

BYLAW NO. 849-12

**BEING A BYLAW OF THE MACKENZIE COUNTY
IN THE PROVINCE OF ALBERTA
RESPECTING THE WATER AND SEWER SYSTEM**

WHEREAS Part 3 Division 3 Section 7(g) of the *Municipal Government Act*, R.S.A. 2000, c. M-26, as amended or repealed and replaced from time to time, empower municipalities to provide municipal utility services, and

WHEREAS Mackenzie County Council may pass a bylaw governing the management of the Municipality's water system, sewer system and storm drainage system,

WHEREAS Mackenzie County operates utilities within its boundaries

WHEREAS this Mackenzie County bylaw applies to all users of municipal water and or sewer systems.

NOW THEREFORE the Council of Mackenzie County, in the Province of Alberta, duly assembled, enacts as follows:

1. SHORT TITLE

This bylaw may be cited as the "Water and Sewer Bylaw".

2. INTERPRETATION

In this bylaw, unless the context otherwise requires,

- a) "**Authorized Employee**" is a person appointed by the County's Chief Administrative Officer to act on behalf of the County with regard to the County's water and sewer and storm drainage systems.
- b) "**Bulk Water**" means any container that exceeds 200 litres.
- c) "**CAO**" means the Chief Administrative Officer of Mackenzie County, a person duly appointed pursuant to the Municipal Government Act and the County's Chief Administrative Officer Bylaw.
- d) "**Catch Basin**" means Storm Sewer inlets that filter out debris such as leaves and litter. They are typically located next to street curbs or within Utility Right of Way.

- e) “**Code**” means the National Plumbing Code of Canada, the Safety Codes Act of Alberta – Plumbing Code Regulation, the Alberta Building Code and/or Mackenzie County’s Engineering Guidelines and/or General Municipal Improvement Standards. If a conflict exists between portions of these documents, the document with the most restrictive applicable portion shall govern.
- f) “**Commercial**” means a service provided to a commercial or industrial establishment owned and operated by a business or individual for profit, or any property assessed as a commercial or industrial property.
- g) “**Consumer**” means any individual, corporation, partnership or other legal entity that receives the Municipal Utility services and, where the context or circumstances so require, includes any individual, corporation, partnership or other legal entity who makes or has made an application for the Municipal Utility services or otherwise seeks to receive the Municipal Utility services.
- h) “**Council**” means the Council of Mackenzie County elected pursuant to the *Local Authorities Election Act*, R.S.A. 2000, c. L-21.
- i) “**County**” means Mackenzie County.
- j) “**Designate**” means a person appointed by the CAO to act on the County’s behalf with regard to the County’s Water System and Sanitary Sewer and Storm Sewer systems.
- k) “**Hamlet(s)**” means the unincorporated communities of Zama, Fort Vermilion, and La Crete as established with designated boundaries and approved by Mackenzie County.
- l) “**His**” shall mean his and/or her and/or a corporate entity, in the singular or plural, as the context requires.
- m) “**Interceptor**” means a receptacle that is installed to prevent oil, grease, sand or other materials from passing into a drainage system.
- n) “**Municipal Utility**” means the County Water System, Sanitary Sewer system and Storm Sewer system.
- o) “**Point of Delivery**” shall mean at the property line between the County’s property, right-of-way and/or easement and the Consumers property.
- p) “**Registered Owner**” means the person registered as the owner of the property pursuant to the provisions of the *Land Titles Act*, R.S.A. 2000, c. L-4.

