

**BYLAW NO. B-04/2019
OF THE CITY OF AIRDRIE
IN THE PROVINCE OF ALBERTA**

BEING A BYLAW of the City of Airdrie in the Province of Alberta to prescribe rules and regulations for the administration and operation of the City of Airdrie's Water Utility and Water Services Department and the terms and conditions of contracts entered into by the City for the sale and distribution of potable water.

WHEREAS the *Municipal Government Act*, R.S.A. 2000 Chapter M-26, as amended, provides that Council may pass bylaws for municipal purposes including public utilities, services provided by and on behalf of the municipality and for the enforcement of bylaws including the creation of offences and penalties;

AND WHEREAS Council for the City of Airdrie has deemed it expedient and proper to prescribe rules and regulations for the administration and operation of the waterworks system of the City of Airdrie and to impose the terms and conditions applicable to the sale and distribution of potable water by the City of Airdrie;

NOW THEREFORE Council of the City of Airdrie, in the Province of Alberta, duly assembled, enacts as follows:

TITLE

This Bylaw may be cited as "The Waterworks Bylaw".

INTERPRETATION AND DEFINITIONS

1.0 Definitions

1.1 In this Bylaw and any schedules to this Bylaw, unless the context otherwise requires, the following terms when capitalized shall have the following meanings:

- (a) "Act" means the Municipal Government Act, R.S.A. 2000 Chapter M-26, as amended;
- (b) "Adverse Effect" means impairment of, or damage to, any one or more of the following:
 - (i) human health or safety;
 - (ii) property;

- (iii) the environment; or
 - (iv) the Potable Water Distribution System.
- (c) "Application" means an application for Potable Water service to be provided to a Premises pursuant to this Bylaw;
- (d) "Arrears Position" means a Utility Account that has not been paid in full by the due date;
- (e) "Authorized Functions List" means the list of functions and the Persons authorized to carry out such functions, as outlined in Schedule "F".;
- (f) "Backflow" means the flowing back or reversal of the normal direction of flow in either the Potable Water Distribution System or in a Consumer's plumbing system;
- (g) "Bulk Water" means the Potable Water that a Person may purchase from a facility operated by the City;
- (h) "Bulk Water Station" means the temporary or permanent facility where Bulk Water is offered for sale by the City;
- (i) "Certified Operator" means a City employee holding the appropriate accreditation and certification in relation to the management and operation of the Potable Water Distribution System and who is also an Alberta Water and Wastewater Operators Association Certified Distribution Operator, as may be approved by the City Manager;
- (i.1) "Childcare Facility" means the use of a building for the provision of care, instruction, or supervision of seven or more children under the age of 13 years, by Persons not related to the children by blood or marriage, for periods not exceeding twenty-four (24) consecutive hours and includes day-care centres, early childhood services, nurseries, after school programs, and baby-sitting programs;¹
- (j) "City" means the municipal corporation of the City of Airdrie and includes the geographic area contained within its boundaries, as the context so requires;
- (k) "City Manager" means the individual appointed by Council as chief administrative officer for the City in accordance with the Municipal Government Act and includes, except for Section 3.0 of this Bylaw, his delegate;

¹ Bylaw B-16/2024

- (l) "Combined Water Service Connection" means a Water Service Connection which supplies Potable Water for the domestic use of a Consumer and also for a Fire Protection system in the same Premises;
- (m) "Commercial, Industrial or Institutional Premises" means Premises principally used or proposed to be used for the conduct of a profession, business, trade, industry, occupation, employment or undertaking, educational centre or religious institution and includes, for the purpose of this Bylaw, Premises from which goods or services are provided and any building or Premises which are not a Residential Premises;
- (n) "Conservation Water Use Schedule" means an annual schedule limiting the days and times of outdoor Water use in order to conserve the Potable Water resource as set out in Schedule "E" of this Bylaw.
- (o) "Consumer" means any Person, corporation, the Government of Alberta or the Government of Canada whose property is connected to the City's water system or any Lessee or Occupant of such property or any Person who obtains water from any City owned hydrant, bulk water station or stand pipe;
- (p) "Consumer Service Connection" has the same meaning as "service connection" in the Part 3, Division 3 of the Act and means the part of the system or works of a public utility that runs from the main lines of the public utility to a building or other place on a parcel of land for the purpose of providing the utility service to the parcel and includes those parts of the system or works described in Section 29 of the Act;
- (q) "Controlled" valve means a valve which is partly closed to limit flow;
- (r) "Council" means the duly elected Council of the City;
- (s) "Cross-Connection" means any temporary, permanent or potential water connection of any piping, fixture, fitting, container, or appliance that may allow, by Backflow or otherwise, Water Contaminants, pollutants, infectious agents, other material or substance that may change the water quality in the Potable Water Distribution System and includes, but is not limited to, swivel or changeover devices, removable sections, jumper connections and by-pass arrangements;
- (t) "Cross-Connection Control Device" means a device or method that prevents Backflow;
- (u) "Downstream of a Meter" means that side of a Water Meter through which Potable Water normally exits the Meter;

- (v) "Easement" means an easement, interest or right held by the City for the purpose of locating the Potable Water Distribution System;
- (w) "Emergency" means an unforeseen combination of circumstances that calls for immediate action without time for full deliberation, including, but not limited to, events that cause harm or the risk of harm to property and/or the health, safety or welfare of persons;
- (x) "Fire Chief" means the Person hired to the position, who holds the title of Fire Chief for the City, or his designate;
- (y) "Fire Department" means the City's Fire Department;
- (z) "Fire Hydrant" means a connection point which is a component of active Fire Protection and by which authorized personnel can connect to the Potable Water Distribution System;
- (aa) "Fire Protection" means measures taken to prevent fire from becoming destructive, reducing the impact of uncontrolled fire or saving lives and property;
- (bb) "Fire Service Type Meter" means a Meter designed specifically for installation in a fire service application;
- (bb.1) "Food and Beverage Establishment" means an establishment where food is prepared or liquor is served, or both, for consumption on the premises or as part of a "take-out food service";²
- (cc) "Industry Standards" means a set of criteria within an industry relating to the standard functioning and carrying out of operations in that specific industry;
- (dd) "Low-flow Plumbing Fixtures" means toilets with a capacity of not more than Six (6) litres (1.6 US gallons) per flush, shower head fixtures with a flow of not more than Nine and One Half (9.5) litres (2.5 US gallons) per minute, and basin and sink faucets with a flow of not more than Eight Point Three (8.3) litres (2.2 US gallons) per minute;
- (ee) "Mainline Valve" means valves positioned at locations along the Potable Water Distribution System that can be closed down to isolate a line section;
- (ff) "No-flow plumbing fixtures" means urinals and other drainage appurtenances which do not use water to flush waste but instead replace

² Bylaw B-16/2024

the use of Potable Water, and other water flushing systems and U-joint seals with other systems including gels, floating or other physical seals;

- (gg) "Non-potable Water" includes water such as stormwater, rainwater and recycled gray water which have not been treated to a standard suitable for consumption;
- (hh) "Occupant" means a Person using, occupying or in possession of a Premises who is not the Owner of the Premises;
- (ii) "Officer" means a person appointed by the City to enforce the provisions of this Bylaw including a bylaw enforcement officer, peace officer in accordance with the Peace Officer Act, RS.A. 2006, Chapter P-36 and includes a member of the Royal Canadian Mounted Police;
- (ii.1) "Order to Remedy" means an order issued pursuant to section 545 of the Act and section 88.0 of this Bylaw;³
- (jj) "Owner" means the registered owner of real property as designated on the Certificate of Title for the Premises;
- (kk) "Person" includes an individual, proprietorship, corporation, company, partnership, society, municipality or other government entity;
- (ll) "Point of Delivery" means the point of physical connection to a Consumer's water system at the property line of the Street or boundary of an Easement;
- (mm) "Potable Water" means water safe for human consumption which originates from a source or tap connected to a City water main
- (nn) "Potable Water Distribution System" means that system of water treatment plants feeder mains, distribution mains, service connections, valves, fittings, Fire Hydrants, Meters, Backflow prevention devices and all other equipment and machinery of whatever kind owned and operated by the City for the purpose of delivering Potable Water to Consumers;
- (oo) "Premises" means land, buildings, or both, or a portion of either, occupied or used for any purpose within the City;
- (pp) "Remedial Order" means an order issued pursuant to Section 545 of the Act and Section 87.0 of this Bylaw;

