That the Town Council Procedural Bylaw 2024-1036 be read a first time this 9<sup>th</sup> day of January, 2024.

That the Town Council Procedural Bylaw 2024-1036 be read a second time this 9<sup>th</sup> day of January, 2024.

That the Town Council Procedural Bylaw 2024-1036 be given consent for third and final reading. (if Council so chooses)

That the Town Council Procedural Bylaw 2024-1036 be read a third and final time this 9<sup>th</sup> day of January, 2024.

|                      |  |
|----------------------|--|
| Adam Kozakiewicz CAO |  |
|----------------------|--|

|               |            |
|---------------|------------|
| DISTRIBUTION: | Council: X |
|---------------|------------|





**BYLAW NO. 2024-1036  
OF THE TOWN OF TWO HILLS**

(hereinafter referred to as "the Town of Two Hills")  
**IN THE PROVINCE OF ALBERTA**

**A BYLAW OF THE TOWN OF TWO HILLS IN THE PROVINCE OF ALBERTA TO  
DEAL WITH CONDUCT, PROCEDURE AND THE TRANSACTING OF BUSINESS BY  
THE COUNCIL OF THE TOWN OF TWO HILLS**

**WHEREAS** the Town of Two Hills deem it advisable to establish rules and provisions to regulate the conduct of business in Council meetings and committees thereof, to control and maintain order in Council for the enactment of municipal legislation and to provide for dealing with petitions, remonstrations and submissions to the Council.

**WHEREAS** Section 145 of the Municipal Government Act (Revised Statutes of Alberta, 2000, Chapter M-26) and amendments thereto, authorizes Council to pass bylaws to deal with meetings of Council, and provide for the regulation of the proceedings of Council and the Committees thereof.

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

**PART I - INTERPRETATION**

**Division 1 - Title**

**1.1** This Bylaw shall be known as the "Town Council Procedural Bylaw"

**Division 2 - Definitions**

**2.1** 'Act' means the Municipal Government Act.

**2.2** 'Agenda' is the list of items and order of business of any meeting of Council.

**2.3** 'Bylaw' is the Bylaw of the Town of Two Hills.

**2.4** 'Council' is the Mayor and Councillors of the Town of Two Hills for the time being elected pursuant to the provisions of the Act whose term is unexpired, who has not resigned and who continues to be eligible to hold office as such under the terms of the Act.



- 2.5 'Councillor' is a member of Council duly elected pursuant to the Local Authorities Election Act.
- 2.6 'Delegation' is a person or a group of persons wishing to address Council on a matter.
- 2.7 'Deputy Mayor' is the member who is appointed by the Council pursuant to Section 152 of the Act, to act as Mayor in the absence or incapacity of the Mayor.
- 2.8 'Mayor' is the member of Council duly elected to office pursuant to Section 150 of the Act.
- 2.9 'New Business' is business dealing with a matter which has not been introduced at the same or previous meeting and of which no notice has been given of the intention to present it.
- 2.10 'Public Hearing' is a meeting of Council which is convened to hear matters pursuant to Part 17 of the Act, or any other matter which the Council directs may be considered at a Public Hearing.
- 2.11 "Quorum" is the majority of members eligible to vote pursuant to Section 167 of the Act.
- 2.12 "Special Meeting" is a meeting convened by the Mayor pursuant to Section 194 of the Act.
- 2.13 "Old Business" is a business which has been raised at the same or previous meeting and which has not been completed.
- 2.14 "Open Forum" is an opportunity provided during a Council meeting for the general public to individually address Council on any topic relevant to municipal government for a period not exceeding twenty (20) minutes.

### **Division 3 - Application**

- 3.1 This Bylaw applies to:
- 3.1.1 all meetings of Council, and
  - 3.1.2 subject to the provisions of Section 145 of the Act, boards and authorities established by Council, unless permission has been granted to them to establish their own procedures.
- 3.2 Any matter of the meeting conducted which is not herein provided for shall be determined in accordance with the Act. In the event of any conflict between the provisions of this Bylaw and those contained in any or the authorities set out above, the provisions of this Bylaw shall apply.
- 3.3 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.



## PART II – MEETING OF COUNCIL

### Division 1 – Organizational Meetings

4.1 Procedures for Organizational meetings are governed by Section 192 of the Act.

### Division 2 – Regular Meetings

- 5.1 The regular meetings of Council shall be established by resolution of Council at its annual organizational meeting.
- 5.2 If Council changes the date, time or place of a regularly scheduled meeting, the municipality must give at least 24 hours notice of change to any member of Council not present at the meeting at which the change was made, and to the public.
- 5.3 The regular meetings of Council may be recorded by the Chief Administrative Officer or Recording Secretary for the purpose of minute preparation.
- 5.4 Regular first meeting (or only meeting) of Council shall commence at 17:00 o'clock P.M. and adjourn no later than 404 00-30 o'clock P.M., if in session at that hour, unless otherwise determined by a unanimous vote of the members present. The Regular second meeting shall commence at 7:00 o'clock P.M. and adjourn no later than 10:30 o'clock P.M., if in session at that hour, unless otherwise determined by a unanimous vote of the members present. Such a motion passed in Council may extend the time of adjournment to no later than 11:30 o'clock P.M.
- 5.3 If there is no quorum present within half an hour after the time appointed for the meeting of Council, the Chief Administrative Officer shall call the roll and take down the names of the members present. The Council shall stand absolutely adjourned until the next meeting unless a Special Meeting be duly called in the mean time.
- 5.4 As soon after the hour of the meeting as there shall be a quorum present, the Mayor shall take the chair and call the members to order.
- 5.5 In the case the Mayor is absent the Deputy Mayor shall take the chair.
- 5.6 In the case where the Mayor or Deputy Mayor are not in attendance within fifteen minutes after the hour appointed for a meeting, and a quorum is present, the Chief Administrative Officer shall call the meeting to order. A chairman shall be chosen by the Councillors present to preside during the meeting until the arrival of the Mayor or Deputy Mayor.
- 5.7 Attendance of Regular Council meetings are governed by Section 174 of the Act.

### Division 3 – Special Meetings

- 6.1 Special meetings of Council shall be established as required by Council according to the provisions of the Act and the public shall be given notice.



## **Division 4 – Committee Meetings**

- 7.1 Each Standing Committee shall meet at dates and times to be recommended by each committee and approved by Council.
- 7.2 A special committee may be appointed at any time by Council or by the mayor acting upon the instruction of Council, provided only that a motion has been adopted specifying the matter to be dealt with by the committee, and including the term of the committee.

## **PART III – GENERAL RULES OF CONDUCT**

### **Division 1 – Rules of Conduct**

- 8.1 The Mayor or other presiding officer shall preserve order and decorum and decide questions of order, subject to an appeal to the Council and the decision of the Mayor or other presiding officer shall be final unless reversed or altered by a majority vote of the members present without debate.
- 8.2 Councillors must not
- 8.2.1 speak disrespectfully of the Sovereign, the Governor General, the Lieutenant Governor, or of Council or any other governing body in Canada.
  - 8.2.2 use offensive words during Council or Standing Committee meetings or against Council, any Councillor or any other person
  - 8.2.3 discuss a vote of Council after the vote has been taken, unless to move to reconsider, renew or rescind
  - 8.2.4 break the rules of Council or disturb the proceedings, or
  - 8.2.5 disobey the decision of the Chair or of the Council or any question or order, interpretation or practice
  - 8.2.6 influence or communicate with any municipal employees except the Chief Administrative Officer or administrative personnel involved with committees of which they are members; any other communication or inquiries must be through the Mayor, Deputy Mayor or Chief Administrative Officer
- 8.3 The Chair must preserve order and decorum and decide all questions of procedure. When the Chair makes a decision on a question of procedure, he or she must give a reason for the decision.
- 8.4 The Chair may call to order any Councillor who is out of order.
- 8.5 A Councillor who is called to order must immediately stop talking, but must be given an opportunity to challenge the decision of the Chair before debate is closed. Council will decide the challenge without debate.



- 8.6 If a Councillor has been warned about breaches of order but continues to engage in them, the Chair may name the Councillor by stating his or her name and declaring the offence. The CAO must note the offence in the minutes.
- 8.7 If a Councillor who has been named
- 8.7.1 apologizes and withdraws any objectionable statement then he or she may remain and continue to participate in the meeting and the Chair may direct that the notation of the offence be removed from the minutes, or
  - 8.7.2 fails or refuses to apologize, then he or she must immediately leave the meeting room and if he or she does not leave voluntarily, Council must vote on a motion to expel without debate.
- 8.8 If a Councillor who has been expelled refuses to leave the meeting room, the Chair may request the Royal Canadian Mounted Police to remove the expelled Councillor.
- 8.9 The Chair may order any member of the public who disturbs the proceedings of Council or a Standing Committee by words or actions to be expelled. If the person refuses to leave voluntarily, the Chair may request the Royal Canadian Mounted Police to remove the person.
- 8.10 When the Mayor or other presiding officer is called upon to decide a point of order or practice, the point shall be stated without unnecessary comment, and the Mayor or other presiding officer shall cite the rule or authority applicable to the case.
- 8.11 Every member wishing to speak to a question or motion shall address himself only to the Mayor or other presiding officer.
- 8.12 When two or more members wish to speak to a matter, the Mayor or other presiding officer shall decide who is entitled to speak, but a motion may be made that any person who is addressing the chair "be now heard" or "do now speak" and such a motion shall be put without debate.
- 8.13 Any member may require the question or motion under discussion, or any portion thereof, to be heard at any time during debate, but not so as to interrupt a member while speaking.
- 8.14 No member shall speak more than once to the same question without leave of the Council, except to ask a question or in explanation of a material part of his speech which may have been misconstrued, and in doing so he is not to introduce a new matter. A reply is allowed to a member who has made a substantive motion, but not to any member who had moved an amendment, the previous question or any instruction to a committee, and no member without the leave of Council shall speak to the same question, or in reply for longer than ten minutes.
- 8.15 The Chair with the approval by resolution of the members may authorize a person in the public gallery to address the members only on the topic being discussed at that time and within the time limits specified by the Chair.
- 8.16 Members of the public who constitute an audience in the Council Chamber during a Council meeting shall:





- 8.16.1 not address Council without Council permission;
  - 8.16.2 maintain order and quiet;
  - 8.16.3 not applaud or otherwise interrupt any speech or action of the members, or any other person addressing Council.
- 8.17 A member of the public who persists in a breach of this section 8.16, after having been called to order by the Chairperson may, at the discretion of the Chair, be ordered to leave Council Chambers.

