

**BY-LAW 309  
VILLAGE OF DEWBERRY**

**A By-Law of the The Village of Dewberry in the Province of Alberta to set forth the terms and conditions for the supply and maintenance of the water and sewer services in the Village of Dewberry and garbage collection services**

**Whereas:** the Council of the Village of Dewberry, duly assembled, deems it advisable to set forth the terms and conditions for the maintenance and supply of water and sewer services from its water distribution and sewer system, and provision of garbage collection services; and

**Whereas:** the Council of the Village of Dewberry deems it advisable to make provision for the collecting of water and sewer rates to meet the cost of maintaining and operating its water distribution and sewer system, and garbage collection services

**Now Therefore:** the Council of the Village of Dewberry, pursuant to the authority vested in it by the Statutes of the Government of the Province of Alberta hereby enact as follows:

**WATER      Section 1 : WATER**

**The Village of Dewberry owns, operates and is responsible for maintainence of all water system components on public property.**

1. No person except those authorized by the Village of Dewberry shall make any connection with any of the public pipes or mains in the public thoroughfares of the Village of Dewberry or make a connection to the water service pipe between the property line and the meter.
2. The property owner owns, operates and is responsible for maintenance of water service lines on private property. All property owners shall keep and maintain service piping in proper working conditions and free from leaks.
3. All water users require meters and water meter seals to be installed on their premises, which are owned, supplied and maintained by the Village. Installation requires an open area of approximately 18" square above the main control valve and this area must be left accessible.

4. No person shall disconnect a meter or do anything which may prevent or impede the flow of water through a meter or the recording of the flow of water through the meter, or which may affect the proper operation of the water meter.
5. No person shall interfere with, cut or remove the wire seal on a meter or valve.
6. The property owner shall install a control valve in the service pipe ahead of the meter setting. The meter setting and control valve shall be positioned near the point where the private service enters the property owners building. The property owner shall maintain the control valve in sound working order.
7. The occupants, property owners or tenants shall allow access to the premises for the Village's employees or those authorized by the Village of Dewberry charged with
  - a. the installation, removal, inspection, repair, reading and otherwise dealing with the water meter or water meter seal for the checking of service piping, fixtures connected to and drawing water from the Village's distribution system.
  - b. Shut off and seal a water line for nonpayment.
8. The property owner, occupant or tenant shall be responsible for protecting the meter from interference or injury or frost or any type of defacement and shall be liable for any damage that may occur to the meter. In the event that a meter is damaged, the **property owner** shall be responsible for all replacement costs.
9. The Village of Dewberry will respond to requests from property Owners and utility customers for water system maintenance on private Property for the following activities:
  - a. water service valve closing and opening in the event of downstream leaks or other requirements
  - b. other requested services for a charge if available
10. The Village of Dewberry shall have the right to restrict or ration the amount of water used during periods of heavy demand, upon 24 hours notice, conditions permitting. The service may be disrupted from time to time for repairs or fire-fighting or any other possible emergencies.
11. When water restrictions are set by the Village through advertising by flyers, posters or by the community newsletter, anyone found watering with an outside hose will receive one warning and the next time will be fined an amount as set by the Council of the Village of Dewberry. If the fine is not paid by the next utility bill period, the fine will be added to their utility bill.

**SEWER: Section 2 : Sewer**

**The Village of Dewberry as owner and operator of a sanitary sewerage system, recognizes a responsibility to maintain that piped system. This responsibility extends to all trunk sanitary sewers, sanitary sewer mains and sanitary sewer services on PUBLIC property, excepting those persons plugging PUBLIC sanitary sewer service pipes on public property are responsible for removing that obstruction.**