³ Bylaw B-16/2024

- (qq) "Remote Reading Device" means a computerized device attached to a water meter used to record, encode and transmit a water reading to a remote data collector;
- (rr) "Residential Premises" means Premises used for residential purposes and contains a dwelling unit as contemplated in the City's Land Use Bylaw;
- (rr.1) "Smart Irrigation" means systems that have controllers enabled that monitor conditions and automatically adjust runtimes based on plant water requirements. To be eligible for the Water Exception Permit, the feature to automatically adjust the schedule based on current weather conditions must be enabled;⁴
- (ss) "Street" means a public road within the City and includes, where the context so allows, the sidewalk and borders of the street and all lands appearing in the Land Titles Office as set aside for a public road. When used in reference to a lane, it means the public road on which the Premises in question front;
- (tt) "Testable Cross Connection Control Devices" means valve assemblies installed on a Consumer Service Connection to prevent contamination caused by a Cross Connection, which are testable in accordance with the **Safety Codes Act**, R.S.A. 2000 Chapter S-1 and its regulations;
- (uu) "Upstream of a Meter" means that side of a Water Meter through which Potable Water normally enters the Meter;
- (vv) "Utility Account" means an account that a Person sets up with the City whereby the Person is charged and agrees to pay for Potable Water provided to a Premises;
- (ww) "Utility Meter Technician" means the Person authorized by the City to install, repair, service and maintain Water Meters,
- (xx) "Voluntary Payment Tag" means a tag issued by the City pursuant to the Act;
- (yy) "Violation Ticket" means a ticket issued pursuant to Part 2 of the **Provincial Offences Procedure Act**, R.S.A. 2000 Chapter P-34 and any amendments thereto;
- (zz) "Water Contaminant" means any solid, liquid, gas, or heat, or a combination of any of them in water, resulting in a change in the quality or temperature of surface water or underground fresh water;

⁴ Bylaw B-16/2024

- (aaa) "Water Main" means a water pipe in a Street or Easement which forms part of the City operated Potable Water Distribution System and delivers the Potable Water supply to the Water Service Connections;
- (bbb) "Water Meter" or "Meter" means any device approved by the City Manager and installed by the City which is designed to measure the quantity of water used by a Consumer. A Water Meter may have attached to it a remote reading device as a component of the Meter;
- (ccc) "Water Metering Facilities" means any facility designed to house a water meter used to measure the quantity of water used by a Consumer and may consist of a building or acceptable vault;
- (ddd) "Water Services" means that department of the City charged with the responsibility of operating, and maintaining the Potable Water Distribution System;
- (eee) "Water Service Connection" means that lateral water pipe which connects a Premises to the Water Main with the Consumer owning that portion of the pipe lying within the boundaries of the Consumer's Premises but excluding any pipe lying within the boundaries of any Easement area granted to the City for its Potable Water Distribution System;
- (fff) "Water Service Valve" means the water valve (also known as curb stop) on the City owned portion of the Water Service Connection, located between the Water Main and the Street property line, installed for the purpose of enabling the City to turn on or off the water supplied to a Consumer's Premises;
- (ggg) "Water Shut-Off Valve" means the water valve within a building on a Consumer's Premises, usually located near the Water Meter or point of delivery of the Water Service Connection which, when closed, does not allow the flow of any water into the building or Premises;
- (hhh) "Water Use Exception Permit" allows Consumers to use water outside of Conservation Water Use Schedule "E" when:
 - (i) installing new sod or grass seed to establish new landscaping; and
 - (ii) when consumers provide evidence that their irrigation system is equipped with a smart irrigation controller so they may apply water outside of the same schedule;⁵

⁵ Bylaw B-16/2024

- (iii) "Water Use Restriction" means a Level 1, Level 2 or Level 3 restriction on the use of Potable Water as set out in the Conservation Water Use Schedule, Schedule "E" of this Bylaw; and
 - (jjj) "Water Utility" means the City of Airdrie department which provides customer service through utility billing and meter reading, ensures sustainability of the utility operation through adequate rate setting, maintains operations, and provides for future capital requirements.
- 1.2** Any headings, sub-headings, or tables of contents in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- 1.3** All the schedules attached to this Bylaw shall form a part of this Bylaw.
- 1.4** Where this Bylaw cites or refers to any other Act, bylaw, regulation or publication, the citation or reference is to the Act, bylaw, regulation or publication as amended, whether it was amended before or after the commencement of this Bylaw, and includes reference to any Act, bylaw, regulation or publication that may be substituted in its place.

GENERAL

2.0 City Water Supply

- 2.1** The City, having constructed, operated and maintained a Potable Water Distribution System, shall continue, insofar as there is sufficient plant capacity and supply of Potable Water, to supply Potable Water, upon such terms, costs and charges as Council considers advisable, to any Premises located within the City and situated adjacent to a Water Main, upon being so requested in writing by the Owner or Occupant of the Premises, in accordance with the Act and this Bylaw.
- 2.2** The City undertakes, subject to the Act and the provisions of this Bylaw, to supply Potable Water to a Consumer's Service Connection at the property line of the Street or the boundary of an Easement.
- 2.3** The City is not responsible for the quality of the Potable Water after the Potable Water has been delivered to the Consumer Service Connection at the Point of Delivery nor is it responsible for the quality of the Potable Water after the Potable Water has been received by the Consumer from a Bulk Water station.

3.0 City Manager Authority

3.1 The City Manager has the power and authority to do or cause to be done all things necessary for the general maintenance, management and operation of the Potable Water Distribution System.

3.2 The City Manager has the power and authority to do or cause to be done all things necessary for the conservation of the Potable Water resource, including the enforcement of a Conservation Water Use Schedule and the declaration of a Water Use Restriction.

3.3 The City Manager is the Designated Officer for the purposes of this Bylaw and for the purposes of all things required to be inspected, remedied, enforced or done by the City in relation to this Bylaw.

3.4 The City Manager is authorized to:

- (a) carry out the administration, control, care and management of the Potable Water Distribution System;
- (b) enter into contracts on behalf of the City in respect of the Potable Water Distribution System;
- (c) enter onto and into Premises to carry out inspections, remedies, enforcement or other actions with respect to this Bylaw in accordance with the Act;
- (d) delegate any of all powers of the City Manager in relation to this Bylaw to employees of the City;
- (e) establish policies and procedures for the general maintenance or management or conduct, or any of them, of the Potable Water Distribution System and of the City's officers and other employees employed in connection with the Potable Water Distribution System;
- (f) fix, in connection with the Potable Water Distribution System the times and places where rates and charges under this Bylaw are payable;
- (g) provide for the rent of fittings, machines, apparatus, Meters or other things leased to Consumers;
- (h) collect the rates and charges in connection with the Potable Water Distribution System;
- (i) enforce the terms and conditions under this Bylaw including payments of those rates and charges by all or any of the following methods, namely:

- (i) by action in any court of competent Jurisdiction;
- (ii) by shutting off the Potable Water being supplied to the Consumer or discontinuing the service thereof until the Consumer complies with the terms and conditions of this Bylaw including payment of any outstanding balance owing on the Consumer's Utility Account;
- (iii) by transferring the balance owing on the Utility Account for a Premises to the tax roll account for that Premises, where permitted by the Act; and
- (iv) by distress and sale of the goods and chattels, of the Person owing the rates, charges, tolls, fares or rents, wherever such goods and chattels may be found in the City, as permitted or authorized by law.