## PART IV

### Division 1 - PROCEEDINGS AT MEETINGS

- 9.1 Unless otherwise specified in the Bylaw the order or business for a regular meeting of Council shall be contained in the Agenda for the meeting, which shall be prepared by the Chief Administrative Officer in conjunction with the Mayor. Council agenda material shall be provided to members of Council by ~~4:24~~ 4:00 p.m. the Friday prior to the Council meeting.
- 9.2 The Order of Business in the Agenda shall be as follows:
- 9.2.1 Call to Order
  - 9.2.2 Public Hearing(s) *(if required)*
  - 9.2.3 Adoption of Agenda
  - 9.2.4 Adoption of Minutes
  - 9.2.5 Delegations(s) *(if required)*
  - 9.2.6 Open Forum
  - 9.2.7 Administrative Reports
    - 9.2.7.1 Public Works Report (only for first or only meeting of the month)
    - 9.2.7.2 Financial Report (only for second or only meeting of the month)
    - 9.2.7.3 ~~Chief Administrative~~ Economic Development Officer Report (only for first or only meeting of the month)
    - 9.2.7.3 ~~Chief Administrative~~ Officer Report (only for first or only meeting of the month) .....
  - 9.2.8 Correspondence
  - 9.2.9 Old Business
  - 9.2.10 Bylaws and Policies *(if required)*
  - 9.2.11 New Business
  - 9.2.12 Council Member Reports
  - 9.2.13 ~~In Camera~~ Closed Session
  - 9.2.14 Adjournment
- 9.3 The Order of Business established in the foregoing paragraph shall apply unless Council has otherwise determined by a two-thirds majority vote of the members present, and the vote upon a matter of priority of Council business shall be decided upon without debate.



- 9.4 Notwithstanding the standard order of business, the Mayor and appropriate Committee may arrange for all items dealing with the particular subject to be grouped together on the agenda of any individual meeting.
- 9.5 **Adoption of Agenda:** Council must vote to adopt the agenda prior to transacting any other business and may:
- 9.5.1 add new items to the agenda by a 2/3 majority vote, or
  - 9.5.2 delete any matter from the agenda by unanimous vote.
- 9.6 **Adoption of Minutes:** The minutes of each meeting must be circulated to each member of Council prior to the meeting at which they are to be adopted. Debate on the minutes of a previous meeting is limited to ensuring that the minutes are accurate. If there are errors or omissions, Council must:
- 9.6.1 pass a motion to amend the minutes; and
  - 9.6.2 adopt the minutes as amended, and if there are no errors or omissions, Council must adopt the minutes as circulated.
- 9.7 **Delegation:** A person or a representative of any delegation or group of persons, who wish to bring any matter to the attention of Council, or who wish to have any matter considered by the Council shall submit a Delegation Request Form outlining the subject to be discussed. The Form shall be typewritten or legibly written, signed by the correct name of the writer, delivered or emailed to the office of the Chief Administrative Officer ~~The~~the Chief Administrative Officer will review the request and either deny the request based on insufficient or irrelevant information or accept the request by signing the form and notifying the applicant of an available meeting date.
- 9.8 When a communication contains a request for an appearance to address the Council, the Council by resolution may hear the person, refer him to a Committee or, if the Council deems the matter to be urgent, deal with it at once but such person shall not speak for more than (10) minutes unless the time is extended by a majority vote of the Council.
- 9.9 No person or group shall appear as a delegation to Council on the same or on a related subject, unless specifically requested by Council to do so.
- 9.10 When a group or a person wish to present the Council a petition on any matter its jurisdiction the petition must be typewritten or legibly written, clearly set out the matter at issue, be signed by at least two (2) persons, and the signature of the petitioners shall be according to Part 7 of the Municipal Government Act and indicate if a representative wishes to address the Council on the subject matter of the petition.
- 9.11 Before considering a petition, the Council shall first refer it to any appropriate standing committee but if the petition concerns a matter which the Council deems urgent, or a personal grievance of the petitioner, the Council may consider and





may, if it deems the urgency of the matter so requires, take immediate action thereon.

- 9.12 When a person or representative of a delegation or group wishes to address the Council on a matter which is not on the agenda, the Council may refer the matter to any appropriate Committee, appoint a special Committee to deal with the matter, or deal with the matter itself at the meeting, if approved by 2/3 majority vote of Council.
- 9.13 After a person has spoken as a delegation, any Councillor may, through the Mayor or other presiding officer, ask that person or the Chief Administrative Officer relevant questions but may not debate the matter or the answers.
- 9.14 The presentation by a delegation may only be:
- 9.14.1 received as information without debate;
  - 9.14.2 referred without debate to a Standing Committee or the Chief Administrative officer for a report, or
  - 9.14.3 debated if by a 2/3 majority vote a resolution is passed to allow a motion to be made without notice.
- 9.15 Open Forums: Individual members of the public who constitute the audience are be provided an opportunity as part of the meeting to address the Council on any topic relevant to municipal government for a period of time not to exceed two (2) minutes per person. The intent of which is to provide the person opportunity to address Council.
- 9.16 The information or comments heard may or may not be actioned by the Council. After a person has spoken, any Councillor may, through the Mayor or other presiding officer, ask that person or the Chief Administrative Officer relevant questions but may not debate the matter or the answers.
- 9.17 Actions by Council may only be 1) receiving the information without debate; 2) referred without debate to a Standing Committee or the Chief Administrative Officer for a report; or 3) debated if by a 2/3 majority vote a resolution is passed to allow a motion to be made without notice.
- 9.18 Information Reports: An information report from a committee, agency or Administration that does not request Council action other than receipt as information may only be:
- 9.18.1 received by Administration no later than 4:30 o'clock on the Thursday immediately preceding at which it is to be presented,
  - 9.18.2 received as information without debate,
  - 9.18.2 referred to a Standing Committee or the Chief Administrative Officer by majority vote without debate, or



- 9.18.3 debated if by a 2/3 majority vote a resolution is passed to allow a motion to be made without notice.
- 9.19 **Action Reports from Management Personnel:** Reports from the Chief Administrative Officer or other management personnel which request a decision by Council may be debated and Council may:
- 9.19.1 Vote on the request or
  - 9.19.2 Refer to a Standing Committee or the Chief Administrative Officer for further investigation and report
  - 9.19.3 Request for information to be provided to Council on any matter within the municipality's jurisdiction.
  - 9.19.4 The Chief Administrative Officer or other management personnel will provide an answer to the inquiry at the next Council meeting or, if that is not possible will provide a progress report indicating when the answer to the inquiry may be expected.
- 9.20 **New Business:** Any Councillor may make a motion introducing any new matter of municipal business only if:
- 9.20.1 Notice is given at a meeting of Council held at least seven days before the meeting at which the motion is to be debated, or
  - 9.20.2 Council passes a resolution by 2/3 majority vote dispensing with notice.
- 9.21 A New Business item must give sufficient details on the subject of the new matter and any proposed action can be determined and it must state the date of the meeting at which the motion will be made.
- 9.22 A New Business item must be given without discussion of the matter but any written copies distributed may include explanatory paragraphs.
- 9.23 When the New Business item has been given, the Chief Administrative Officer will include the proposed motion in the agenda of the meeting for the date indicated in the notice.
- 9.24 If a motion is not made at the meeting indicated in the notice, it will be removed from the agenda and may only be made by a new notice of motion.

#### **Division 2 – Proceedings In CameraClosed Session**

- 10.1 The rules of the Council shall be observed in Camera-Closed Session as far as may be applicable.
- 10.2 Where a majority of the members of Council present is of the opinion that 1) it is in the public interest to go into CameraClosed Session, or 2) it would be unfair to the people involved to have an issue discussed in public, any Councillor or Councillors may by prior motion be excused, if appropriate pursuant to regulations of the MGA or the Freedom of Information and Protection of Privacy Act.
- 10.3 Council moving into Camera-Closed Session may by resolution exclude any person or persons from the meeting.



- 10.4 Council meeting in ~~Camera-Closed Session~~ has no power to pass any resolutions or Bylaws apart from the resolution necessary to revert back to an open meeting.
- 10.5 Any materials presented in ~~Camera-Closed Session~~ is-are to be returned to the Chief Administrative Officer prior to reverting back to an open meeting, unless the material is relative to a motion immediately made after the ~~In-Camera~~Closed Session portion of the meeting.

## **PART V - VOTING**

### **Division 1 - Motions and Putting Questions on Resolutions in Council**

- 11.1 After a motion is read or stated by the Mayor or other presiding officer, it shall be deemed to be in the possession of the Council, but may be withdrawn at any time before debate or decision with the permission of the Council.
- 11.2 A motion to refer, until it is decided, shall preclude all amendments to the main question.
- 11.3 A motion is not required to be seconded.
- 11.4 When a motion is before the meeting, it may be:
- 11.4.1 debated, i.e. may be spoken on
  - 11.4.2 amended, i.e. modified by a subsidiary motion
  - 11.4.3 negative, i.e. defeated
  - 11.4.4 withdrawn, i.e. withdrawn at the request of the maker with permission of all members of Council present
  - 11.4.5 laid on the table, i.e. laying a pending question aside temporarily
  - 11.4.6 referred, i.e. turning the question over to a Committee for study
  - 11.4.7 postponed, i.e. postponed to a certain time, a means of avoiding a direct vote until a later time
  - 11.4.8 adjourned, i.e. a motion to close the meeting or adjourning to another place and time to continue the meeting, OR
  - 11.4.9 the previous question may be moved, i.e. a motion may be made to close debate and amendment of a pending motion so that it will come to an immediate vote
- 11.5 The previous question until it is decided, shall preclude all amendments and debate of the main motion and shall be put forthwith without debate in the form: "That the main question be now put", and if this question is resolved in the negative, that the main motion is superseded and the next item of business or motion must be submitted to Council.
- 11.6 No motion shall be offered that is substantially the same as one on which judgment of the meeting has already been expressed during the same meeting.