- q) **“Rural Waterline”** a municipal potable waterline operated as a trickle system, which is not part of any Hamlet’s distribution system.
- r) **“Rural Water User”** means any Consumer, located outside of Hamlet boundaries, that is connected to the Rural Waterline.
- s) **“Sanitary Sewer”** means municipal sanitary sewer system including all mains, treatment and storage facilities.
- t) **“Storm Sewer”** means municipal storm drainage system, including ditches, Catch Basins, underground works, and outflows.
- u) **“Trickle System”** means a water distribution system with reduced pressure and flow.
- v) **“Urban Subdivided Parcel – To Rural Standards”** shall mean a lot that exists or has been allowed to be created within the boundaries of a Hamlet and not being in accordance to Hamlet lot standards by way of size and development layout. This includes subdivisions that were completed as a farmstead or homestead separation out of a quarter section and/or any lots that have been created or exist contrary to the current land use and/or the use intended as specified in the applicable Hamlet Area Structure Plan.
- w) **“Utility Connections policy”** shall mean policy UT004, Utility Connections policy, as approved by Council and as amended or repealed and replaced from time to time.
- x) **“Water System”** means municipal waterworks system including all the mains, storage and treatment facilities, and all appurtenances thereof.

3. USE AND CONTROL OF THE WATER, SANITARY SEWER AND STORM SEWER SYSTEM

3.1. GENERAL RULES

- 3.1.1. Council hereby delegate to the CAO all those powers stipulated by this bylaw to be exercised by the County and all necessary authority to exercise those powers, excluding thereout, the power to set Municipal Utility rates or enact bylaws, or do anything else reserved exclusively for Council pursuant to the provisions of the Municipal Government Act. Without limiting the generality of the foregoing, the CAO may deal with the following subject matters:
 - a) Procedures or requirements that a customer must comply with before a utility connection is installed or activated, or before a Municipal Utility services are provided, or as a condition of ongoing

- b) provision of Municipal Utility services;
 - b) Consumer accounts, including without limitation provisions or requirements concerning opening an account and making payments on the account;
 - c) Measurement of water consumption;
 - d) Procedures or requirements concerning investigating customer complaints and concerns;
 - e) Procedures or requirements for upgrading, resizing, relocating or otherwise changing a service connection, whether at the instigation of the County or at the request of the Consumer;
 - f) Turn – on and turn – off of water services, whether at the instigation of the County or at the request of a Consumer;
 - g) Supply of water for firefighting purposes, including without limitation procedures or requirements concerning the maintenance of public or private fire hydrants and permissible use of water from fire hydrants; and
 - h) Delegate any powers, duties or functions under this bylaw to an employee of the County.
- 3.1.2. All water, sewer and drainage systems must be constructed in accordance with the Code and any applicable Federal/Provincial regulatory requirements.
- 3.1.3. All construction and/or installations of utilities shall cease on November 1 of each calendar year and commence again on May 1 of each calendar year. Any variance to the mentioned dates shall be at the discretion of the CAO or Designate.
- 3.1.4. No person shall receive a Municipal Utility service without approval of the County.
- 3.1.5. No person shall do any work upon or interfere in any way with the Municipal Utility system unless specifically authorized, in writing, to do so by the CAO or Designate.
- 3.1.6. The Registered Owner of any building connected to the Municipal Utility shall, at all reasonable times allow or permit the utilities officer or Designate to enter into and upon the premises for the purpose of inspecting connections, drains, and any other apparatus used in connection with the Municipal Utility system.
- 3.1.7. The Consumer shall, at His own expense, maintain all utilities within His property lines, unless otherwise stated within this bylaw.
- 3.1.8. Service calls outside of regular working hours shall be levied a fee as per the Fee Schedule bylaw.