4.0 Consumer's Service Connection

4.1 A Consumer is responsible for:

- (a) providing such Service Connection as the City considers necessary in order to have a continuous and uninterrupted supply of Potable Water to the Premises provided such Service Connection is approved by the City Manager and also provided that such Service Connection does not interfere with the operation of the Potable Water Distribution System;
- (b) the construction, maintenance and repair of the Consumer's Service Connection located above, on or underneath the Premises at the Consumer's sole cost and expense;
- (c) ensuring that the Service Connection referred to in Part (a) above and the remainder of the Consumer's plumbing system comply with the **Safety Codes Act**, R.S.A 2000, c. S-1, and any regulations passed pursuant to that Act;
- (d) ensuring that any permits, inspections or approvals required pursuant to the **Safety Codes Act** and regulations passed pursuant to that Act, any bylaw or any other applicable legislation have been conducted or obtained and are valid and subsisting, prior to connecting the Service Connection to the Potable Water Distribution System;
- (e) keeping the Service Connection in good repair and without leaks or other water loss and with sufficient protection from freezing; and

- (f) complying with any request or direction by the City to do anything in accordance with the City's instructions with respect to the construction, maintenance or repair of the Service Connection by the time specified by the City.
- 4.2** If a Consumer neglects, fails or refuses to maintain, repair or replace a Consumer Service Connection as required by the City pursuant to Section 4.1(f), the City Manager may:
- (a) turn off the Potable Water supply to the Premises until the repairs to or replacement of the Consumer Service Connection have been made; and
 - (b) estimate the volume of any Potable Water loss and require payment from the Consumer for that amount of Potable Water estimated to have been lost and such payment shall become due and payable upon demand being made.
- 4.3** Where Potable Water service has been shut off to a Premises as a result of Potable Water wastage, or leaks or defects in the Consumer Service Connection or in other water pipes or in the interior plumbing system within the Consumer's Premises, the City Manager may refuse to turn the Potable Water service on again until the Consumer has delivered proof that the necessary repairs have been made and has paid the amount established in Schedule "A" to this Bylaw.⁶
- 4.4** No Owner shall knowingly withhold information about the use of his Premises that could increase utility rates or charges. It is the responsibility of the Owner to notify the City in writing when any changes or modifications are made to Premises owned by him that may increase utility rates.
- 4.5** Failure to provide the notification in accordance with Section 4.4 of this Bylaw will constitute a violation of this Bylaw. In addition to any applicable penalties and fines resulting from the contravention, the City shall be entitled to bill and collect from the Owner the appropriate rates, tolls and charges from the time the changes or modifications to the Owner's Premises were found to have existed.
- 5.0 Alternate Potable Water Supply**
- 5.1** No Owner or Occupier of any Premises which is adjacent to any Street, Easement or public place wherein there is a Water Main constructed shall use any alternate source of Potable Water supply other than the Potable Water Distribution System without the written consent of the City Manager.

⁶ Bylaw B-44/2023

6.0 Terms and Conditions for Consent to Use Alternate Potable Water Supply

- 6.1** The City Manager may give consent on behalf of the City for a Person to use an alternate source of Potable Water subject to such terms and conditions as deemed necessary and notwithstanding the generality of the foregoing the City Manager may set a limit on the period of time for which an alternate supply of Potable Water may be used.
- 6.2** No Person who has been given permission to use an alternate source of Potable Water supply shall allow that Potable Water source to be connected, either directly or indirectly, to the Potable Water Distribution System.
- 6.3** No Person may connect, cause to be connected, or allow to remain connected any piping, fixture, fitting, container or appliance, in a manner which, under any circumstances, may allow water, waste water, Water Contaminant, or any harmful liquid or substance to enter the Potable Water Distribution System.

POTABLE WATER SERVICE APPLICATIONS AND CONNECTIONS

7.0 Application for Potable Water Service

- 7.1** Any Person who requires Potable Water service shall apply to the City by completing an application form and paying the accompanying fee. The said Application, when approved by the City Manager, shall be a non-transferrable contract between such Person and the City by which said Person agrees to be bound by all the provisions of this Bylaw or any other Bylaw or regulations of the City related to the supply of Potable Water by the City to such Person.⁷

Residential Premises

- 7.2** The City Manager shall only accept and approve an Application submitted by the Owner of a Residential Premises.
- 7.3** The Utility Account shall be set up in the name of the Owner of the Residential Premises to which the Potable Water service is to be supplied.
- 7.4** Notwithstanding the foregoing, the City Manager may allow the continued supply of the Potable Water service to a Residential Premises where the Occupant is a Consumer whose account existed prior to October 1, 2001, provided that the Utility Account does not fall into an Arrears Position. In the event that the Utility Account falls into an Arrears Position, the deposit on account with the City for the Premises shall be applied against the balance outstanding on the Utility Account and the Utility Account shall be placed in the name of the Owner of the Residential Premises.

⁷ Bylaw B-44/2023

Commercial, Industrial or Institutional Premises

- 7.5** The City Manager may accept and approve an Application for a Commercial, Industrial or Institutional Waterworks Bylaw B-04/2019 Premises from the Owner or the Occupant of that Commercial Industrial or Institutional Premises.
- 7.6** Where an Occupant of a Commercial, Industrial or Institutional Premises submits the Application, the Potable Water service will only be provided to the Commercial, Industrial or Institutional Premises where the Occupant:
- (a) completes an Application to open the Utility Account in the Occupant's name;
 - (b) provides a copy of a valid lease agreement for the Premises; and
 - (c) provides the required deposit.⁸

Refusal or Discontinuance of Potable Water Service

- 7.7** Where a Person has:
- (a) provided false information in an Application;
 - (b) failed to keep a Utility Account in good standing;
 - (c) refused to allow the installation of a Water Meter or Meter reading device in the Premises; or
 - (d) failed to comply with a term of a contract or this Bylaw.

the City Manager may, subject to the provisions of the Bylaw, refuse to approve an Application, may refuse to supply, or may discontinue Potable Water service, and may continue to refuse to provide Potable Water service to a Premises until such time as the deficiency is corrected.

8.0 City-Owned Property

- 8.1** Subject to the Act, the City shall install or cause to have installed, that portion of the Water Service Connection that is within any Street, Easement or City property and which runs from the Water Main to the property line of the Street or the boundary of an Easement.

⁸ Bylaw B-44/2023

9.0 Ownership of Water Service Connections by the City

9.1 The City is the owner of the Water Service Connection within any public Street, Easement or City property.

10.0 Replacements and Relocation

10.1 Any Owner who wishes to have an existing Water Service Connection within any Street, Easement or City property replaced with a connection of a different size or relocated to a different location, shall apply to the City Manager in writing for approval and the City Manager may authorize the work to be carried out by the City or its agents or contractors, subject to payment in advance by the Owner, of the cost of the project as determined by the City Manager.

11.0 Frozen Connections

11.1 If a Consumer Service Connection is frozen, it is the Consumer's responsibility to have the Service Connection thawed at the Consumer's expense and to contact the City immediately to have the Meter inspected. If the Meter requires replacement, it shall be the Consumer's responsibility to pay the appropriate Meter fee.⁹

12.0 Connection Fees

12.1 To capture the growth impacts associated with infrastructure upgrades on the water treatment and distribution system, the City shall impose a utility connection fee to be based upon water meter size. This fee shall be payable at the time a building permit application is made for residential construction and at the time of water meter fee collection for commercial construction.¹⁰

POTABLE WATER DISTRIBUTION SYSTEM

13.0 Interference with the Potable Water Distribution System

13.1 No Person shall damage, destroy, remove or interfere in any way, with any pipe, pipe connection, valve, bypass valve, Water Meter, metering installation, seal or other appurtenance forming part of or attached to the Potable Water Distribution System.