- 11.7 A motion to adjourn the Council or the debate shall always be in order but no second motion to the same effect shall be made until after some intermediate proceedings have been had.
- 11.8 Unless otherwise specifically provided in this Bylaw the following motions are debatable by Council:
- 11.8.1 A motion arising out of any matter or thing included in the agenda for the Council meeting at which it is debated.
  - 11.8.2 A motion concerning any matter or thing tabled indefinitely from a previous meeting of Council or tabled for the meeting at which it is discussed.
  - 11.8.3 A motion for adoption of, rejection of, referral back or further consideration of a report to the Council, or a motion arising out of any matter dealt with in a report to the Council
  - 11.8.4 A motion for previous question.
  - 11.8.5 A motion for the second reading, or a motion for the third reading of a Bylaw.
  - 11.8.6 A motion for the appointment or dismissal of a Committee, or referral to a Committee of any matter before the Council.
  - 11.8.7 A motion for the Council to go into Council Committee of the Whole.
  - 11.8.8 A motion for amendment to any Bylaw properly before the Council, or to any matter arising directly out of any Bylaw properly before Council.
  - 11.8.9 Such other motion made upon routine proceedings of Council as may be necessary for conducting of the business of Council and the observance of its properties
- 11.9 When a motion has been made and is being considered by the Council, no other motion may be made and accepted except:
- 11.9.1 A motion to refer the main question to some other person or group for consideration.
  - 11.9.2 A motion to amend the main question.
  - 11.9.3 A motion to table the main question.
  - 11.9.4 A motion to postpone the main question to some future time.
  - 11.9.5 A motion for the previous question.
  - 11.9.6 A motion to adjourn the meeting provided that a motion to table shall not be debated except as to the time when the matter will again be considered.
  - 11.9.7 Where a question under consideration contains distinct propositions, the vote upon each proposition shall be taken separately when any member so requests or when the Mayor or presiding officer so directs.



11.9.8 After the Mayor or other presiding officer finally puts any question, no member shall speak to the question nor shall any other motion be made until after the result of the vote has been declared. The decision of the Mayor or other presiding officer as to whether the question has been finally put shall be conclusive.

11.9.9 Whenever the Mayor or other presiding officer is of the opinion that a motion is contrary to the rules and privileges of the Council, he shall appraise the members thereof immediately, before putting the question, and shall cite the rule or authority applicable to the case without argument or comment.

11.9.10 Whenever any matter of privilege arises, it shall be immediately taken into consideration.

## **Division 2 – Reading of Proposed Bylaws and Proceedings Thereon**

12.1 When a proposed Bylaw is read in Council, the Chief Administrative Officer shall certify the reading and the date of the reading on the face thereof. When a Bylaw has been read a third time and finally passed, the Chief Administrative Officer shall keep on file correct copies thereof, including amendments, if any.

12.2 A Bylaw appearing upon the Council Agenda when listed as read for the first reading shall be introduced by a member moving “the Bylaw No. (quoting the Bylaw No.) be now read a first time”. After first reading the Bylaw must be debated, referred or laid over. If a Bylaw fails to receive First reading, then it may be struck from the agenda.

12.3 Every Bylaw of general application shall be printed or otherwise duplicated so as to be available to all interested parties; other Bylaws shall be recorded and filed as well as amendments thereto, and the Chief administrative Officer shall retain the original of every Bylaw on file and properly record amendments thereto.

12.4 Every Bylaw which has passed the Council shall immediately after being sealed with the Seal of the Corporation and signed by the Mayor and the Chief Administrative Officer be securely deposited by the Chief Administrative Officer.

## **PART VI – COMMITTEES OF COUNCIL**

### **Division 1 – Appointment and Organization**

13.1 All standing and special committees shall be appointed by motion of Council.

13.2 At each organizational meeting following a general municipal election Council shall, as per respective Bylaws, appoint person(s) for the following:

13.2.1 Assessment Review Board

13.2.2 Subdivision Authority

13.2.3 Development Authority

13.2.4 Subdivision and Development Appeal Board

13.2.5 Bylaw Enforcement Authority



- 13.3 By Resolution of Council committees are to be considered at each Organizational meeting.
- 13.4 A special committee may be appointed at any time by Council provided that a motion has been adopted specifying the matter to be dealt with by the committee, and including the terms of the committee.
- 13.5 Any member of the Council or resident may be placed on a committee notwithstanding the absence of any such member at the time of his being named upon such committee.
- 13.6 The Mayor shall be an ex-officio member of all committees and the Mayor, as such member of the committees, shall have all the power and privileges of any member of the same, including the right to vote upon all questions to be dealt with by such committees.
- 13.7 Ex-officio status is not conferred on any other elected official.
- 13.8 At the first organizational meeting following the general municipal election a Resolution is to be placed before Council for the appointment and election of the Deputy Mayor. This Resolution will establish that the Deputy Mayor serves at the pleasure of Council and can be removed without reason or cause by a majority vote. The election of Deputy Mayor will be according to a rotational system whereby all Councillors are granted an opportunity to serve in that capacity.

## **Division 2 – Regulations for Conduct of Business**

- 14.1 The business of standing and special committees shall be conducted in accordance with the rules governing procedure in the Council, as provided by committee bylaw.
- 14.1.1 The Chairman shall preside at each meeting and shall vote on all motions submitted, and upon an equal vote the motion shall be defeated.
- 14.1.2 The name of the Chairman shall appear on all reports and recommendations made by a committee.
- 14.1.3 In the absence of the Chairman, and unless another has been appointed by the Mayor or the Council, one of the other members shall be elected to preside and shall discharge the duties of the Chairman during the meeting, or until the arrival of the Chairman.
- 14.2 The general duties of the Committees of Council shall be as follows:
- 14.2.1 To report to the Council whenever desired by the Council and as often as the interest of the Municipality may require, on all matters connected with the duties imposed upon each committee and to recommend such action by the Council as it deems necessary within its terms of reference.
- 14.2.2 To observe, unless otherwise specifically permitted, the rules prescribed by the Bylaws of the Council.



14.2.3 The report of all committees shall be made to the Council prior to the same being given to the public.

14.3 It shall be the duty of the Chief Administrative Officer to give notice of all meetings to all members of each committee and such other persons whose presence is desired, and to attend, or cause to be attended by an assistant, all meetings of the committees, and to ensure the recording of minutes, reports, and request of all such meetings.

## **PART VII – PARLIAMENTARY RULES**

### **Division 1 – Parliamentary Rules**

15.1 In all cases not provided for in the proceedings of the Council or in Committee, the law of the Parliament of Canada shall be followed, and in such cases the decision of the Mayor or other presiding officer shall be final and accepted without debate.

## **PART VIII – GENERAL**

### **Division 1 - Severability**

16.1 Should any section, subsection, clause or provision of this Bylaw be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this bylaw as a whole or any part thereof, other than the part so declared to be invalid.

### **Division 2 – Repeal**

17.1 That Bylaw 2018-970 and amendments thereto are hereby repealed.

### **Division 3 – Effective**

18.1 That this Bylaw shall take effect and come into force as of the date of the final reading thereof.

READ a first time this 9<sup>th</sup> day of January, 2024.

READ a second time this 9<sup>th</sup> day of January, 2024.



READ a third and final reading this 9<sup>th</sup> day of January, 2024.

**TOWN OF TWO HILLS**

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**LEONARD L. EWANISHAN, MAYOR**



| TOWN OF TWO HILLS<br>COUNCIL MEETING<br>AGENDA ITEM  |               |            |  |     |  |  |
|--|---------------|------------|--|-----|---|--|
| Meeting Date: January 9, 2024  | Confidential: | Yes        |  | No  | X   |  |
| Topic: 2024-1037 Water & Sewer Bylaw   |               |            |  |     |   |  |
| Originated By: Adam Kozakiewicz  |               |            | Title:   | CAO |   |  |
| BACKGROUND:  |               |            |  |     |   |  |
| We have updated the Water Bylaw to reflect the increase in water rates for 2024.                                 |               |            |  |     |   |  |
| DOCUMENTATION ATTACHED:  |               |            |  |     |   |  |
| 2024-1036 Town Council Procedural Bylaw  |               |            |  |     |   |  |
| DISCUSSION:  |               |            |  |     |   |  |
|  |               |            |  |     |   |  |
| COMMUNICATION PLAN/COMMUNITY INVOLVEMENT:  |               |            |  |     |   |  |
|  |               |            |  |     |   |  |
| RECOMMENDED ACTION(S):   |               |            |  |     |   |  |
| That the Water & Sewer Bylaw 2024-1037 be read a first time this 9 <sup>th</sup> day of January, 2024.           |               |            |  |     |   |  |
| That the Water & Sewer Bylaw 2024-1037 be read a second time this 9 <sup>th</sup> day of January, 2024.          |               |            |  |     |   |  |
| That the Water & Sewer Bylaw 2024-1037 be given consent for third and final reading. (if Council so chooses)     |               |            |  |     |   |  |
| That the Water & Sewer Bylaw 2024-1037 be read a third and final time this 9 <sup>th</sup> day of January, 2024. |               |            |  |     |   |  |
| Adam Kozakiewicz CAO   |               |            |  |     |   |  |
| DISTRIBUTION:  |               | Council: X |  |     |   |  |







BYLAW NO. 2024-1037 OF THE  
TOWN OF TWO HILLS

A BYLAW OF THE TOWN OF TWO HILLS, IN THE PROVINCE OF ALBERTA,  
RESPECTING THE SUPPLY OF WATER AND SANITARY SEWER SERVICES  
WITHIN THE TOWN OF TWO HILLS

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WHEREAS Municipal Council has determined it is expedient to establish a Water and Sewer Service Bylaw for the Town of Two Hills;

AND WHEREAS the *Municipal Government Act*, R.S.A. 2000, Chapter M-26, as may be amended from time to time, provides Municipal Council with the authority to provide public Utility Services subject to any terms, costs or charges as may be established by Municipal Council;

NOW THEREFORE, under the authority and subject to the provisions of the *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as may be amended from time to time, Municipal Council for the Town of Two Hills, duly assembled enacts as follows:

PART I - INTERPRETATION

Division 1

1. This Bylaw may be referred to as the "Water and Sewer Services Bylaw".

Division 2 - Definitions

2. Definitions

- 2.1 "Appurtenance" means any fixture, receptacle, apparatus or other device which is attached to and forms a part of a Service Connection, or the Water System, as applicable.
- 2.2 "Authorized Person" means a Person employed or under contract to the Town for the purposes of inspection and enforcement, and shall include a Bylaw Enforcement Officer.

