

BYLAW 981/UTIL/2011

A BYLAW OF THE TOWN OF FAIRVIEW, IN THE PROVINCE OF ALBERTA, TO REGULATE AND CONTROL THE TOWN'S WATER, SEWER, SANITATION AND RECYCLING SYSTEMS

WHEREAS: The Town of Fairview, being a Municipal Corporation in the Province of Alberta, owns and operates Water, Sewer, Sanitation and Recycling systems as public utilities, and

WHEREAS: Pursuant to Sections 7(g), 8(c)(i), 33 to 44 and 63(2)(a), 64, 65, 66, 67, 68, 69 and 553 (1) and 553 (2) of the Municipal Government Act Revised Statutes of Alberta 2000 Chapter M-26 Current as of January 1, 2010, the Town has the authority to enact a Bylaw affecting and controlling public utilities, and

WHEREAS: It is deemed necessary to revise, update and consolidate the Town's utility bylaws,

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

1. Property Owners Responsibility Section 42 - Municipal Government Act

1.1_ As of March 1, 2008, when a property owner rents or leases a premise to which the Town provides utility services, all new utility accounts shall be in the name of both the property owner and renter and invoices will be mailed to the property owner and the renter.

1.2_ All renters, owners/property managers of property must complete the Utility Application (Schedule D).

1.3_ If utility fees are to be paid by a renter, the Utility Application (Schedule D) must be accompanied with a two hundred dollars (\$200.00) cash deposit to be paid by the renter. The deposit shall be utilized to offset any utility account arrears following final billing. If there are no arrears, the deposit shall be refunded in full to the renter.

1.3.1 A copy of the utility bill will be forwarded to the renter for payment and a copy will be forwarded to the owner or property manager for their records.

1.4_ Utility accounts will not be established by the Town for a person(s) who has an overdue or outstanding utility account with the Town.

1.5_ Changes in utility accounts will not be in effect until the Town receives the completed Utility Application (Schedule D). New accounts will be effective on the date the application is received by the Town or later if requested.

1.6_ Failure to receive a utility invoice is not considered sufficient reason for non-payment of the account.

1.7_ It is the responsibility of the owner to ensure that the Town has been informed that a renter has moved in or moved out. Utility charges that are accrued between tenants are the responsibility of the owner.

2. New Owners

2.1 The property owner is responsible to advise the Town in writing of any sale of property and to provide the contact information of the person or company to whom the property has been sold.

2.2 An Administration Fee as per Schedule A will be levied to both the seller and the new owner of the property for costs associated with finalizing one account and creating a new account.

3. New Water Meters

3.1 The property owner of a new building must acquire a water meter from the Town. The Town covers the cost of the meter. It is the owner's responsibility to hire and pay a qualified plumber for installation of the meter.

3.2 A Utility Account will be set up immediately, in the owner's name, following the installation of a meter in a new building.

4. Water Disconnect and Reconnect

4.1 The owner of a property may request that water be shut-off at a fee as per Schedule A.

4.2 The owner of a property may request that water be shut-off at a fee as per Schedule A to avoid receiving a monthly invoice for an unoccupied building. A fee as per Schedule A will be levied to disconnect and reconnect water.

4.2.1 Notwithstanding 4.2, if water is disconnected at a vacant dwelling the property owner will continue to be invoiced for sanitation and recycling fees.

5. Replacement Water Meters and Meter Readings

5.1 If an existing building requires a replacement water meter for any other reason than a faulty meter, regular wear and tear or obsolescence, the property owner will be responsible for the cost and installation of the new meter.

5.2 If Public Works is requested to read a water meter for any reason other than change in the utility account, an Administration Fee as per Schedule A will be levied. If a water meter reading is required for an issue that is Town related, no fees shall be levied.

5.3 If Public Works is asked to remove and inspect a water meter which is found not faulty, an Administration Fee as per Schedule A will be levied.

6. Overdue Utility Accounts, Outstanding Utility Accounts and Collection

6.1 An interest charge of two percent (2%) per month will be imposed on outstanding accounts payable to the Town of Fairview which remain unpaid after 30 days from the date of the billing of the account.

6.2 Pursuant to Section 553(1)(b) of the Municipal Government Act, Overdue Utility Accounts which remain unpaid after 90 days will be added to the property owner's taxes (of the same municipal address).

6.3 If a house is being sold or foreclosed, any outstanding utility account balance will be added to the property owner's taxes.

6.4 Pursuant to Section 553(2) of the Municipal Government Act, upon being added to the property owner's tax levy, the outstanding amount is subject to the requirements of the tax bylaw.

7. Utility Fees, Payment, Collection

7.1 That monthly rates for Water be adopted as per Schedule A.

7.2 That monthly rates for Sewer be adopted as per Schedule B.

7.3 That monthly rates for garbage pick-up, landfill fees and recycling be adopted as per Schedule C.

7.4 Payments of Utility Accounts may be made at the Town Office, Local banks, online banking or through the pre-authorized payment plan.