13.2 No Person shall, in any way, interfere with or cause any interference with the use of the Potable Water Distribution System and without limiting the generality of the foregoing, no Person shall attach any device to any water

⁹ Bylaw B-44/2023

¹⁰ Bylaw B-04/2022, Bylaw B-44/2023

pipe which may create noise, a pressure surge, contamination, or cause or permit Water Contaminants to enter the Potable Water Distribution System.

- 13.3** Any Mainline Valve may only be opened, closed, or Controlled by a Certified Operator employed by the City of Airdrie.
- 13.4** Any Person who contravenes Sections 13.1, 13.2 or 13.3 of this Bylaw must take all reasonable measures to immediately report the contravention to:
- (a) the City of Airdrie Water Services Department at 403-948-8871;
 - (b) the Owner of the Premises where the contravention occurred; and
 - (c) any other Person that may be affected by the contravention.
- 13.5** The Person responsible for contravening Sections 13.1, 13.2 or 13.3 of this Bylaw must file a report with the City Manager within seven (7) days of the contravention and must provide the information contained in Schedule "G" of this Bylaw.
- 13.6** The City Manager may require the owner or Person responsible for the contravention described in Sections 13.1, 13.2 or 13.3 of this Bylaw to:
- (a) compensate the City for any costs incurred by the City to mitigate the effects of the contravention; and
 - (b) submit to the City Manager a plan setting out how the risk of future similar contraventions will be prevented or eliminated and schedule of implementation.

14.0 Boosting Devices

- 14.1** No Person shall use any device for the purpose of increasing water pressure on any Water Service Connection, Upstream of a Water Meter or Water Shut-Off Valve excepting "full flow through" or "partial flow through" systems used for Fire Protection in accordance with CSA 864.10-07 / B64.10.1-07 and ***National Plumbing Code***.

15.0 Branch, Supply Lines, Outlets or Fixtures

- 15.1** No Person shall install branch supply lines, outlets or fixtures Upstream of a Water Meter or Water Shut-Off Valve, except for Fire Protection purposes. Any branch supply line, outlet or fixture installed Upstream of a Water Meter or Water Shut-Off Valve for Fire Protection shall only be installed with the prior written permission of the City Manager.

16.0 Seals

16.1 No Person shall tamper with, break or remove any seal installed by the City on any valve or flagged outlet on a Water Service Connection or a Water Metering facility except in the case of an Emergency.

17.0 Broken Seals

17.1 In the event that a Person breaks a seal on a valve on a Water Service Connection or a Water Metering facility in order to obtain a supply of water for Emergency purposes, that Person shall notify the City Manager within twenty-four (24) hours from the time the Person took such action.

18.0 Service Valves

18.1 No Person, except a Person authorized by the City Manager, shall turn on or off a Water Service Valve or any other valve or valves in the Potable Water Distribution System.

18.2 No Person, except a Person authorized by the City Manager, shall turn on a Water Service Valve which has been turned off by the City.

18.3 Every Person who wishes to operate a specific Water Service Valve on City property or within any Street or Easement for the purpose of turning on water for testing a new plumbing system, or for replacing or renewing a Water Shut-Off Valve or a stop and drain valve, or for replacing a Water Service Connection or piping on private property, shall first obtain permission from the City Manager.

19.0 Mainline Valves

19.1 Only Certified Operators employed by the City of Airdrie are authorized to operate Mainline Valves.

19.2 Any Person who contravenes Section 19.1 of this Bylaw must comply with the reporting requirements set out in Sections 13.4 to 13.5 of this Bylaw.

19.3 The City Manager may require the Owner or Person responsible for the contravention described in Section 18.1 of this Bylaw to:

- (a) compensate the City for any costs incurred by the City to mitigate the effects of the contravention; and
- (b) submit to the City Manager a plan setting out how the risk of future similar contraventions will be prevented or eliminated and a schedule of implementation.

20.0 Trespassing

20.1 No Person shall trespass on any City property which forms part of the Potable Water Distribution System.

21.0 Potable Water Contamination

21.1 No Person shall, in any manner whatsoever, contaminate the Potable Water used in the Potable Water Distribution System or do any act which causes or results in the contamination of Potable Water used in the Potable Water Distribution System.

SERVICE PIPE & SHUT OFF VALVE

22.0 Number of Service Pipes

22.1 Each building on a Premises shall be serviced by a maximum of one service pipe. If conditions warrant a larger pipe, the extra expense of a larger pipe shall be charged to the Owner or Occupant of that Premises.

23.0 Shut Off Valves

23.1 All Consumer Service Connections shall be provided with a Water Shut-Off placed immediately inside the outer wall of the Premises and Upstream of the Water Meter to enable a Consumer to shut off the supply of water

- a) in case of an Emergency;
- b) for the protection of the building, pipes, fixtures;
- c) to prevent flooding of the Premises: or
- d) in the event the Premises are permanently or temporarily vacated

23.2 The Water Shut-Off Valve shall be maintained in good mechanical condition by the Owner and shall be easily accessible at all times to ensure that it is operable in case of an Emergency.

WATER METERS

24.0 Meters, Generally

24.1 Other than those required under Section 69.2 of this Bylaw, all Consumer Service Connections shall be connected to Water Meters as supplied by the City,

including lines used solely for private Fire Protection, as a condition of the supply or the continued supply of water unless otherwise permitted in writing by the City Manager.

- 24.2** The City Manager may permit one or more lines or classes of lines used for private Fire Protection to operate without water meters provided that in the event of a fire:
- (a) the Fire Chief shall estimate the amount of water used and where the estimate is in excess of Forty Five Thousand (45,000) litres, the Fire Chief shall deliver this estimate to the City Manager; and
 - (b) the City Manager shall establish the charges for the water used based upon Schedule "A" of this Bylaw and on the Fire Chief's estimate as if the use of water were a Bulk Water sale and the Owner of the Premises for which the water was used shall be liable for and shall pay such charges upon demand.

25.0 City-Owned Water Meters

- 25.1** All Water Meters supplied by the City shall at all times be the property of the City. Payment by any Person of an installation fee or other fee related to a Water Meter does not constitute a sale of that Water Meter to that Person.
- 25.2** All Water Meters and remote reading devices supplied by the City shall be maintained, repaired, tested and replaced by the City in a location and manner approved by the City unless otherwise approved in writing by the City Manager. The City Manager may from time to time or at any time authorize an individual, a firm or a Person to install, maintain, repair and replace the City's Water Meters.
- 25.3** Any Person who applies for a Premises to be connected to the Potable Water Distribution System shall pay the appropriate Meter fee as a condition of receiving a Water Service Connection.¹¹
- 25.4** The Owner shall pay the additional costs for supplying and installing Water Meters, where the installation as approved by the City Manager requires a Fire Service Type Meter or other special type of Water Meter. Notwithstanding the payment of such additional costs, the Water Meter shall remain the property of the City.
- 25.5** Meters larger than Fifty (50) mm shall be supplied by the City, less Consumer side flanges. Installation of such Meters shall be the responsibility of the Consumer and must meet the requirements of the City.

¹¹ Bylaw B-44/2023

26.0 Access to Premises

- 26.1** In accordance with Section 542 of the Act, the City Manager may enter upon or into a Premises for the purpose of conducting water use surveys, sampling, leakage, flow and pressure tests; for reading Water Meters; for installing, inspecting, repairing, replacing and removing Water Meters, remote reading devices, Backflow prevention devices and related equipment upon any Consumer Service Connection or for carrying out any other inspection, enforcement or action required by this Bylaw or the Act.
- 26.2** Except in cases of Emergency or extraordinary circumstance, the City Manager shall enter upon or into Premises between the hours of 9 a.m. and 6 p.m. during weekdays, after having first provided not less than forty-eight (48) hours' notice of the entry to the Owner and to any Occupant of the Premises.
- 26.3** In the event of an Emergency or extraordinary circumstance, the City Manager may enter upon or into a Premises at any time without providing reasonable notice and without having the Owner or Occupant's consent for the purpose of carrying out the actions described in Section 26.1 of this Bylaw or for the purpose of remedying or addressing the Emergency or extraordinary circumstance.