- 2.3 "Backflow" means the reversal of the direction of flow within a Service Connection.
- 2.4 "Back Siphonage" means a Backflow caused by negative pressure within the Water System.
- 2.5 "Blackwater" means domestic wastewater containing human excrement or matter contaminated with human excrement, discharged from a toilet.
- 2.6 "Bylaw Enforcement Officer" means a Person appointed pursuant to the *Municipal Government Act*.
- 2.7 "Consumer" means any Person whose Premises is connected to the Water System; in whose name an account has been opened with the Town for the purpose of providing a Utility Service under this Bylaw.
- 2.8 "Cross-Connection" means any temporary, permanent or potential connection to a Service Connection or Appurtenance of a Service Connection that may allow Backflow to occur and includes, but is not limited to swivel or changeover devices, removable sections, temperature connections and bypass arrangements.
- 2.9 "Designated Officer" means a Person appointed pursuant to the *Municipal Government Act*, and includes for the purpose of this Bylaw, an Authorized Person and Bylaw Enforcement Officer.
- 2.10 "Development Authority" shall have the meaning set out pursuant to the *Municipal Government Act*.
- 2.11 "Dwelling Unit" means a building intended for residential purposes.
- 2.12 "Greywater" means domestic wastewater from a hand basin, bath, shower, kitchen or laundry, excluding Blackwater.
- 2.13 "Infrastructure Maintenance Fee" means a fee collected from Consumers outside Town corporate limits to be used towards the costs involved with repairing, maintaining and operating the waterworks and/or sewer systems.
- 2.14 "Infrastructure Sustainability Fee" means a fee collected from Consumers to be used towards the future replacement of aging and/or new infrastructure.
- 2.15 "Institutional" means the hospital, school, post office, R.C.M.P. station and senior's lodge, etc.

- 2.16 "Inspector" means those Persons approved by the Manager for the purpose of inspecting or installing Testable Cross-Connection Control Devices.
- 2.17 "Land Use Bylaw" means the Land Use Bylaw of the Town passed pursuant to Part 17 of the *Municipal Government Act*.
- 2.18 "Manager" means that Person appointed to the position of Chief Administrative Officer, or his or her designate.
- 2.19 "Meter" means a device installed on a water Service Connection for the purpose of measuring the volume of water supplied to a Consumer and includes a read-out device and associated wiring.
- 2.20 "Meter Reader" means a Person employed or contracted to the Town for the purpose of gathering the information recorded by a Meter.
- 2.21 "*Municipal Government Act*" means R.S.A. 2000, Chapter.M-26, as may be amended from time to time, and any regulations thereunder.
- 2.22 "Municipal Tag" means a notice issued by the Town pursuant to the *Municipal Government Act*, for the purpose of providing a Person with an opportunity to acknowledge a contravention of this Bylaw, and to pay a penalty directly to the Town, in order to avoid prosecution for the contravention.
- 2.23 "Occupant" means a Person occupying a Premises or Dwelling Unit, including a lessee or licensee, who has actual use, possession or control of the Premises or Dwelling Unit.
- 2.24 "Owner" means the registered owner of real property to which a Utility Service is provided pursuant to this Bylaw and includes a purchaser under an agreement for sale of real property.
- 2.25 "Person" includes any individual, firm, partnership or corporation and the heirs, executors, administrators or other legal representatives of an individual.
- 2.26 "Plumbing Code" means the National Plumbing Code of Canada 1995, adopted and in force in the Province of Alberta pursuant to Alberta Regulation 119/2007, as may be amended from time to time.
- 2.27 "Premises" or "Property" means real property and all buildings, structures and improvements thereon.
- 2.28 "*Provincial Offences Procedure Act*" means R.S.A. 2000 Chapter.P-34, as may be amended from time to time, and any regulations thereunder.
- 2.29 "*Safety Codes Act*" means R.S.A. 2000, Chapter S-1, as may be amended

from time to time, and any regulations thereunder.

- 2.30 "Sanitary Sewer System" means that system of pipes, fittings, fixtures, Appurtenances, treatment plants, pumping stations, feeder mains, portions of Service Connections, and all other equipment and machinery of whatever kind owned by the Town which is required for the collection and disposal of sewage, and which is deemed to be a Public Utility within the meaning of the *Municipal Government Act*.
- 2.31 "Service Connection" means the part of the system or works of a Utility that runs from the Water Main of the Utility to a building or other place on a parcel of land for the purpose of providing Water Service to the parcel and includes parts or works such as the pipes, wires, couplings, meters and other apparatus.
- 2.32 "Service Connection" means that lateral pipe which connects a Consumer's Premises to a Town main line of the Water System or Sanitary Sewer System, as applicable.
- 2.33 "Service Connection Fee" means that fee set out in Schedule "A" to this Bylaw, as may be amended by Resolution of Council from time to time, charged by the Town for the connection of Premises to the Water System or "Sanitary Sewer System", as applicable.
- 2.34 "Stop Valve" means a valve located on the Town owned portion of the water Service Connection, located between the main line and the property line of a road or easement, installed for the purpose of enabling the Town to turn on or shut off the supply of water to a Premises.
- 2.35 "Testable Cross-Connection Control Device" or "Device" means a device capable of being tested and inspected, approved for the prevention of Backflow pursuant to the provisions of this Bylaw.
- 2.36 "Town" means the Corporation of the Town of Two Hills, or the geographical area of the Town, as applicable.
- 2.37 "Utility" means the system or works of a public utility operated by or on behalf of the Town.
- 2.38 "Utility Service" means the supply of water or the disposal of sewage to a Premise by the Town pursuant to this Bylaw.
- 2.39 "Violation Ticket" means a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act*.
- 2.40 "Water Main" means those pipes, wires or other apparatus installed for the delivery of water to which a Service Connection may be connected.

- 2.41 "Water Service" means the Utility provided by the Town to provide water to Property through a Water Main to a Service Connection.
- 2.42 "Water System" means that system of water reservoirs, treatment plants, pumping stations, feeder mains, distribution mains, portions of Service Connections, valves, fittings, hydrants, Meters, Cross-Connection Control Devices and all other equipment and machinery of whatsoever kind owned by the Town, which is required to supply and distribute water to Consumers, and which is deemed to be a Public Utility within the meaning of the *Municipal Government Act*.

## PART II – WATER

### Division 1 – Provision of Water Service

#### 3. Terms of Service and Applications

- 3.1 The Town shall, in accordance with the terms and conditions prescribed in this Bylaw, be responsible for the operation and management of all Water Service facilities and equipment utilized for the distribution of water.
- 3.2 The use and control of the Water Service shall be in accordance with this Bylaw.
- 3.3 The Water Service shall be under the direct control and management of the CAO, subject to the provisions of this Bylaw and applicable policies of the Town.
- 3.4 The Town shall supply Water Service so far as there is sufficient capacity, upon such terms, costs or charges as established by Council to any Owner.
- 3.5 The provisions of this Bylaw shall apply to any property obtaining water from the water supply distribution system, operated by the Town of Two Hills.
- 3.6 No Person shall construct or install any manner of connection, whether on a permanent or temporary basis, to any part of the Water System, without first having obtained permission, in writing, from the Town, in the manner prescribed in this Bylaw.
- 3.7 Each property obtaining water from the water supply distribution system operated by the Town of Two Hills must be equipped with:
- 3.7.1 an operational, interior shut-off valve
  - 3.7.2 a water meter; and
  - 3.7.3 an authorized radio frequency transmitter for remote read; and
  - 3.7.4 a security tag.

- 3.8 Upon receipt of identification, a completed written application, and the payment of the connection fee, as set out in Schedule "A" of this Bylaw, as may be amended by Resolution of Council from time to time, the Town, where the main line is adjacent to the Premises, subject to the application, shall provide water to the parcel, where the application has been submitted by the Owner of the parcel, whether the property is occupied by the Owner or an Occupant.
- 3.9 The provisions of this Bylaw relating to the supply of water to Consumers shall form part of every contract, written or implied, between the Town and a Consumer for the supply of water.

#### 4. Service Connections

- 4.1 The Owner shall be made responsible for the installation and construction costs of the Service Connection located on Town property which runs from the Town's water main to the property line of the road or the boundary of an easement granted to the Town for its Water System.
- 4.2 Owners requesting a Utility Service outside the Town corporate limits shall provide the Town with all necessary details and make application as set out in Schedule "C", which may be amended by resolution of Council from time to time. If the service connection is approved by Town Council, the Owner shall be responsible for all installation and construction costs of the Service Connection located on Town property which runs from the Town's water main to the property line of the road or the boundary of an easement granted to the Town for its Water System. The Consumers of the Utility Service shall pay the required charges as set out in Schedule "A" of this Bylaw, which may be amended by resolution of Council from time to time.
- 4.3 Service Connections located within the property boundaries of a Premise are owned by the Owner of the Premises, and the Owner shall be responsible for the construction, maintenance and repair of that portion of the Service Connection.
- 4.4 The Town shall, at all times, remain the Owner of that portion of the Service Connection between the Town's main line and the property line of the road or boundary of an easement granted to the Town for its Water System, notwithstanding that the Town's portion of the Service Connection may have been constructed by, or its construction funded by, an applicant for a subdivision or development approval.