3.2. REQUIREMENT TO CONNECT TO WATER AND SEWER MAINS

- 3.2.1. No water and sewer connections other than that specified in the County's Land Use Bylaw shall be undertaken, unless an application for it has been approved by the County and all required permits have been issued.
- 3.2.2 Each and every dwelling and every occupied building situated on land abutting the water and/or sewer mains in the Hamlet shall be connected with connections approved by the County to the Municipal Utility.
 - a) Any Urban Subdivided Parcel – To Rural Standards shall not be required to connect to the Municipal Utility. Should the Registered Owner and/or developer desire to connect to the Municipal Utility, the utilities must be installed in accordance with the current Area Structure Plan.
- 3.2.3 If the Consumer refuses to connect within one (1) year, the County may enter on the land, building, erection, or structure to install the Municipal Utility and charge the cost thereof against the land, building, erection or structure in question, in the same manner as taxes and with the same priority as to lien and to payment thereof, as in the case of ordinary municipal taxes.
 - a) The one (1) year period shall begin when the construction of either the building, erection, structure or Municipal Utility is deemed to have been substantially completed.
- 3.2.4. At such time as the Development Permit is applied for, the Consumer shall apply for Municipal Utility services. If the application is approved by the County, the County shall provide the water and/or sewer service to the property line. All costs pertaining to the construction and supplies used for the utility service and connection shall be charged back to the Consumer.
- 3.2.5. Where a rural multi-lot subdivision is developed immediately adjacent to the Rural Waterline, each lot shall be serviced at a minimum, in accordance with the development application, to the property line.
 - a) The developer shall provide a meter lift for the purpose of regulating water flow and protection of the water meter. The servicing shall be completed using products equivalent to the products the County uses when installing Rural Waterline services.
 - b) The developer shall pay the County a fee, as specified in the Fee Schedule bylaw and as required within the development agreement, as compensation for the cost of the Rural Waterline.
- 3.2.6. Potential Rural Water Users that are not part of a rural multi-lot subdivision

may be given the option to connect to the Municipal Utility.

3.3. TAPPING WATER AND SEWER MAINS

- 3.3.1. No person except Authorized Employees of Mackenzie County, or persons authorized by the County, shall make any connection to any Municipal Utility.
- 3.3.2. All water service/sewer pipes laid in private property, between the property line and the water meter, and all sewer service pipes laid in private property, between the property line and the interior of the building, shall be of a material that meets the Code.
- 3.3.3. No connection shall be made to the water service pipe between the property line and the water meter, unless such connection is metered and is approved by the CAO or Designate.
- 3.3.4. Unless otherwise approved in writing by a certified engineer, all sewer connections must have a backflow prevention device installed, and such device must meet the Code and may be inspected by the County. All tapping and backfilling shall be done to meet the Code and be at the cost of the developer.
- 3.3.5. A separate and independent utility service connection shall be provided to every lot, or, to every unit that is divided vertically through all levels, where the subdivision of the building and property may occur at a later date (eg. dwelling-duplex, dwelling-multiple)

3.4. INSPECTIONS

- 3.4.1. All connections shall be inspected and approved by an Authorized Employee prior to back fill. Any damage during backfilling shall be the responsibility of the Registered Owner. If any connections to the Municipal Utility are covered or concealed before it is inspected, or tested, it shall be uncovered if the Authorized Employee so directs.
- 3.4.2. Due to the potential impact on the Municipal Utility, before any repairs to utilities on private property are started, the County must be notified of the existing problem and the timeframe and method of the proposed repairs.
 - a) Any required repairs performed by a Consumer to a utility service, where there is the potential need to excavate on County property, shall receive prior written approval from the CAO or Designate.
- 3.4.3. A minimum of one (1) working day notice is required for all inspections. If the inspection is an urgent situation requiring a response in less than the

required one (1) working day, and the County agrees to respond in less than one (1) working day, the cost of responding to such a request may be billed at a rate in accordance with the Fee Schedule bylaw, in addition to normal fees to the person, corporation, or other such entities to whom the Municipal Utility charges are being billed, have been billed or will be billed.

3.5. ADMINISTRATION OF WATER AND SEWER COSTS

- 3.5.1. All Municipal Utility accounts shall be approved by the Registered Owner of the property. Any charge on a Consumer's account remaining unpaid after the due date will be in arrears and constitute a debt owing to the County and is recoverable by adding the outstanding account balance to the tax roll of the Registered Owner of the property.
- 3.5.2. Municipal Utility service charges and rates shall be levied and collected from Consumers connected to and utilizing the Municipal Utility system in accordance with the Fee Schedule bylaw.
- 3.5.3. Mackenzie County may shut off or discontinue water service for non-payment of account or failure to make application for a Municipal Utility connection. Fee to reconnect such service as per the Fee Schedule bylaw.
- 3.5.4. Failure of the Consumer, being charged for water service, to receive a statement of account shall in no way affect the liability of such Consumer to pay such levies and charges.