27.0 Equipment Maintenance

- 27.1** For the purposes set out in Section 26.0 of this Bylaw or for the purpose of protecting, testing or regulating the use of any Water Meter, Backflow protection device, or other equipment forming part of the Potable Water Distribution System, the City Manager may set or alter the position of the Water Meter, remote reading device or Backflow prevention device, or any pipe, valve or fitting forming part of the Potable Water Distribution System.

28.0 Protection of Meter Facilities

- 28.1** An Owner is responsible for the safe-keeping of the Water Meter and any remote reading device that may be connected to the Water Meter on the Owner's Premises. An Owner shall protect the Water Meter and connecting valves and pipes from freezing, excessive heat, overheating of water, external and internal damage of any kind or any other thing which may affect the operation or reading of a Water Meter and shall pay the cost of repairing or replacing any Water Metering facilities supplied and installed by the City that may be damaged from the foregoing causes or any other causes within the Owner's control.

29.0 Cost Recovery

- 29.1** The City may charge for and recover from the Owner the cost of supplying, installing, altering, repairing, relocating or removing a Water Meter or remote

reading device. Any such charges may be collected in the same manner as water rates.

INSTALLATION AND OPERATION OF METERS AND SERVICE PIPES

31.0 Installation of Water Meters

31.1 The City and its agents or contractors shall make provision for installation of all Water Meters within the City up to Fifty (50) mm. Installation of Water Meters over Fifty (50) mm shall be the responsibility of the Owner and must meet the requirements of the City.

31.2 The Owner shall pay a Meter fee based on the size and type of the Meter Installed.¹²

32.0 Relocation of Facilities

32.1 No Person shall relocate, alter or change any existing Water Meter without the written approval of the City Manager. The Owner or his authorized agent may submit plans and specifications for any proposed relocation and, if approved by the City Manager, the Owner shall pay the entire cost, including any costs incurred by the City, in making any such relocation, alteration or change.

33.0 Size, Type and Number

33.1 The City Manager shall determine the size, type and number of Water Meters to be installed in order to be consistent with Industry Standards. Where the water supplied through a Water Meter is for Fire Protection purposes or is a Combined Water Service Connection, then subject to Section 25.0 of this Bylaw, the Water Meter shall be a Fire Service Type Meter, approved by the City Manager.

34.0 Multiple Meters

34.1 Where the City agrees to supply and install two (2) or more Water Meters for a single Water Service Connection, all Water Meters shall be installed adjacent to each other as close as possible to the place where the Water Service Connection enters the building.

35.0 Building Alterations and Relocations

35.1 If the City is dissatisfied with the location of any Water Meter or remote reading device due to alterations to a building, the City Manager may require that the Water Meter, the remote reading device or both be relocated to a more suitable or convenient location near the point of entry of the Water Service Connection. All

¹² Bylaw B-44/2023

costs associated with relocating the Water Meter and remote reading device, including City costs, shall be paid for by the Owner.

36.0 Inspection of Water Meter

36.1 The City may inspect a Premises to be supplied with water from the Potable Water Distribution System, prior to supplying Potable Water to the Premises, to determine if there is proper access to the Water Meter site and to determine if the site is suitable and acceptable to the City for installing, reading, maintaining and repairing the Water Meter and related equipment.

37.0 Water Metering Facilities

37.1 Where a Water Meter cannot be installed in a building, it is the Owner's responsibility to provide a Water Meter Facility to house the Water Meter on the Owner's property at the Owner's expense and in accordance with the City of Airdrie standard specifications for Water Mains and services. The Owner shall maintain and repair the Water Meter Facility at his expense. If the Owner, after receiving written notice from the City Manager, neglects to repair or improve his Water Meter Facility, the City Manager may either authorize the necessary repairs be carried out, and the Owner will be charged for the costs incurred, or will be required to shut off the supply of water until the repairs are carried out to the City Manager's satisfaction.

38.0 Location of Remote Reading Device

38.1 A remote reading device shall be located as directed by the City Manager.

39.0 Notification of Malfunction

39.1 A Consumer shall notify the City immediately whenever a Water Meter or remote reading device is not operating or if any part of it becomes damaged or broken.

40.0 Removed or Stolen Meter

40.1 If a Water Meter or remote reading device is removed or stolen from a Premises, the Owner shall pay the cost of replacing the Water Meter or remote reading device including the cost of its installation. If the owner does not pay such costs, the cost may be added to the taxes levied on the Premises and may be collected in the same manner as City property taxes.

41.0 Interference or Tampering with Equipment

41.1 No Person shall interfere or tamper with the operation of any Water Meter or remote reading device. All by-pass valves on Water Meter installations shall be sealed by the City and no Person shall open such by-pass valves except for

Emergency use. The City Manager is to be notified within twenty-four (24) hours from the time a seal is broken for Emergency operation of a by-pass valve.

42.0 Meter Spacers

42.1 Where the use of a Water Meter is mandatory under this Bylaw, no Person shall use a Meter spacer in place thereof except for the testing, of a new plumbing system or a Water Meter, if such testing has been approved by the City Manager.

43.0 Seasonal Water Service Connections

43.1 Unless otherwise approved by the City, all Potable Water supplied through temporary and seasonal Water Service Connections shall pass through a Water Meter installed by the City. The Owner shall be responsible for paying the cost of each installation and each removal of the Water Meter for such connections, in addition to the charge for the Potable Water supplied to the Premises and for the cost of any damage to the Water Meter and related Metering facilities from causes within the Owner's control. The Owner will be responsible for paying fixed rates as per Schedule "A" of this Bylaw for each billing period annually even when the Meter has been removed.

44.0 Meter Readings

44.1 A Water Meter shall be read at such times or intervals as the City Manager may designate.

44.2 If any Water Meter has, in the opinion of the City Manager, failed to accurately register the flow of Potable Water through the Meter since the last reading, the water invoice shall be adjusted to the greater of:

- (a) the recorded amount; or
- (b) the amount used during the same billing period of the previous year if the same or similar usage conditions prevailed during the previous year.¹³

45.0 Estimated Meter Readings

45.1 In the event that the City is unable to read a Water Meter due to the inaccessibility of the Water Meter, or for any other reason, the City Manager shall estimate and establish the amount owing based on:

- (a) the amount used during the same billing period of the previous year if the same or similar usage conditions prevail; or

¹³ Bylaw No. B-44/2023

- (b) the average City-wide usage established for that class of property as determined by the City, whichever is greater.¹⁴

45.2 Payment of an estimated amount shall not excuse the Consumer from liability for payment of a greater amount which may be owing after a Meter is read. In the event a Consumer refuses to allow a Water Meter to be read for a period of six (6) months or more, the City Manager may shut off the supply of Potable Water to that Premises until such time as the Meter can be read and any resulting fees, charges, and other amounts owing have been paid.¹⁵

46.0 Maintenance and Testing

46.1 Water Meters may be removed from a Premises by the City for maintenance and testing on a periodic basis. The City may require that a Water Meter be tested on site, or be removed and tested.

47.0 Request to Test Water Meter

47.1 A Consumer may request the City to test a Water Meter located on the Consumer's Premises. If the Water Meter is found to be measuring within two (2%) percent of accuracy, the Meter shall be deemed to be measuring correctly. If, however, the Meter is found to register a greater or lesser amount than the said percentage, the City Manager shall add or deduct from the amount registered by said Meter so that the balance will properly represent the water delivered through said Meter for a period not exceeding Six (6) months. When a Consumer requests a Meter test and the Meter is found to be within Two (2%) percent of accuracy, the Consumer shall pay the required fee, otherwise the City shall not charge the Consumer for the Meter test.¹⁶

48.0 Equipment Removal

48.1 Where any Owner, Occupant or Consumer discontinues the use of the Potable Water service furnished by the City, or the City refuses to continue to supply Potable Water to a Premises in accordance with this Bylaw or the Act, the City Manager, may in accordance with Section 26.0 of this Bylaw, enter the Premises in or upon which such Owner, Occupant or Consumer was supplied with the Potable Water service for the purpose of removal therefrom of any fittings, machines, apparatus, Meters, pipes, remote reading devices or other things that are the property of the City located in or upon such Premises and may remove them therefrom.