Nothing in this Bylaw shall be interpreted as preventing the Development Authority from imposing as a condition of subdivision or development approval, an obligation upon the applicant for subdivision and development approval to pay for the cost of installation of a portion of the

- 4.5 Water System necessary to service the lands subject to the application, including the main line and those portions of the Service Connection owned by the Town, and  
located between the Town's water mains and the property line on the road or easement boundary.
- 4.6 As a condition of receiving water from the Town's Water System, the Owner shall maintain, in a state of good repair, free from leakage or other forms of water loss, with sufficient protection from freezing, to the satisfaction of an Authorized Person, all parts of the Service Connection, through which the supply of water is conveyed from the Town's Water System to water supply outlets or fixtures located within the Premises.
- 4.7 All components of the Service Connection located within the boundaries of a Premises shall be of the same material as those components of the Service Connection within the Town, unless the use of alternative material has been approved by an Authorized Person or is required by the Plumbing Code.
- 4.8 Where the Owner of a Premises fails or refuses to maintain, repair or replace all, or any component of the Service Connection as required by Section 4 an Authorized Person may:
- 4.8.1 shut off the supply of water to the Premises, on 48 hours prior notice to the Owner and any Occupant, until necessary repairs have been made to stop the loss of water, or otherwise restore the Service Connection to a condition satisfactory to the Authorized Person; and
- 4.8.2 may prepare an estimate of the volume of water loss and demand payment from the Owner for the estimated amount of water lost as a result of the lack of maintenance and repair.
- 4.9 Payment for the amount of water estimated lost pursuant to subsection 4.8.2, shall become due and payable upon receipt of a demand, in writing from the Town, and may be recovered from the Owner in accordance with the terms of this Bylaw and the *Municipal Government Act*.
- 4.10 Applications for the construction of a Service Connection or the commencement of the supply of water to an existing Service Connection shall be submitted, in writing to the Town in a format approved by the Manager.
- 4.11 Where an obstruction exists between the main line and the outlets within a Premises, the Town shall be responsible for all costs incurred in respect

to any investigation of the cause, and the repair of the obstruction, where the obstruction is determined to be located between the main line and the property line of the Premises. Where the obstruction is located inside boundaries of the Premises, the Owner of the Premises shall be solely responsible for the costs of investigation of the cause and the repairs. No person other than an Authorized Person shall turn off or turn on, or attempt to turn off or turn on, the water supply from the Town's water distribution system to the property. Every person who contravenes this section of this bylaw shall pay the required penalty as set out in Schedule "B" of this Bylaw, which may be amended by resolution of Council from time to time.

## Division 2 – Water Meters

### 5. General Conditions

- 5.1 Unless otherwise approved by Council, all water supplied to a Consumer through the Town Water System shall pass through a water Meter approved and supplied by the Town.
- 5.2 All water Meters supplied to and installed by a Consumer shall, at all times, remain the property of the Town, notwithstanding that the Consumer may have paid an installation fee or any other charge for the provision or installation of the Meter.
- 5.3 The Consumer shall pay the cost of installation or removal of a water Meter pursuant to this Bylaw, in addition to any charge for water supplied to the Water System or any charge for the provision of the Meter by the Town. The cost of installation or renewal shall be that amount set out in Schedule "A", as may be amended by resolution of Council from time to time.
- 5.4 The property owner shall be responsible for the cost of any additional plumbing requirements beyond the installation or replacement, such as cut- ins, modifications or relocations. Should the Town be able to accommodate these requirements as part of the overall project, the cost shall become due and payable upon receipt of a demand, in writing from the Town, and may be recovered from the Owner in accordance with the terms of this Bylaw and the *Municipal Government Act*.
- 5.5 No Person, other than an Authorized Person shall install, test, remove, repair, replace or disconnect a water Meter unless that Person has been granted the authority to do so in writing by an Authorized Person.
- 5.6 Water meters shall not be tampered with or interfered with at any time by the Owner or any other Person. Any damage to the said meter shall be



paid for by the Owner, on the basis of cost of parts required plus a labour charge according to the Public Works Rates Policy

- 5.7 For the purpose of protecting, testing or regulating the use of any water Meter, an Authorized Person may, after having given reasonable notice to the Consumer, enter into the Premises, and take any action necessary to protect, test or regulate the use of the Meter including setting or altering the position of the water Meter.
- 5.8 No person, shall intentionally alter a meter placed on any service pipe or connected with it inside or outside any house, building or other place so as to lessen or alter the amount of water registered by it, unless specifically authorized, in writing, by the Town. Every person who contravenes this section of this bylaw shall pay the required penalty as set out in Schedule "B" of this Bylaw, which may be amended by resolution of Council from time to time.
- 5.9 Owners must exercise additional precautions to protect the water meter from damage, including but not limited to the installation and activation of heat tape on the water lines and on the meter; and the enclosure of the water lines and the meter with insulated skirting. Supplies and labour costs for replacement of water meters due to broken frost plates and other preventable damage are the responsibility of the Owner.
- 5.10 Premises that are on a 'drip-list' as identified in "Schedule D" shall be credited for 3.78 cubic meters of water per month from their total Utility Bill for the months of December through to and including March, due to it being necessary to leave the water dripping so as to assist in the mainline from freezing.
- 5.11 Where the Owner of a Premises fails to adhere to Section 5 an Authorized Person may:
  - 5.11.1 shut off the supply of water to the Premises, on 48 hours prior notice to the Owner and any Occupant, until necessary repairs have been made to stop the loss of water, or otherwise restore the Water Meter to a condition satisfactory to the Authorized Person; and
  - 5.11.2 may prepare an estimate of the volume of water loss and demand payment from the Owner for the estimated amount of water lost as a result of the lack of maintenance and repair.
- 5.12 Payment for the amount of water estimated lost pursuant to subsection 5.11.2, shall become due and payable upon receipt of a demand, in writing from the Town, and may be recovered from the Owner in accordance with the terms of this Bylaw and the *Municipal Government*

Act.

6. Frozen or Blocked Water Lines

- 6.1 The Owner of the Property shall be responsible for the costs associated with frozen or blocked water lines, including but not limited to, thawing the line, removing the blockage or repairing the line when the portion of the line frozen or blocked is between the property line and the Water Meter or when, although the location of the frozen or blocked line is between the Water Main and the property line, in the opinion of the CAO, was caused by the actions or results of the Consumer, Owner or Occupant.

7. Private Meters

- 7.1 A Consumer may, with the approval of the Town, install at his or her own risk and expense, additional water Meters for the purpose of recording the volume of water supplied to Dwelling Units located on a parcel.
- 7.2 Additional water Meters installed pursuant to section 7.1 shall be installed downstream of the water Meter supplied and installed by the Town.
- 7.3 Responsibility for maintenance and repair of downstream water Meters installed pursuant to section 7.1 shall be the sole responsibility of the Owner.
- 7.4 Information recorded by private water Meters shall be for the sole use of the Owner and shall not be used for the purpose of generating utility accounts by the Town.

8. Testing and Repair

- 8.1 A Consumer that has reasonable grounds to believe that a Meter is not operating correctly, or is damaged or broken, shall immediately notify the Town of the condition of the Meter, its location and the estimated length of time that the Meter has been inoperable, damaged or broken.
- 8.2 Water Meters may be removed by the Town for the purposes of maintenance and testing on a periodic basis. The Town may require that a Meter be tested on site, or that the Meter be removed from the Premises for the purpose of testing.
- 8.3 A Consumer may request that the Town test a water Meter located on the Consumer's Premises. If the water Meter is found to be measuring correctly within three (3) per cent of the actual amount of flow as

determined by the Town, the Consumer shall pay the testing fee set out in Schedule "A" of this Bylaw, as may be amended by resolution of Council from time to time. Where the Meter is registering in excess of three (3) per cent accuracy, the Consumer shall not be charged for the cost of testing the Meter.

- 8.4 A Meter Reader may enter the Premises of a Consumer on a periodic basis for the purpose of reading the water Meter. The frequency of Meter reading may be established by the Manager, but shall occur at least once every two (2) consecutive months.
- 8.5 Where a Meter Reader is unable to access the Premises of a Consumer, the Meter Reader may leave a card at the Premises advising of the need to conduct a Meter reading, and requesting the Consumer notify the Town of the water Meter reading within the time period indicated.
- 8.6 In the event that a Consumer refuses to allow a Meter to be read or fails to provide a water Meter reading as requested by the Town, for a period in excess of two (2) months, the Manager may direct that the water supply to the Premises be shut off, after providing forty-eight (48) hours written notice to the Consumer.
- 8.7 Where the Town is unable to obtain a water Meter reading, or where a water Meter fails to properly register the volume of water consumed within a Premises, the amount of water consumed during the time period in which the Town has been unable to obtain a water Meter reading or the water Meter has failed to properly register, may be estimated by an Authorized Person based on the average daily consumption for the Premises for a period of three (3) months, if known or, in the event that such information is not available, on the basis of the average daily consumption over a three (3) month period, for a comparable residence or business operation within the Town.
- 8.8 No Person shall construct or alter a Service Connection so as to bypass a water Meter.
- 8.9 Where a water Meter is approved without the authority of the Town, or stolen, the Owner of the Premises in which the Meter is located shall be responsible for paying the replacement cost of the Meter, including installation. Where costs pursuant to this section are not paid within sixty (60) days of the date on which the Owner is notified of the amount owing, the costs may be added to the tax roll for the Premises and collected in the same manner as municipal property taxes pursuant to the *Municipal*

*Government Act.*

- 8.10 No Person shall interrupt, interfere or tamper with the operation of a water Meter, reading device, or seals placed by the Town on water Meter components.