4. WATER SYSTEM

4.1. TAMPERING AND CROSS CONNECTIONS

- 4.1.1. No person shall cause or permit the breaking, damaging, destruction, defacing or tampering with any part of the water services or any permanent or temporary device installed in the water services for the purpose of measuring, sampling and testing of matter in the water services, and any person who does perform such acts shall be liable for any damage incurred.
- 4.1.2. No Consumer of any house, building or other premises which is connected to the Water System shall increase the supply of water beyond that fixed by the rating of the premises.
- 4.1.3. No person shall connect, cause to be connected or permit to remain connected to the Water System a cross connection that has not been adequately protected and approved by the County.

4.1.4. Where the County believes a cross connection exists in contravention to Subsection 4.1.2, the County may carry out an inspection:

- a) upon reasonable notice to the Consumer;
- b) without notice where the County believes that an immediate threat of contamination to the Water System exists

4.1.5. Upon inspection, where the County continues to believe that a cross connection exists in contravention of Subsection 4.1.2, the County may terminate the water service to that parcel or premises with reasonable notice, and where the County believes that such a cross connection poses an immediate threat of contamination of the Water System, the County may terminate such water service without notice.

4.2. GENERAL RULES

4.2.1. The Consumer shall be liable for the costs of installations of all piping within His own premises including the piping from the Point of Delivery to the buildings and shall assume all risk and responsibility with respect to such piping and His equipment and protection of the same.

4.2.2. Any such piping shall be done in conformity with all by-laws and Codes.

- a) The County shall have the right to inspect such piping but such inspection shall not relieve the Consumer of His responsibility.

4.3. WATER METERS

4.3.1. Each and every water service attached to the Water System shall be metered and the water consumed, as indicated by the meter, shall be paid for in accordance with the Fee Schedule bylaw.

4.3.2. All water meters shall be supplied and installed by Authorized Employees of Mackenzie County or person authorized by the County, at the expense of the Consumer, as per the Fee Schedule bylaw.

4.3.3. All meters, are and shall remain the property of Mackenzie County and as such shall be moved, changed, repaired, etc. only by Authorized Employees of Mackenzie County or person authorized by the County, and at the discretion of the County.

4.3.4. All water meters and remote readers must be installed in an approved location set by the utilities officer, with input from the Consumer, and be readily accessible to authorized person for the purpose of reading, inspecting or changing same.

- 4.3.5. The Consumer shall give access to Authorized Employees of Mackenzie County, or person authorized by the County, to a meter for the purpose of reading, inspecting, or changing same, and shall be responsible to keep said meter free from damage. The Consumer shall be liable for any damage which occurs to the meter.
- 4.3.6. The Consumer must report to Mackenzie County any damage caused to the water meter within one regular working day upon discovering the damage.
- 4.3.7. Any damage caused to meters and/or remote water meter readers by, but not limited to, abuse, tampering, freezing or hot water shall be considered the responsibility of the Consumer, and all repairs shall be assigned to the account of the Consumer.
- 4.3.8. An Authorized Employee of Mackenzie County, or person authorized by the County, may undertake water meter repairs and/or replacements, and charge all costs to the account of the Consumer.
- 4.3.9. Repairs necessitated to meters through normal operation and wear and tear will be repaired by the County, and will be considered as an operating expense and as such, charged to the Utilities Department.
- 4.3.10. No meter by-pass line shall be installed without having obtained prior written approval by the CAO or Designate.
 - a) Where a by-pass line and valve are installed around the meter, this valve shall be sealed and the seal is not to be broken. In the case of an emergency, the seal on a by-pass valve may be broken.
 - b) The breaking of any seals whether by accident or emergency shall be reported immediately to the County.
- 4.3.11. Should any Consumer claim a meter is not reading properly, the Consumer shall pay a fee to the County, the sum set out in the Fee Schedule bylaw, to have the meter tested. The meter will then be removed from service and given a proper bench test. Should the said meter be found to over read by more than 3%, the Consumer shall be refunded their fee. Any meter which meets the requirements previously stated shall be considered adequate and the Consumer shall forfeit the said fee to the County to cover costs of removal and testing of the said meter. All conveniences during business hours shall be afforded the Consumer to witness meter tests.
- 4.3.12. The size of all meters installed shall be determined by the County and

will not necessarily conform to the size of service pipe installed in the building, but will be based on the estimated rate of consumption.