¹⁴ Bylaw B-44/2023

¹⁵ Bylaw B-44/2023

¹⁶ Bylaw B-44/2023

49.0 Abandoned Water Service Connection

49.1 The City Manager may declare a Water Service Connection abandoned if:

- (a) use of the Water Service Connection is discontinued for Six (6) consecutive months or more;
- (b) there is no building on the Premises and no building is currently being constructed; or
- (c) there is no Utility Account in respect of the Premises.

49.2 Where the City Manager has declared a Water Service Connection to be abandoned, the City Manager may require the Owner to take any steps that the City Manager considers necessary or desirable for the closure or removal of the Water Service Connection.

PAYMENT

50.0 Applicable Rates

50.1 The Potable Water rates to be charged by, and payable to the City under the terms of this Bylaw, shall be those set forth in Schedule "A" of this Bylaw attached.

50.2 A Water Meter application must be completed and paid for at the time a building permit application is completed on any property within Airdrie. The base fee charged will be that of a 1" Meter for Commercial Premises and a 5/8" Meter for Residential Premises. At the time the mechanical drawing is approved for Commercial or Industrial Premises, any additional fees or refunds will be charged based on the actual Meter size required based on industry Standards and approvals from the Utility Meter Technician.¹⁷

51.0 No Reduction in Rates for Interruption

51.1 No reduction in rates charged to a Consumer shall be made for interruption of the Potable Water service on account of any Water Service Connection or Water Main becoming frozen or out of order as the result of frost, nor for any interruption of the Potable Water service due to maintenance of the Potable Water Distribution System, tie-ins or supply failure.

¹⁷ Bylaw No. B-44/2023

52.0 Incorrect Statements

52.1 If at any time it appears that an incorrect statement has been made by any Consumer who submitted an Application about:

- (a) the purposes for which the Potable Water applied for was to be used;
- (b) Potable Water that has been used without proper permission from the City;
- (c) any addition to, or alteration of the fixtures located on the Premises, or in or upon which the Potable Water supplied has been taken or used;

the City Manager may direct that any proper corrections and charges to the Consumer be made so as to correct any error arising from any such incorrect, addition or alteration, and the Consumer shall pay any extra or additional charges made for the time such Premises has been incorrectly charged.

53.0 Water for Construction

53.1 Any Person who requires water for construction purposes is required to have a Meter installed and that Person shall make an application in writing to the City. The required Water Meter will be installed at the Owner's cost and expense. Utility bills for water consumption shall commence immediately upon installation of the Meter at the prescribed minimums and rates pursuant to the provisions in Schedule "A" of this Bylaw will be effective immediately.¹⁸

54.0 Bulk Water Sales

- 54.1** (1) Bulk Water sales shall at all times be subject to the discretion of the City Manager.
- (2) A Person who wishes to obtain Potable Water from the public Bulk Water station in Airdrie shall apply for a Utility Account and pay the application fee.
- (3) The Bulk Water rate is set out in Schedule "A" of this Bylaw.¹⁹
- 54.2** A water container, fixture or tank must be filled with Bulk Water using the appropriate air gap where the fill pipe is indirectly connected and the air gap is not less than the diameter of the fill pipe. The fill pipe must be permanently attached to the water tank using rigid piping.

¹⁸ Bylaw B-44/2023

¹⁹ Bylaw B-44/2023

55.0 General Payment of Utility Account Invoices

- 55.1** The rates set out in Schedule "A" of this Bylaw shall be imposed for Potable Water supplied by the City. All charges and fees are due and payable upon the rendering of the Utility Account invoice by the City unless otherwise established by the City Manager.
- 55.2** All charges and fees not paid on or before the due date stated on the Utility Account invoice are deemed to be in an Arrears Position and shall be charged a penalty on any overdue balance as set forth in Schedule "A" of this Bylaw.

56.0 Non-Payment

- 56.1** In case of default of payment of any Utility Account invoice Twenty-One (21) days after the expiration of the day upon which payment is due or payable as stated on the invoice, the City Manager may, after giving Three (3) days' warning notice to the Consumer, enforce payment, including any other related fees by any or all of the following methods:
- (a) shutting off the Potable Water to the Premises;
 - (b) an action in any Court of competent jurisdiction; or
 - (c) transferring the balance owing to the tax roll account for that Premises, as permitted in the Act.²⁰
- 56.2** Where the Potable Water supply has been shut off to a Premises because of default of payment, the Potable Water supply shall not be turned on until payment of the full amount in arrears owing and the disconnection/reconnection fees have been received by the City.²¹

57.0 Discontinuance of Water Use

- 57.1** A Consumer who is about to vacate a Premises that has been supplied with Potable Water, or who wishes to discontinue the use of the Potable Water supply, must give notice in writing to the City Manager requesting that the City shut off the Potable Water supply to that Premises.
- 57.2** If notice pursuant to Section 57.1 of this Bylaw is not given to the City Manager by the Owner, the Owner will be liable for the accruing rates, and for all damages suffered or sustained by the City as a result of the Consumer failing to give notice to the City.

²⁰ Bylaw B-44/2023

²¹ Bylaw B-44/2023

- 57.3** Notwithstanding Section 57.1 or 57.2 of the Bylaw above, the fact that a Premises is vacant is not a reason for non-payment of specified charges and the Consumer will still be responsible for paying the fixed rates as per Schedule "A" of this Bylaw.²²
- 57.4** When a building that is connected to the Potable Water Distribution System is to be moved from its existing location or when the Water Mains are to be permanently disconnected from any building for any cause, the Owner of the land on which the building is situated shall pay the appropriate fee to the City.²³
- 57.5** The Owner of the land from which a building connected to the Water Main is to be removed shall pay to the City the appropriate rate as provided in Schedule "A" of this Bylaw before a permit for moving the building is issued pursuant to the Building Inspections Permit Fee Bylaw.²⁴
- 57.6** If it is necessary for the City to permanently disconnect any Premises from the Potable Water Distribution System, and if the appropriate fee has not been paid, the City Manager may collect the charge from the Owner of the Premises which has been disconnected from the Water Mains in the same manner as provided for in Section 56.0 of this Bylaw.²⁵
- 58.0 Appointments**
- 58.1** If an appointment is agreed to between the Owner and the City Manager and scheduled for the City Manager or any other employee or agent of the City to attend at the Premises of an Owner with respect to any matter relating to the Bylaw, the Owner shall pay the appropriate fee in the event that he fails to attend at the Premises at the appointed time.²⁶

FIXTURES

59.0 Fixtures Approved

- 59.1** All hoses, jets, cocks, or fixtures permanently affixed to the Potable Water Distribution System used by Consumers shall be subject to the approval of the City Manager.

²² Bylaw No. B-44/2023

²³ Bylaw No. B-44/2023

²⁴ Bylaw No. B-44/2023

²⁵ Bylaw No. B-44/2023

²⁶ Bylaw No. B-44/2023

60.0 Low Flow Plumbing Fixtures:

- 60.1** All plumbing permits issued related to the installation of toilets, shower heads or basin and sink faucets in new residential, commercial, industrial or institutional construction shall demonstrate on plan drawings the use of low-flow fixtures to the satisfaction of the City Manager.
- 60.2** All toilets installed in new residential, commercial, industrial or institutional construction shall be approved by a certifying agency in Canada and shall have a tank capacity of not more than Six (6) litres (1.6 US gallons) per flush.
- 60.3** All shower heads installed in new residential, commercial, industrial or institutional construction shall be approved by a certifying agency in Canada and shall have a flow capacity of not more than Nine and One Half (9.5) litres (2.5 US gallons) per minute.
- 60.4** All indoor basin and sink faucets installed in new residential, commercial, industrial or institutional construction shall be equipped with a tap aerator approved by a certifying agency in Canada and shall have a flow capacity of not greater than Eight Point Three (8.3) litres (2.2 US gallons) per minute.
- 60.5** This Section is not applicable to shower or faucet units installed solely for safety or emergency purposes, including but not limited to emergency safety showers and face or eyewash stations.
- 60.6** All automated wash systems, backwash systems or other rinse systems shall be equipped with timers to ensure rinse programs can be designed to operate in off-peak water demand periods to the satisfaction of the City Manager.