7.5 If payment is not received within 60 days after the date of billing, the water service will be turned off and will not be turned on until the account, including arrears, a reconnection fee as specified in Schedule "A" are paid in full. Payment must be in cash, credit, debit or by certified cheque.

8. Rescind Earlier Utility Bylaws

Bylaws 956/UTIL/2010 and 971/UTIL/2011 are hereby rescinded.

9. Effective Date

This bylaw shall come into effect on February 1st, 2012.

READ A FIRST TIME this 6th Day of December, 2011

Mayor Gordon MacLeod

CAO Larry Davidson

READ A SECOND TIME this 20th Day of December, 2011

Mayor Gordon MacLeod

CAO Larry Davidson

Council unanimously moved to proceed with third reading this 20th Day of December, 2011

READ A THIRD TIME AND FINALLY PASSED this 20th Day of December, 2011

Mayor Gordon MacLeod

CAO Larry Davidson

Bylaw 981/UTIL/2011**A BYLAW OF THE TOWN OF FAIRVIEW, IN THE PROVINCE OF ALBERTA, TO AMEND
UTILITY FEES FOR THE TOWN OF FAIRVIEW****SCHEDULE A****WATER RATES**

Residential:	\$15.00 flat rate for usage up to 7 cubes \$2.00/cubic meter over 7 cubes \$2.00/utility account/month for capital replacement fee
Commercial:	\$20.00 minimum for usage up to 7 cubes \$ 2.50/ cubic meter over 7 cubes \$2.00/utility account/month for capital replacement fee
Water Loading Station - Commercial:	\$ 5.00 per cubic meter
- Residential:	\$ 3.50 per cubic meter
Water Co-op:	\$ 2.00/m3
Capital Replacement Fee	\$ 0.50/m3
Woodmere Nursery Raw Water	\$ 0.60/m3
Bluesky	\$ 2.00/m3
Capital Replacement Fee	\$ 0.50/m3
Utility Hook-up Administration Fee:	\$ 20.00
Account Finalization Administration Fee	\$ 20.00
Water Shut-off at Curb Stop	\$100.00
Turn-on at Curb Stop (Reconnecting Fee)	\$100.00
Water Meter Inspection When Meter Not Faulty	\$ 50.00
Water Deposit (Tenants)	\$200.00
Meter Readings (see Item 5.2)	\$ 30.00

READ A THIRD TIME AND FINALLY PASSED this 20th Day of December, 2011

Mayor Gordon MacLeod

CAO Larry Davidson

Bylaw 981/UTIL/2011
A BYLAW OF THE TOWN OF FAIRVIEW, IN THE PROVINCE OF ALBERTA, TO AMEND
UTILITY FEES FOR THE TOWN OF FAIRVIEW

SCHEDULE B

SEWER RATES

Residential:	\$13.40
Motel per unit:	\$12.40
Hotel per unit:	\$12.40
Restaurants/Cafes:	\$50.45
Garages/Shops:	\$38.10
Offices:	\$25.75
Commercial Other:	\$30.90
Schools:	\$154.50
Health Complex:	\$618.00
GPRC	\$1,339.00
Garrison Manor/Unit:	\$10.30
Apartments/Unit	\$12.40
Mobile Home Park:	\$12.40
Provincial Building:	\$257.50
Car Washes:	\$82.40
R.V. Parks	\$3.10/stall/month/year round

READ A THIRD TIME AND FINALLY PASSED this 20th Day of December, 2011

Mayor Gordon MacLeod

CAO Larry Davidson

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SCHEDULE C

GARBAGE, LANDFILL AND RECYCLING RATES

Garbage and Landfill: \$22.00

Recycling: \$4.80

READ A THIRD TIME AND FINALLY PASSED this 20th Day of December, 2011

Mayor Gordon MacLeod

CAO Larry Davidson

**BYLAW 981/UTIL/2011 OF THE TOWN OF FAIRVIEW, IN THE PROVINCE OF ALBERTA
TO ESTABLISH UTILITY FEES FOR THE TOWN OF FAIRVIEW**

SCHEDULE D

UTILITIES APPLICATION

CIVIC ADDRESS OF PROPERTY: _____

UTILITY DUES TO BE PAID BY: Tenant Property Owner Property Manager

TENANT

Name: _____

Billing Address _____

Phone (day) _____ (evening) _____

PROPERTY OWNER

Name: _____

Billing Address _____

Phone (day) _____ (evening) _____

PROPERTY MANAGER

Name: _____

Billing Address _____

Phone (day) _____ (evening) _____

EFFECTIVE DATE: _____ Prior Account Yes No

\$200.00 DEPOSIT PAID BY TENANT: Receipt Number _____

We, the undersigned, agree to the terms as specified in Bylaw 981/UTIL/2011 and amendments thereto.

Tenant

Property Owner

Date: _____

Date: _____

This personal information is being collected under the authority of the Municipal Government Act, and will be used to administer and maintain your utility account. It is protected by the privacy provisions of the Freedom of Information and Protection of Privacy Act.