- 4.3.13. Should a meter cease to operate between reading periods; billing of the account will be done on an estimated consumption for the period. This estimate will be based on previously obtained consumption figures.

4.4. FIRE HYDRANTS AND VALVES

- 4.4.1. Except as hereinafter provided, no person other than authorized person set out by the County shall open, close, operate, or interfere with any valve, hydrant, or draw water there from.
- 4.4.2. The Chief of a Rural Fire Protection Association or a Voluntary Fire Brigade, His assistants and officers, are authorized to use the hydrants for the purpose of extinguishing fires, for making trail of hose pipe or for fire protection, but all such uses shall be under the direction and supervision of the said Chief or His authorized assistants and in no event shall an inexperienced or incompetent person be permitted to manipulate or control in any way any hydrant.
- 4.4.3. No person shall in any matter obstruct the free access to any hydrant or valve or curb stop. No vehicle, building, rubbish or any other matter which could cause obstruction shall be placed nearer to a hydrant than the property line of the street in which the hydrant is located, nor within twenty (20) feet of the hydrant in the direction parallel with the said property line. Fines for violations will be charged in accordance with the Fee Schedule bylaw.

4.5. CONNECTION OR DISCONNECTION OF WATER SERVICES

- 4.5.1. A minimum of one (1) working day notice is required for connection or disconnection of water services. If the service connection or disconnection requires a response in less than one (1) working day, and the County agrees to respond in less than one (1) working day, the fee for responding to such a request may be billed at a rate in accordance with the Fee Schedule bylaw.
- 4.5.2. After any construction, reconstruction, alteration, change or the completion of any work requiring a permit, water shall not be turned on to any building or premises until the work has been done to the satisfaction of a Mackenzie County employee or person authorized by the County.
- 4.5.3. Water shall be turned on or off at the curb stop only by Mackenzie County employees, or person authorized by the County.

- 4.5.4. The County shall not be held responsible for damages caused within a residence, or other building, as a result of turning water on or off at a curb stop.

4.6. RESALE AND WASTING OF WATER

- 4.6.1. No residential customer of any house, building or other premises which is connected to the Water System, shall vend, sell, or dispose of Bulk Water therefrom, or give away, or permit the same to be taken or carried away.
- 4.6.2. A Consumer shall not use water from the Water System, or allow water obtained from the Water System to be used:
- a) In an unauthorized manner;
 - b) In a manner that will impede water use by other Consumers;
 - c) Unless a Municipal Utility account has been opened by the Consumer; or
 - d) Unless the water has first passed through a meter

4.7. WELLS AND OTHER SOURCES OF SUPPLY OF WATER

- 4.7.1. No Consumer located in a Hamlet, other than an Urban Subdivided Parcel – To Rural Standards, shall use any source of water supply other than the municipal Water System without the written consent of the CAO or Designate.
- a) Any such permission may be withdrawn by order of the CAO or Designate at any time, without notice, and no person shall use a well or other source of supply of water after a permit for use of the same has been withdrawn.

4.8. RURAL WATERLINE CONNECTIONS

- 4.8.1. A Registered Owner requesting a water service from the Rural Waterline shall apply for Municipal Utility services. If the application is approved by the County, the County shall provide the water service to the property line.
- 4.8.2. Where water service has been brought to the property line of a vacant parcel of land, the developer and/or Registered Owner of the property is required to connect to the water service and pay for the costs of the same upon the construction and/or placement of any dwelling or occupied building on the lands.
- 4.8.3. The Consumer shall pay a fee as set out in the Fee Schedule bylaw for the connection to the Rural Waterline.