### Division 3 – Cross Connections and Backflow Prevention

#### 9. Preventing and Limiting Cross-Connections

- 9.1 No Person shall connect, cause to be connected or permit a Cross-Connection to a Water System, or allow an existing Cross-Connection to remain.
- 9.2 Where an Authorized Person suspects that a Cross-Connection exists in contravention of section 8.1, the Authorized Person may carry out an inspection:
- 9.2.1 upon reasonable notice to the Consumer; or
- 9.2.2 without notice to the Consumer, where the Manager has reasonable grounds to believe, in his sole discretion, that an immediate threat of contamination exists so as to pose a danger to public safety.
- 9.3 Where, as a result of an inspection, it has been determined by an Authorized Person that a Cross-Connection exists, the Authorized Person may issue an Order pursuant to the *Municipal Government Act*, as applicable, to the Owner or any other Person responsible for the Cross-Connection, requiring the Person to whom the Order is issued to remedy the contravention in the manner, and within the time period, set out in the Order.
- 9.4 Where an Order has been issued pursuant to section 8.3, the Order may direct the Owner or any other Person responsible for the Cross-Connection to:
- 9.4.1 remove the Cross-Connection;
- 9.4.2 install a Testable Cross-Connection Control Device, approved by the Town; or
- 9.4.3 take any other action determined by the Authorized Person to be reasonable and prudent in the circumstances.

#### 10. Testable Cross-Connection Control Devices

- 10.1 If a Consumer is authorized or instructed to install a Testable Cross-Connection Control Device, the Testable Cross-Connection Control

Device shall:

- 10.1.1 be installed in accordance with any instructions provided by the Town, the Plumbing Code, and the latest edition of the Cross-Connection Control Manual published by the AWWA (Western Canada);
  - 10.1.2 ensure that only those Testable Cross-Connection Control Devices approved by the Town are installed;
  - 10.1.3 that the Testable Cross-Connection Control Device is installed by a qualified Person approved by the Manager; and
  - 10.1.4 be installed at the Consumer's expense.
- 10.2 Where a Testable Cross-Connection Control Device has been installed, the Owner of the Premises shall ensure that it is inspected on a periodic basis by an Inspector approved by the Manager.
- 10.3 The results of the periodic inspection shall:
  - 10.3.1 be recorded on a card provided by the Town, attached to the Testable Cross-Connection Control Device; and
  - 10.3.2 reported to the Town on a form approved by the Manager, within fifteen (15) days of the date of testing, containing the results of the tests performed on the Device.
- 10.4 The record card required pursuant to section 9.3.1, shall remain affixed to Testable Cross-Connection Control Device and shall contain the following information:
  - 10.4.1 The name and address of the Owner of the Premises;
  - 10.4.2 The location, type, manufacturer, serial number and size of the Device;
  - 10.4.3 The date of testing;
  - 10.4.4 The name of the Inspector testing the Device if self-employed, or the name of the Employer of the Inspector testing the Device;
  - 10.4.5 The signature of the Inspector conducting the test; and
  - 10.4.6 The approval number issued by the Town to the Inspector testing the Device.

10.5 Where, as a result of the testing performed pursuant to section 9.2, an Owner has reasonable grounds to believe that the Testable Cross-Connection Control Device is not functioning properly, the Owner shall:

10.5.1 immediately advise an Authorized Person of the condition of the Testable Cross-Connection Control Device; and

10.5.2 if directed by the Manager, replace the Testable Cross-Connection Control Device or have the Device repaired, within eleven (11) business days of being instructed to do so by the Manager.

Where, as a result of testing performed pursuant to section 9.2, an Inspector has reasonable grounds to believe that the Testable Cross-Connection Control Device is not functioning, or functioning properly, the Inspector shall immediately advise the Manager of the condition of the Testable Cross-Connection Control Device, regardless of whether the Inspector believes that the Owner has complied with section 9.5.1

10.6 The Manager is authorized to:

10.6.1 establish the criteria for the approval of the Testable Cross-Connection Control Devices;

10.6.2 establish the criteria for the approval of Inspectors for the installation or inspection of Testable Cross-Connection Control Devices and the provision of approval numbers to such Inspectors; and

10.6.3 maintain a list of approved Inspectors for the installation and inspection of Testable Cross-Connection Control Devices, to be made available to the public on request.

## 11. New Construction

11.1 No Person shall open a Stop Valve to provide water to the Occupants of any newly renovated, constructed or reconstructed Premises, until the Service Connection and plumbing in the Premises has been inspected for Cross-Connections and approved by an Authorized Person.

## Division 4 – Consumer Duties and Responsibilities

## 12. Fire Hydrants and Stop Valves

12.1 No Person shall, in any manner, obstruct free access to any hydrant, valve or Stop Valve.

12.2 All Persons who own property on which a fire hydrant is located, or property which is adjacent to property on which a fire hydrant is located:

- 12.2.1 shall maintain a five (5) metre clearance on each side of the fire hydrant on which the ports are located, and a five (5) metre clearance from the side of the hydrant opposite to the road, easement or municipal right-of-way; and
- 12.2.2 Shall not permit anything to be constructed, erected, placed or planted within the required setbacks provided in subsection 11.2.1 above.
- 12.3 Where an Authorized Person finds a hydrant obstructed contrary to section 11.2, the Authorized Person may direct the Owner or Person responsible for the obstruction, or any or all of them, to remove the obstruction in the manner directed by the Authorized Person.
- 12.4 Where a Person fails to remove an obstruction as directed by an Authorized Person, the Authorized Person may have the obstruction removed at the expense of the Owner, or Person responsible for the obstruction, and the Town may recover any expenses or costs incurred in accordance with the provisions of the *Municipal Government Act*, against any or all of them.

Except where authorized by the Manager, no Person shall open, operate, alter or remove any Stop Valve, access cover, valve or hydrant or draw water from a fire hydrant.

1. General Prohibitions

- 1.1 No Person shall damage, destroy, remove or interfere with, in any way, any pipe, connection, valve, water Meter, seal or other Appurtenance forming a part of the Water System.
- 1.2 No Person shall connect to any part of the Water System or a Service Connection, any device or mechanism which may result in Backflow or Back Siphonage.
- 1.3 No Person shall tamper with, break or remove any seal installed by the Town on any valves, Meters or other Appurtenance connected to a Service Connection or the Town Water System, except in the case of an emergency.
- 1.4 Where the supply of water has been shut off pursuant to this Bylaw, no Person shall, without the express authorization of an Authorized Person, open a Stop Valve or otherwise restore the supply of water.
- 1.5 No Person shall trespass on any Town property that forms a part of the Water System, without the express consent of the Manager.

- 1.6 No Person shall, in any manner, cause or permit the contamination of water or the Water System or commit any act which results in the contamination of water supplied by the Water System.
- 1.7 For the purpose of determining compliance with the provisions of this Bylaw, an Authorized Person may make reasonable inquiries in writing, to any Consumer requiring the provision of information relating to a Service Connection and Appurtenances thereto, located within the Premises owned or occupied by the Consumer.
- 1.8 Where a Consumer receives a written request for information pursuant to section 12.7 above, the Consumer shall, within the timeframe specified in the request, provide the required information to an Authorized Person.
- 1.9 No Person shall:
  - 1.9.1 re-sell water supplied by the Town through its Water System except as otherwise authorized by the Town;
  - 1.9.2 supply water obtained from the Water System to any Person who intends to sell the water, except as otherwise authorized by the Town;
  - 1.9.3 use water in a manner that, in the opinion of an Authorized Person, is wasteful;
  - 1.9.4 make a connection to, cut or otherwise tamper with, in any way, the Water System, without first having obtained written permission from the Town;
  - 1.9.5 obstruct a Town employee or Authorized Person in the performance of his or her duties pursuant to this Bylaw; or
  - 1.9.6 supply water from the Water System, by any means, to any Premises, other than in strict concordance with this Bylaw.
- 1.10 Any Person who contravenes a provision of this Bylaw, in addition to any other action taken by the Town, or penalty imposed, may be declared by the Manager to have forfeited the right to be supplied with water.

#### Division 5 – Water Restrictions

2. 0 Where the CAO or designate determines that there is a water shortage, the CAO or designate may declare that water restrictions are in effect, and shall provide notice to the public of such restrictions.
- 15.0 Where water restrictions have been declared in effect pursuant to this Bylaw, no Person shall:
  - 15.1 wash any vehicle;



- 15.2 wash the exterior of any house or other building; or
- 15.3 water any lawn or garden; or
- 15.4 as otherwise determined by the Town,

except in accordance with a watering schedule as adopted by resolution of Council.

- 16.0 Where water restrictions have been declared in effect pursuant to this Bylaw, no Owner, Occupant or any other Person shall use water in excess of such limits for the duration of the time period in which the water restrictions are in effect.
- 17.0 The Manager may discontinue the provision of water service to a Consumer, where the Manager has reasonable grounds to believe that the Consumer or the Occupant of a Dwelling Unit or Premises for which a Consumer has an account for Utility Services, has violated the water restrictions in force.

#### Division 6 – Shutting off Water Supply

- 18.0 Where a Person:

- 18.1 has constructed or altered a Service Connection so as to bypass a water Meter;
- 18.2 fails to comply with an Order issued pursuant to section 8.3; or
- 18.3 fails to test, or provide test results for, a Testable Cross-Connection Control Device pursuant to section 9.2 or section 9.3;
- 18.4 fails to replace or repair a Testable Cross-Connection Control Device pursuant to section 9.5.2; or
- 18.5 fails to comply with an Order issued pursuant to section 45,

the Manager may, in addition to any other remedy pursuant to this Bylaw, order that the Water Services to a Premises be shut off until such time as the Person has complied with their duties or obligations pursuant to this Bylaw or an Order issued against that Person.

#### Division 7 – Discontinuance of Service

- 19.0 A Consumer who wishes to discontinue receiving water from the Town as a result of the Owner's or Occupant's intention to vacate the Premises, shall provide the Town with notice of two (2) business days prior to the date of discontinuance of service.
- 20.0 A Consumer who fails to provide notice pursuant to section 18 above, shall be liable for those charges in relation to the provision of water to the Premises, notwithstanding that the Owner or Occupant no longer occupies the Premises

that accrue up to the date that notice is provided by the Consumer pursuant to section 18.

- 21.0 Upon notice of a sale of property, the final utility amount owing will automatically be transferred to the respective tax roll.