61.0 Non-Delivery of Water

- 61.1** The City shall not be liable for any damage that any Person or Premises may incur from the City shutting off the Potable Water supply, or from a failure of the Potable Water supply, for any purpose or cause whatsoever, even where no notice is given, and no deduction from Utility Account invoices shall be made in consequence thereof.

EMERGENCY

62.0 Water Shut Off

- 62.1** In the event of an Emergency, the City may shut off the Potable Water supply without prior notice to a Consumer, a group of Consumers or to a geographical area of the City.

63.0 Water Conservation

- 63.1** To promote the conservative management of resources, the City Manager requires that a Conservation Water Use Schedule as described in Schedule "E" of this Bylaw is in force at all times, for all Consumers, including residential, industrial, commercial and institutional, unless declared otherwise.
- 63.2** Notwithstanding Section 63.1 of this Bylaw a Consumer can apply for a Water Use Exception Permit:
- (a) When installing new sod or grass seed in order to use water outside of the Conservation Water Use Schedule in order to establish new landscaping; or
 - (b) When using an irrigation system equipped with a smart controller, the controller application that automatically adjusts the schedule must always be enabled (e.g. seasonal adjustment).²⁷
- 63.3** In the event there may be a shortage of Potable Water supply, the City Manager may declare a Water Use Restriction to regulate the distribution and use of Potable Water from the Potable Water Distribution System to all Consumers or to any of them including the time or times of day when the use of Potable Water may be allowed or prohibited in accordance with Schedule "E" of this Bylaw.
- 63.4** The declaration of a Water Use Restriction by the City Manager may apply to:
- (a) the entire City;
 - (b) specific zone(s) or geographic area(s) of the City; or
 - (c) other specific locations as defined by the City Manager.
- 63.5** In the event there is reason to declare a Water Use Restriction, the City Manager may declare such restriction to be effective immediately.
- 63.6** In the event of a declaration of a Water Use Restriction made pursuant to Section 63.3 of this Bylaw, the City Manager:
- (a) shall determine that the Water Use Restriction is a Level One, Level Two, Level Three, or Level Four Restriction, and the permitted activities shall be those referenced in Schedule "E" of this Bylaw;²⁸

²⁷ Bylaw B-16/2024

²⁸ Bylaw B-16/2024

- (b) shall cause public notice indicating the level of Water Use Restriction and the date such restriction came into effect or will come into effect and notice shall be given in any one or more of the following manners:
 - (i) City of Airdrie press release;
 - (ii) notice on the City of Airdrie website;
 - (iii) advertising in one or both major daily newspapers in circulation in the City;
 - (iv) circulation of flyers;
 - (v) signage; or
 - (vi) any other method deemed appropriate.²⁹
- (c) may declare different levels of Water Use Restriction in different areas of the City;
- (d) shall, if changing or lifting a declaration of a Water Use Restriction, cause a public notice to be given in the manner described in Section 63.6(b) of this Bylaw; and
- (e) shall, after determining that the reason or reasons to require restricted Potable Water usage has sufficiently abated, declare an end to an Water Use Restriction and shall cause public notice of such declaration to be given in the manner described in Section 63.6(b) of this Bylaw.

63.7 When a Water Use Restriction is in effect, no Owner or Occupant of a Premises shall allow the use of Potable Water supplied through the Potable Water Distribution System for any activity or application prohibited in the following stage of restrictions as listed in the Conservation Water Use Schedule, Schedule "E", of this Bylaw:

- (a) Level 1;
- (b) Level 2;
- (c) Level 3; or
- (d) Level 4.³⁰

²⁹ Bylaw B-16/2024

³⁰ Bylaw B-16/2024

- 63.8** Without limiting the generality of Section 63.5 of this Bylaw, the activities permitted in Schedule "E" of this Bylaw shall only apply to core business operations of an affected business and shall not apply to landscaping activities which are not a core function of a specific business or enterprise.
- 63.9** The following activities are prohibited to support the conservative use of Potable Water:
- (a) Washing sidewalks, driveways, or other outdoor surfaces with Potable Water, except where required by Health and Safety Regulations; and
 - (b) Washing vehicles outdoors in yards, on driveways or on roads.
- 63.10** The City Manager must provide written approval for the following activities:
- (a) Pesticide or fertilizer application requiring the use of a large volume (over 5000 L) of Potable Water; and
 - (b) Testing of irrigation systems.
- 63.11** The following activities are exempt from the Conservation Water Use Schedule and Water Use Restrictions:
- (a) Emergency services and essential Hydrant and Water Main flushing;
 - (b) Essential street cleaning and bridge washing; and
 - (c) Livestock watering for agricultural operations.
- 64.0 Liability for Damages Incurred**
- 64.1** Except as provided for in the Act or in other relevant legislation, the City is not liable for damages:
- (a) caused by the break of any Water Main, Water Service Connection or other pipe or for the settlement of any excavation or trench made for the installation or repair of any part of the Potable Water Distribution System; or caused by the disruption of any supply of Potable Water from the Potable Water Distribution System when such disruption is necessary in connection with the repair or proper maintenance of the Potable Water Distribution System; or
 - (b) generally for any loss suffered by anyone due to the operation of the Potable Water Distribution System, unless such damages or loss has been shown to be directly due to the gross negligence of the City or its employees.

64.a Permits³¹

64.a.1 A Person to whom a permit has been issued pursuant to this Bylaw, and any Person carrying out an activity otherwise regulated, restricted, or prohibited by this Bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit.³²

64.a.2 A Person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this Bylaw.³³

64.a.3 If any term or condition of a permit issued pursuant to this Bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, the City Manager may immediately cancel the permit.³⁴

64.b Proof of Permit³⁵

64.b.1 The onus of proving a permit has been issued in relation to any activity otherwise regulated, restricted, or prohibited by this Bylaw is on the Person alleging the existence of such a permit on a balance of probabilities.³⁶

FIRE HYDRANTS

65.0 Use of Fire Hydrants

65.1 No Person or Persons, except those designated by the City Manager or those acting with his permission, or members of the Fire Department, shall open, close or interfere with any Fire Hydrant or other valve connected with the Potable Water Distribution System.

65.2 In accordance with the provisions of Section 26.0 of this Bylaw, the City Manager has the right to enter upon or into a Premises to inspect private Fire Hydrants and to require the Owner of this Premises to undertake whatever repairs or maintenance, or both, that may be necessary to provide an operational system and the Owner shall complete the work and be liable for all costs incurred including but not limited to inspection verification and flow testing of the Fire Hydrant to the satisfaction of the City Manager.

³¹ Bylaw B-16/2024

³² Bylaw B-16/2024

³³ Bylaw B-16/2024

³⁴ Bylaw B-16/2024

³⁵ Bylaw B-16/2024

³⁶ Bylaw B-16/2024

66.0 Fire Hydrants-Other Uses

66.1 No Person shall, without the prior written permission of the City Manager or the Fire Chief, authorize the use of water from a Fire Hydrant for a purpose other than Emergency Fire Protection. The City Manager may authorize such other use of water from a Fire Hydrant upon such terms and conditions and subject to payment of such fees as Council shall determine. This may include Fire Hydrant operation for the purpose of flushing Water Mains. (see also Section 85.0 of this Bylaw in relation to Water Use).