- 4.8.4. The County shall sell and deliver water to the Consumer, so far as is practical to do so at the service location indicated in the Utility Connections policy. The County will install and operate the Rural Water Line as a Trickle System at a maximum rate of 1 gallon per minute for residential users and 2 gallons per minute for Commercial users, unless otherwise approved in writing by the CAO.
- 4.8.5. Title of water supplied by the County shall pass from the County to the Consumer at the outlet of the meter lift.
- 4.8.6. The Consumer shall not add or sell water to other structures, including houses, trailers, or businesses that are not directly owned by him, exist on the serviced yard and/or are further than 200 meters from the primary dwelling, unless approved in writing by the CAO or Designate. The County reserves the right to discontinue service to the primary service location on the decision of the County that a service violation has been installed.
- 4.8.7. In the event that the Consumer subdivides the parcel of land to which water is supplied hereunder, the water service shall apply to that portion of the subdivided land upon which the Point of Delivery is located.
- a) Water service shall only be available to the other subdivided parcel or parcels pursuant to a new application being submitted and subsequently being approved by the County.
- 4.8.8. The Consumer must construct, at His own sole cost and expense, a holding tank for reserve purposes that will be suitable and adequate for His anticipated water requirements. Anticipated water requirement shall be calculated as specified within Mackenzie County's Engineering Guidelines and/or General Municipal Improvement Standards

5. SANITARY SEWER AND STORM SEWER SYSTEM

5.1. SEWER SYSTEM

- 5.1.1 No person shall turn, lift, remove, or tamper with the cover of any manhole, ventilator, or other appurtenance of any Hamlet's sewer, except Mackenzie County employees, or person authorized by the County.
- 5.1.2 No person other than Mackenzie County employees, or person authorized by the County, shall cut, break, pierce, or tap any Hamlet sewer or appurtenance thereof, or induce any pipe, tube, trough, conduit, or appurtenance thereof, into any Hamlet's sewer.

5.1.3 No person shall interfere with the free discharge of any Hamlet's sewer, or part thereof, or do any act or thing which may impede, obstruct the flow, or clog up any Hamlet's sewer or appurtenance thereof.

5.1.4 Provisions of Interceptors:

- a) All establishments defined in the Code as requiring an Interceptor shall install and maintain the appropriate Interceptor as specified in the Code.
- b) All Interceptors shall be:
 - 1) of a type and capacity approved and certified under the Code,
 - 2) located to be readily and easily accessible for cleaning and inspection, and,
 - 3) maintained by the Registered Owner or occupier at His expense.

5.2. USE AND PROTECTION OF SANITARY SEWER SYSTEM

5.2.1. No person shall without the prior written approval of the County, discharge, deposit, or cause or permit the discharge or deposit into a Sanitary Sewer system the following:

- a) Matter which because of its type, temperature or quantity, may be or may become a health or safety hazard to any person or which may or may become harmful to a Sanitary Sewer system or the operation thereof, or which may cause the Sanitary Sewer system's effluent or operation to contravene any federal, provincial or local legislation or requirement;
- b) Matter which, because of its type, temperature or quantity, may cause the restriction or blockage of the Sanitary Sewer system;
- c) Matter that may cause an offensive odor to emanate from a Sanitary Sewer system;
- d) Subsurface drainage, including weeping tile drainage;
- e) Water that had originated from a source separate from the Water System of the County, unless there is no Water System abutting the premises;
- f) Matter resulting from site remedial activities at spill sites or at petroleum leak sites, and
- g) Hauled sewage in any amount without the prior written approval from the County

5.2.2. Any person who releases or causes or permits the release into any Storm Sewer system any matter set out in Section 5.2.1 above shall:

- a) Notify the County immediately upon becoming aware of the release;
- b) Provide the County with information respecting the release, to the

satisfaction of the County;

- c) Be liable for all costs incurred by the County respecting the release for containment, sampling, testing, removal, cleanup, disposal and any other related activity.