## PART III - SEWER SERVICES

### Division 1 - Provision of Service

#### 22.0 Terms of Service

- 22.1 All Premises within the Town shall be required to connect to the Sanitary Sewer System, unless an alternative means of sanitary sewage disposal has been approved by the Manager, in writing.
- 22.2 All work performed on any portion of the Sanitary Sewer System, pursuant to the terms of this Bylaw by a Consumer shall be performed in accordance with the required standards set out in the Plumbing Code, and any other applicable Code under the *Safety Codes Act*.

Upon receipt of a completed written application and the payment of the connection fee, as set out in Schedule "A" of this Bylaw, as may be amended by Resolution of Council from time to time, the Town, where the main line is adjacent to the Premises subject to the application, shall provide Sanitary Sewer Services to the parcel, whether the property is occupied by the Owner or Occupant.

- 22.3 The Owner shall be made responsible for the installation and construction costs of the sewer Service Connection located on Town property which runs from the Town's sewer main line to the property line of the road or boundary of an easement granted to the Town for its Sanitary Sewer System.
- 22.4 Owners requesting a Utility Service outside the Town corporate limits shall provide the Town with all necessary details and make application as set out in Schedule "C", which may be amended by resolution of Council from time to time. If the service connection is approved by Town Council, the Owner shall be responsible for all installation and construction costs of the Service Connection, which may include a manhole connection point, located on Town property which runs from the Town's sewer main to the property line of the road or the boundary of an easement granted to the Town for its Sewer System. The Consumers of the Utility Service shall pay the required charges as set out in Schedule "A" of this Bylaw, which may be amended by resolution of Council from time to time.

- 22.5 Those portions of the sewer Service Connection located within the boundaries of the Premises shall be constructed by the Owner at his or her sole expense, pursuant to the terms of this Bylaw and any specifications provided by the Town. The Owner shall be responsible for the continued maintenance and repair of the sewer Service Connection thereafter.
- 22.6 The Town shall, at all times, remain the Owner of that portion of the Sewer Service Connection between the Town's main line and the property line of the road or boundary of an easement granted to the Town for its Sewer System, notwithstanding that the Town's portion of the Service Connection may have been constructed by, or its construction funded by, an applicant for a subdivision or development approval.
- 22.7 To prevent or reduce flooding, an Owner shall install a suitable gate valve or other mechanical device approved by the Town, for the purpose of preventing Backflow into the Premises.
- 22.8 Owners of existing Dwelling Units and Premises without a suitable gate valve or other mechanical device approved by the Town, for the purpose of preventing Backflow into the Premises, shall be responsible for costs of any damages that may have been caused by flooding.

## Division 2 – Use and Protection of Sewer System

### 23.0 Prohibitions

- 23.1 No Person shall dispose of, or permit the disposal of, any chemical, toxic or dangerous substance, or other form of pollutant into the Sanitary Sewer System.
- 23.2 No Person shall connect, or permit the connection of, a weeping tile system to the sanitary sewer, unless approved in writing by the Manager.
- 23.3 No Person shall construct or maintain on their Premises, any privy or pit toilet, septic tank, cesspool, or other facility intended or used for the collection or disposal of waste water, human waste or sewage, unless approved in writing by the Manager.
- 23.4 No Person shall dispose of any substance other than Black Water or Grey Water into any sewage Service Connection connected to the Sanitary Sewer System.
- 23.5 Except as authorized by the Manager, no Person shall turn, lift, remove,

raise or tamper with the cover of any manhole or other Appurtenance of the Sanitary Sewer System.

- 23.6 No Person shall cut, break, connect to or otherwise interfere with any part of the Sanitary Sewer System, except as authorized by the Manager.
- 23.7 No Person shall interfere with the free discharge of the Sanitary Sewer System, or any part thereof, or do any act or thing which may impede or obstruct the flow of substances within the Sanitary Sewer System.
- 23.8 For the purpose of determining compliance with the provisions of this Bylaw, an Authorized Person may, upon providing reasonable notice to the Owner or Occupant, enter into any Premises for the purpose of conducting an inspection pursuant to the *Municipal Government Act*.
- 23.9 Where an Authorized Person finds that a Person is contravening a provision of Part III of this Bylaw, the Authorized Person may issue an Order pursuant to the *Municipal Government Act*, as applicable directing that the Owner, Occupant, Person responsible for the contravention or any or all of them take the steps necessary to remedy the contravention in a time period set
- 23.10 by the Authorized Person.

## PART V – ADMINISTRATION AND UTILITY CHARGES

### Division 1 – Charges and Fees

- 24.0 All Consumers receiving Utility Services pursuant to the provisions of this Bylaw shall pay the required charges, levies and fees set out in Schedule "A" to this Bylaw, which may be amended by resolution of Council from time to time.
- 25.0 No account can be transferred to any Occupant or opened in the name of any Person except the Owner.
- 2.1 .
- 26.0 The Town may prepare and issue invoices for utility charges supplied to Consumers on a monthly basis.
- 27.0 The invoices prepared and issued by the Town pursuant to section 15.4, may include all services for which fees and charges apply, including but not limited to Water Service, Sewer Service and garbage disposal, provided by the Town to the Consumer. If the Town includes the fees and charges for more than one service on a single invoice, the invoice shall provide information on the fees and charges due by the Consumer for each service.
- 28.0 Utility charges issued pursuant to this Bylaw to a Consumer shall be issued for the

address of service provided by the Consumer at the time of application for the Utility Service, and shall be deemed to have been received within seven (7) days of the mailing thereof.

- 29.0 The Consumer shall remit the applicable Utility charge issued under section 24 to the Town by the last day of the billing period for the month in which the utility charge was issued.
- 30.0 A Consumer is not relieved from paying the applicable utility charge by reason of non-receipt of an invoice for that utility charge. A Consumer who does not receive a utility charge for an applicable billing period shall contact the Town as soon as that Consumer is aware, or ought to have been aware, that utility charge has become due and payable.
- 31.0 Utility charges which are not paid within the thirty (30) day period set out in section 29, may be subject to a late payment penalty set out in Schedule "A", which may be amended by resolution of Council from time to time.

#### Division 2 - Non-Payment

- 32.0 Utility charges remaining in arrears for thirty (30) days following the invoice due date may be subject to discontinuance of Utility Service. Where the Town discontinues the provision of a Utility Service to a Consumer as a result of the non-payment of a utility charge, the Consumer shall pay all arrears and any additional service charges as may be required pursuant to Schedule "A", as set by resolution of Council from time to time, before a Utility Service is reinstated.
- 33.0 Notwithstanding section 34 above, a Utility charge owed by the registered Owner of a Premise, may be added to the tax roll for the Premises and recovered in the same manner as any property tax in accordance with the provisions of the *Municipal Government Act*.

#### Division 4 - Authority of Manager and Authorized Persons

- 34.0 The Manager is responsible for the administration and enforcement of this Bylaw, and may delegate this authority.
- 35.0 The Manager may establish standards, guidelines, and specifications for the design, construction and maintenance of the Water System and Sanitary Sewer System.
- 36.0 For the purpose of inspection and enforcement under this Bylaw, the Manager and any Authorized Person are Designated Officers of the Municipality.
- 37.0 In the event of an emergency, the Manager or an Authorized Person may enter onto any Premises, without prior notice to any Person, for the purpose of disconnecting the supply of water, the prevention of flooding, or to prevent the

release of sewage from the Sanitary Sewer System.

- 38.0 The Manager shall be responsible for establishing the Schedules of Meter reading, and the amending of such Schedules from time to time, as determined to be necessary by the Manager in his or her sole discretion.
- 39.0 Where an Authorized Person finds that a Person is contravening any provision of this Bylaw, in addition to any other remedy provided, the Authorized Person may issue an Order to the Owner or Person responsible for the contravention pursuant to the *Municipal Government Act*, as applicable, directing that the Owner Person responsible for the contravention or any or all of them take the steps necessary to remedy the contravention in a time period set by the Authorized Person.

## PART VI – OFFENCES AND PENALTIES

### Division 1 – Offences

- 40.0 Any Person who contravenes any provision of this Bylaw is guilty of an offence and is liable, upon summary conviction, to the applicable penalties set out in Schedule "B" herein, which may be amended by resolution of Council from time to time.
- 41.0 Any Person who provides false information to the Town, the Manager, an Authorized Person or to any other Person empowered to enforce the terms of this Bylaw, is guilty of an offence and, upon summary conviction, shall be liable to the applicable penalties set out in Schedule "B" herein.

### Division 2 – Enforcement

#### 42.0 Municipal Tags

- 42.1 A Bylaw Enforcement Officer is hereby authorized and empowered to issue a Municipal Tag to any Person whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw.

42.1.1 A Municipal Tag shall be served upon such a Person personally, or in the case of a corporation, by serving the Municipal Tag personally upon the Manager, Secretary or other Officer of the corporation, or a Person apparently in charge of a branch office, or by mailing a copy to such Person by registered mail.

42.1.2 Where personal service cannot be affected upon a Person, the Bylaw Enforcement Officer may serve the Municipal Tag by leaving the Tag with a Person on the Premises who has the appearance of being at least eighteen (18) years of age.

42.1.3

42.2 A Municipal Tag shall be in a form approved by the Manager and shall contain the following information:

42.2.1 The name of the Person to whom the Municipal Tag is issued;

42.2.2 The date of issuance;

42.2.3 A description of the offence, the section number of the Bylaw, and the date on which the offence occurred;

42.2.4 The appropriate penalty for the offence as specified in "B" of the Bylaw;

42.2.5 That the penalty shall be paid within thirty (30) days of the issuance of the Municipal Tag, in order to avoid prosecution; and

42.2.6 Any other information as may be required by the Manager from time to time.

42.3 Where a Municipal Tag has been issued pursuant to section 41.1, the Person to whom the Municipal Tag has been issued may, in lieu of being prosecuted for the offence, pay to the Town, the penalty specified on the Municipal Tag, within the time period provided.

#### 43.0 Violation Tickets

43.1 In those cases where a Municipal Tag has been issued and the penalty specified on the Municipal Tag has not been paid within the prescribed time, a Bylaw Enforcement Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the *Provincial Offences Procedure Act*.