1. The Village of Dewberry owns, operates and is responsible for maintaining the sanitary sewer on PUBLIC property, including the sanitary sewer service pipe from the sewer mains to the boundary of the private property.
2. Authorized Village of Dewberry employees shall have the right at all reasonable times to enter houses or other places which have been connected with the Village of Dewberry sewers, that have been given him to ascertain whether or not any improper material or liquid is being discharged into the sewers, and he shall have the power to stop or prevent from discharging into sewer system which are liable to injure the sewers or obstruct the flow of sewage.
3. No substance shall be discharged into the sewer that is toxic, hazardous or poisonous.
4. The owner of any property, building or facility connected to the Village of Dewberry's sanitary sewer systems owns, operates and has the responsibility to maintain the sanitary sewer pipe on private property.
5. The owner of any property connected to the Village of Dewberry sanitary sewer system is responsible for unplugging any blockage in the sanitary sewer service pipe on both PRIVATE and PUBLIC property, from

the building to the sewer main connection location, both with respect to engaging a sewer cleaning contractor to unplug the pipe and bearing the cost of such service. If the main sewer line is running free, then the plugged sewer is deemed to be the responsibility of the property owner. The unplugging of a blockage in a sanitary sewer service pipe caused by tree roots from trees located on private property is considered to be the responsibility of the property owner.

6. The Village of Dewberry will respond to requests from property owners and utility customers for sewer system maintenance on private property on a fee for service basis, as set by the Council of the Village of Dewberry for the following activities:
  - a. Requested services if available
7. In the event that a blockage occurs in that portion of the sanitary sewer pipe on public property which is caused by a structural defect in the pipe, the Village of Dewberry will repair the sewer pipe and reimburse the property owner or occupant for the costs of unplugging that pipe, if such costs can be supported by a paid invoice,
8. On all new construction the building foundation weeping tile must be connected into a basement sump, and that on all new constructions a sewer back-flow prevention device must be installed in all building sewer lines, and that on all new construction a grease, oil and sand separators must be provided on private property for all commercial garages service stations and car washes.

**GARBAGE Section 4 ; Garbage**

1. Where necessary or advisable, Council is hereby authorized to Make certain adjustments regarding the placing of garbage, cans, etc. and which lanes will be used.
2. To ensure pickup of household garbage, garbage must be placed in A good quality plastic bag and tied securely. If plastic bags are not used, it may be refused.
3. Garbage pick-up day and time may be varied at the discretion of The Council of the Village of Dewberry. Council will designate the details of pick-up day and time by resolution.

**BILLING: Section 4 : Billing**

1. That every person, firm or corporation being the registered owner or purchaser entitled to possession under the Agreement for Sale of property, or occupier as tenant of the land in respect of which the service is rendered, shall pay bi-monthly to the Village of Dewberry, the rates as set by the Council of the Village of Dewberry. The said charges shall be due and payable when the account is rendered. Failure to receive an account shall in no way affect the liability of the consumer to pay the amount.
2. The Council of the Village of Dewberry may vary the said rates or add thereto other classifications as may be deemed necessary.
3. The Village of Dewberry shall, upon passing of this By-Law require a security deposit of \$100.00 on all water hook-ups for new renter, and landowner connections. This hook-up includes renters / land owners, or whoever is using the service. A penalty of 2% shall be added to unpaid accounts after 60 days of non payment. If the account is not paid within 60 days of overdue account, the Village will notify in writing that the account must be paid within 15 days or services, including garbage pick-up will be discontinued. A charge of \$20 will be assessed to the user for reconnection.
4. Any or all services may be discontinued at the discretion of the Village of Dewberry.

5. Any utility bills in arrears for services supplied by the Village of Dewberry to any land or premises may be added to the taxes assessed against the real property to which the utility services has been supplied, and may be collected in any ways provided for the collection of taxes, according to the Municipal Government Act M-26. 1, 1994 and any amendments thereto.

**SEVERABILITY Section 6**

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

**REPEAL** All other By-laws pertaining to the terms and conditions for the supply and maintenance of water and sewer services in the Village of Dewberry are repealed.

**EFFECTIVE DATE** This By-Law is effective upon the date of its third and final passing.

Read a first time this 11 day of June, 2004  
Read a second time this 11 day of June, 2004  
Read a third time and passed this 11  
day of June, 2004

VILLAGE OF DEWBERRY

  
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Mayor - Deputy

  
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Secretary Treasurer