5.2.3. Mackenzie County employees, or person authorized by the County shall have the right at all reasonable times to enter dwellings or structures which have been connected with the Hamlet Sanitary Sewer system. The County shall have the power to stop or prevent any person from discharging into the Sanitary Sewer system any substances which are set out in Section 5.2.1.

5.3. USE AND PROTECTION OF THE STORM SEWER SYSTEM

5.3.1. No person shall, without the County's prior written approval, release matter of any kind listed below into any land drainage works, private bench drains, or connections to any Storm Sewer system:

- a) Matter which because of its type may:
 - 1) Interfere with the proper operation of a Storm Sewer;
 - 2) Result in a hazard to any person, animal, property or vegetation;
 - 3) Impair the quality of water in any well, lake, river, pond, spring, stream, reservoir or other water or watercourse;
 - 4) Result in a contravention of any federal, provincial or municipal legislation including an approval, requirement, direction or other order issued by Alberta Environmental Protection or other enforcing agency with respect to the Storm Sewer or its discharge;
- b) Matter containing more than fifty (50) milligrams per liter of suspended solids;
- c) Mater containing dyes or coloring material which discolor the water;
- d) Matter containing solvent extractable matter or vegetable origin or a mineral or synthetic origin which causes a visible film, sheen or discoloration on the water surface;
- e) Any matter which by itself or in combination with other substances is capable of causing or contributing to any explosion or supporting combustion;
- f) Matter that is considered Sanitary Sewer sewage

5.3.2. Any person who releases or causes or permits the release into any Storm Sewer system any matter set out in Section 5.3.1 above shall:

- a) Notify the County immediately upon becoming aware of the release;
- b) Provide the County with information respecting the release, to the

- satisfaction of the County;
- c) Be liable for all costs incurred by the County respecting the release for containment, sampling, testing, removal, cleanup, disposal and any other related activity.

6. CONTRAVENTION

- 6.1.** A person who contravenes a provision of this Bylaw is guilty of an offence and is liable to a fine in an amount not less than that established in the Fee Schedule bylaw and not exceeding \$10,000.00.
- 6.2.** Without restricting the generality of section 6.1, the fine amounts established for use on violation tickets if a voluntary payment options is offered are as set out in the Fee Schedule bylaw
- 6.3.** A bylaw enforcement officer may issue a violation ticket to any person whom the bylaw enforcement officer has reasonable and probable grounds to believe has contravened any provision of this bylaw
- 6.4.** A violation ticket issued with respect to a contravention of this bylaw shall be served upon the person responsible for the contravention in accordance with the *Provincial Offences Procedure Act*.
- 6.5.** If a violation ticket is issued in respect of an offence, the violation ticket may:
 - a) Specify the fine amount established by the Fee Schedule bylaw for the offence; or
 - b) Require a person to appear in court without the alternative of making a voluntary payment.
- 6.6.** A person who commits an offence may:
 - a) If a violation ticket is issued in respect of the offence; and
 - b) If a violation ticket specifies the fine amount established by the Fee Schedule bylaw for the offense;

Make a voluntary payment equal to the specified fine.
- 6.7.** When a clerk records in the court records the receipt of a voluntary payment pursuant to the Fee Schedule bylaw and the *Provincial Offences Procedures Act*, the act of recording receipt of that payment constitutes acceptance of the guilty plea and also constitutes a conviction and the imposition of a fine in the amount of the specified penalty.

7. RESCINDING OF FORMER BYLAWS

7.1. This Bylaw hereby rescinds Bylaw 842-11.

8. DATE OF COMMENCEMENT

8.1. This Bylaw shall take effect after receiving three readings.

READ a first time this 13th day of February, 2012.

READ a second time this 13th day of February, 2012.

READ a third time and finally passed this 13th day of February, 2012.

(original signed)

Bill Neufeld
Reeve

(original signed)

J. Roy Brideau
Chief Administrative Officer