43.2 Notwithstanding section 42.1 above, a Bylaw Enforcement Officer is hereby authorized and empowered to immediately issue a Violation Ticket to any Person to whom the Bylaw Enforcement Officer has reasonable grounds to believe has contravened any provision of this Bylaw, notwithstanding that a Municipal Tag has not first been issued.

43.3 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.

#### PART VII - NOTICES

44.0 Unless a provision of this Bylaw dictates otherwise, any notice required to be given pursuant to this Bylaw may be given by registered mail, personal service, or by posting the notice at a location on the Premises where the notice is likely to come

to the attention of the person to whom it has been issued.

## PART VIII - GENERAL PROVISIONS

45.0 The Town shall not be liable for any damages caused by the disruption of any supply of a Utility Service where such disruption is necessary for the purpose of inspection, maintenance or repair of the Utility Service, unless such damages or losses are shown to be directly due to the negligence of the Town or a Town employee.

46.0 The Town accepts no financial responsibility or liability for damages incurred to private property while accessing or attempting to access.

47.0 Bylaw 2023-1019 is hereby repealed in its entirety.

48.0 This Bylaw shall come into full force and effect on third and final reading.

READ a first time this 9th day of January, 2024.

READ a second time this 9th day of January, 2024.

READ a third time and finally passed this 9th day of January, 2024.

### TOWN OF TWO HILLS

PER: \_\_\_\_\_  
LEONARD L. EWANISHAN  
MAYOR

### TOWN OF TWO HILLS

PER: \_\_\_\_\_  
ADAM KOZAKIEWICZ  
CHIEF ADMINISTRATIVE OFFICE



BYLAW NO. 2024-1037

SCHEDULE "A"

CHARGES, FEES, LEVIES

1. WATER RATES

- |   |                        |
|---|------------------------|
| a) Water Consumption - Residential & Commercial ..... | 3.90 per cubic meter   |
| b) Water Consumption - Institutional .....            | 5.00 per cubic meter   |
| c) Bulk Water .....                                   | \$6.30 per cubic meter |

2. SEWER RATES

- |  |                        |
|--|------------------------|
| a) Sewer Charge - Residential & Commercial ..... | \$1.50 per cubic meter |
| b) Sewer Charge - Institutional .....            | \$2.50 per cubic meter |

3. INFRASTRUCTURE SUSTAINABILITY FEE (WATER/SEWER)

- |   |                    |
|---|--------------------|
| a) Single Family Residential, Duplexes, Four-plexes ..... | \$35.00 per month  |
| b) Eventide Homes per unit .....                          | \$20.00 per month  |
| c) Multi-Family Residential (per dwelling unit) .....     | \$15.00 per month  |
| d) Commercial, Industrial (per unit) .....                | \$35.00 per month  |
| e) Inn .....  | \$105.00 per month |
| f) Hotel .....  | \$105.00 per month |
| g) Hospital .....   | \$205.00 per month |
| h) Schools .....  | \$205.00 per month |
| i) Lodge .....  | \$105.00 per month |
| j) Consumers outside Town Corporate Limits .....          | \$40.00 per month  |
| k) Municipal Properties .....                             | \$40.00 per month  |

4. INSTALLATION/REMOVAL OF WATER METERS

- |                          |         |
|--------------------------|---------|
| a) Fee for Service ..... | \$50.00 |
|--------------------------|---------|

5. DATA DROP

- |                          |          |
|--------------------------|----------|
| a) Residential Fee ..... | \$50.00  |
| b) Commercial Fee .....  | \$100.00 |

6. CC VALVE CONNECTION/DISCONNECTION

- |                          |          |
|--------------------------|----------|
| a) Fee for Service ..... | \$100.00 |
|--------------------------|----------|

7. NEW SERVICE CONNECTION FEE

- |                          |         |
|--------------------------|---------|
| a) Fee for Service ..... | \$50.00 |
|--------------------------|---------|

8. PENALTIES

- |                       |                         |
|-----------------------|-------------------------|
| a) Late Penalty ..... | 2.5% compounded monthly |
|-----------------------|-------------------------|

9. ADMINISTRATION FEE

- |   |                  |
|---|------------------|
| a) Administration Fee (per account holder and renter) .....     | \$2.00 per month |
| b) Application for Services outside Town Corporate Limits ..... | \$100.00         |
| c) Equipment Upgrade Fee .....                                  | \$5.00 per month |



BYLAW NO. 2024-1037

SCHEDULE "B"

TAGS AND PENALTIES

Penalties for contravention of this By-law:

- (a) For first offences..... \$250.00
- (b) For second offences..... \$500.00
- (c) For a third or subsequent offence..... \$1,000.00





BYLAW NO. 2024-1037  
SCHEDULE "C"

Town of Two Hills  
APPLICATION FOR SERVICES

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

In consideration of the Town of Two Hills agreeing at my request, to provide water and/or sewer services, as per Bylaw No. 2024-1037 and any amendments thereto, to property owned by myself, located at:

Lot \_\_\_\_\_, Block \_\_\_\_\_, Plan \_\_\_\_\_  
Legal Description: \_\_\_\_\_

It is agreed and understood that completion of this application requires a detailed plan of this request to be provided to the Town and the Town's approval. There shall not be any changes including additions/deletions to the approved plan. If the Manager has reasonable grounds to believe that the approved plan has been modified, the Manager may discontinue the provision of the services.

I do hereby release and forever discharge the Town of Two Hills, its servants and agents from any claim or charge for damages or injuries which may be experienced by myself, my family, my heirs, executors and assigns as a result of the aforementioned materials and services.

It is further agreed and understood that I shall hold the said Town, its officers and servants harmless from any claim that may be brought against them by third persons on account of the aforesaid services.

It is further agreed and understood that the Town of Two Hills in no way guarantees or warrants the performance of the aforesaid services.

It is further agreed that this agreement shall be in accordance with Bylaw No. 2024-1037 and any amendments thereto.

I (we) further agree to comply with the Town of Two Hills Bylaw No. 2024-1037 and any amendments thereto.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature

FOIP disclaimer

Information being collected via this form, will be used for the Town of Two Hills purposes only. It is collected in compliance with section 33 (c) of the Freedom of Information and Protection of Privacy (FOIP) Act.



BYLAW 2024-1037

BYLAW NO. 2024-1037

SCHEDULE "D"

DRIP-LIST

5008 - 51 Street  
5010 - 47 Avenue  
4504 - 52 Street  
4503 - 52 Street  
4505 - 52 Street  
4514 - 52 Street  
5004 - 52 Street  
5005 - 52 Street  
5007 - 52 Street  
4503 - 51 Street  
4704 - 51 Street  
4509 - 51 Street  
5020 - 50 Street  
4710 - 51 Street  
4807 - 47A Street  
5207 - 48 Street  
4713 - 50 Street  
5020 - 47 Avenue  
4613 - 51 Ave  
4810 - 50 Ave  
4812 - 50 Ave  
4613 - 56 Street





**Town of Two Hills Councillor Report**

**Date: January 9, 2024**

**Airport Commission - Alternate**

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**Tourism: Go East**

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**Two Hills Improvement Committee (THIC)**

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**Family Community Services (FCSS) - Alternate**

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**Vermilion River Watershed Management**

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**Extra Notes**

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|---|
| December 20, 2023 2:00 pm to 3:10 pm Alberta Health Services Meeting in Council Chamber. Two Hills Hospital is between St.Paul and Vegreville . There are not enough people to work in the hospital here and we are not the only hospital to have this problem. We need more Lab Teck and X-Ray Teck as do other hospitals do. What can be done to bring people to come to work here. |
|---|

|  |
|--|
| December 06 2023 7:00pm I went to Fire Hall for first meeting and no one showed up so waited till 7:35 pm. |
|--|

|   |
|---|
| December 11, 2023. Sheila and I met with Marge and Ryan at council chamber to talk about fire equipment that fire dept has and does not have. What kind of training do the people have that are in the fire dept. |
|---|

|  |
|--|
| December 20, 2023 at 7:35 pm. I went to the fire Hall for the third Wednesday to fire practice and it was Christmas party and pay day. |
|--|

**Town of Two Hills Councillor  
Report**Date: January 4/2024**Eagle Hill Foundation**

|  |                   |                            |  |
|--|-------------------|----------------------------|--|
| <b>Dec 19</b>                            | <b>Eagle Hill</b> | <b>Number of Residents</b> | <b>21</b>                                |
|  |                   | <b>Number of Vacant</b>    | <b>8</b>                                 |
|  |                   | <b>Number of move in's</b> | <b>3</b>                                 |
|  | <b>Hillside</b>   | <b>Number of Residents</b> | <b>20</b>                                |
|  |                   | <b>Number of Vacant</b>    | <b>16</b>                                |
|  |                   | <b>Travel Nurses</b>       | <b>1</b>                                 |
|  |                   | <b>Number of move in's</b> | <b>1</b>                                 |
|  | <b>Eagle View</b> | <b>Number of Residents</b> | <b>18</b>                                |
|  |                   | <b>Number of Vacant</b>    | <b>22 (12 of which are in the villa)</b> |
|  |                   | <b>Number of move in's</b> | <b>1 (from the St Paul area)</b>         |
|  |                   | <b>Number of DSL3 beds</b> | <b>7 out of 9 filled</b>                 |
| <b>Next meeting date January 16/2024</b> |                   |                            |  |
|  |                   |                            |  |
|  |                   |                            |  |
|  |                   |                            |  |
|  |                   |                            |  |

**Economic Development Committee (EDC)**

|   |
|---|
| <b>Dec 6 Meeting</b>  |
| <b>Did a year in review at the meeting. The consensus of the group, EDC took on too much chamber business and to get back to our mission statement.</b>   |
| <b>Our mission focus is on attracting, retaining and expanding businesses in the Two hills region. Developing strategic partnerships that attract investment in our businesses and industries by leveraging, supporting and promoting our rural advantages and lifestyle.</b> |
| <b>Next meeting date January 10/2024</b>  |
|   |
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|   |
|   |

**HUB - Regional Economic Development**

|  |
|--|
| <b>Next meeting date January 17/2024</b> |
|  |
|  |