67.0 Fire Hydrant Obstructions

67.1 No Person shall do anything to obstruct access to a Fire Hydrant or to interfere with the operation of a Fire Hydrant.

67.2 No Person shall allow anything to be constructed, erected or planted adjacent to a Fire Hydrant, which may in any way interfere with the access to, the use, maintenance or visibility of the Fire Hydrant, including painting or allowing a Fire Hydrant to be painted an unauthorized colour.

68.0 Relocation from City-Owned Property

68.1 Any Person who wishes to have a Fire Hydrant relocated which is situated on property owned by the City may request in writing to the City Manager that the Fire Hydrant be relocated, or raised or lowered in elevation. If the City considers it feasible to relocate the Fire Hydrant, the Person making the request shall pay in advance the estimated cost as calculated by the City subject to a refund or additional payment, depending upon the actual cost of the work, once it has been completed.

69.0 Fire Hydrant Connections

69.1 Subject to Section 24.0 of this Bylaw, no Person shall use water from a Water Service Connection that supplies water to a private Fire Hydrant for any purpose other than Fire Protection.

69.2 Notwithstanding Section 69.1 of this Bylaw, the City Manager may permit water withdrawal from specific Fire Hydrants for authorized maintenance purposes. Proof of the City Manager's authorization in writing for such water withdrawal will be required on location while this action is being carried out.

70.0 Fire Hydrant Maintenance

70.1 The Owner of a Premises where a private Fire Hydrant is installed for the provision of Fire Protection shall be responsible for the annual maintenance, service and testing of the Fire Hydrant, shall maintain the Fire Hydrant's annual

maintenance record(s) for not less than Two (2) years and shall provide such maintenance record(s) to the City Manager upon request.

71.0 Notification

71.1 Any Person involved in alterations, repairs, shutdown or impairment that affects the operation of a Fire Hydrant shall ensure that the following requirements are adhered to:

- (a) The Fire Chief is notified;
- (b) The Fire Chief approves the alterations, repairs, shutdown or impairment; and
- (c) The affected Fire Hydrant is identified in a manner that is acceptable to the Fire Chief and in accordance with the City of Airdrie General Design Standards and Construction Specifications.

72.0 Fire Protection during Shutdown

72.1 When any portion of a Fire Protection system is temporarily shut down, alternative measures shall be taken to ensure that Fire Protection is maintained in a manner acceptable to the Fire Chief.

73.0 Fire Damage and Loss

73.1 The City shall not be liable for loss or damage suffered by any Person or property by reason of low water pressure, or by interruption to, or failure of, the Potable Water Distribution System to deliver Potable Water in adequate volume and pressure for supplying water for Fire Protection purposes.

74.0 City Ownership

74.1 All Fire Hydrants, except Fire Hydrants situated on private property, are the property of the City.

CROSS CONNECTIONS AND BACKFLOW PREVENTION

75.0 Prohibitions

75.1 No Person shall connect, cause to be connected, or allow to remain connected to the Potable Water Distribution System, whether directly or indirectly, any piping, fixture, fitting, container or appliance, in a manner which, under any circumstances, may allow water, waste water, Water Contaminant, or any other

liquid, chemical or substance to enter the Potable Water Distribution System. Violation of this Section shall constitute an Emergency.

76.0 Premises-Isolating Cross-Connection Control Devices

- 76.1** Every newly constructed, reconstructed or renovated Premises, with the exception of dwelling units separately serviced from a Water Main, shall have a Premises isolating Cross-Connection Control Device installed on the Consumer's plumbing system where the service enters the building, or in a location approved by the City Manager.
- 76.2** Where it is proposed to use water from the Potable Water Distribution System for constructing, altering, or repairing a building, the temporary water connection shall have a Premises-isolating Cross-Connection Control Device installed on the temporary water connection, or in a location approved by the City Manager.
- 76.3** Notwithstanding Section 76.2 of this Bylaw, where, in the opinion of the City a risk of possible contamination of the Potable Water Distribution System exists, the City may require the installation of a Premises-isolating Cross-Connection Control Device on any existing Consumer's plumbing system at a location specified by the City Manager.

77.0 Inspection for Cross-Connections- Access

- 77.1** In accordance with Section 26.2 of this Bylaw, the City Manager may access any Premises connected to the Potable Water Distribution System for the purpose of performing inspections to locate possible Cross-Connections. The City Manager may request a routine Cross-Connection inspection of the Premises, to be performed by an approved company or person as described in Schedule "F" of this Bylaw, the Authorized Functions List. Any such inspection shall be at the Owner's sole cost and expense.
- 77.2** Where the City Manager is not permitted access to a Premises for the purpose of Section 77.1 of this Bylaw, the City Manager may issue a written notice to the Owner or Occupant outlining a revised deadline for access to the Premises in question. If access is not provided by this deadline, the City Manager may, at his discretion, shut off the supply of Potable Water to the Premises until the access is provided.
- 77.3** If a condition is found on the Premises to violate Section 75.0 of this Bylaw, the City Manager may immediately carry out an inspection and take any action or may issue any notice required to eliminate the Emergency and obtain compliance with Section 75.0 of this Bylaw.

78.0 Notices and Orders to Correct Cross-Connections

78.1 If a Person to whom the City Manager has issued a notice to correct a Cross-Connection fails to comply with that notice, the City Manager may:

- (a) give further notice to the Person(s) to correct the violation (at his expense) within a specified time period. If the notice is not complied with, the City Manager may then shut off the Potable Water supply; or
- (b) without notice to the Person(s), shut off the Potable Water supply where the City Manager has determined that an immediate threat of contamination to the Potable Water Distribution System exists that could endanger public health or safety.

79.0 Required Cross-Connection Surveys

79.1 An Owner is responsible to ensure that a Cross-Connection survey of the plumbing system of a Premises which is an existing Commercial Industrial or Institutional Premises or a multi-residential building or structure, except buildings of residential occupancies within the scope of ***National Plumbing Code*** of Canada 2015 and Division B Part 9 ABC 2014, or the most recent provincial and federal code, is completed (at the Owner's expense) by the approved personnel specified in the Authorized Functions List.

79.2 The Owner is responsible to ensure that the Cross-Connection survey is completed along with a report and is sent to the City Manager within thirty (30) days of the date of a request by the City Manager. The Cross-Connection survey report shall include existing Cross-Connection Control Devices, corrective measures, recommendations, and a schedule of work to be completed.

79.3 The Owner is responsible to ensure that the Cross-Connection survey is completed every five (5) years from the date of the first requested survey or as required by the City Manager from time to time as he deems appropriate.

80.0 Consumer must test and maintain Cross-Connection Control Devices

80.1 Every Owner shall, at his own expense, have any Testable Cross-Connection Control Devices tested:

- (a) at the time of installation of a new Testable Cross-Connection Control Device;
- (b) annually or as required by the City Manager;
- (c) at the time that a Testable Cross-Connection Control Device is relocated;

- (d) at the time that a Testable Cross-Connection Control Device is cleaned, repaired or overhauled; and
- (e) in the case of an irrigation system, at the time the system is turned on at the beginning of each irrigation season.

80.2 Every Owner of a Premises where a Testable Cross-Connection Control Device is installed shall retain test report records on-site and shall make the records available to the City Manager upon request.

80.3 If a Testable Cross-Connection Control Device fails a test referred to in Section 80.1 of this Bylaw, the Owner shall:

- (a) replace the Testable Cross-Connection Control Device immediately, or
- (b) repair the Testable Cross-Connection Control Device, perform a new test on the Testable Cross-Connection Control Device and submit the test results to the City Manager within two (2) days of the test.

81.0 Failure to Test

81.1 If an Owner fails to have a Cross-Connection Control Device tested, the City Manager may notify the Owner that the Cross-Connection Control Device must be tested within ninety-six (96) hours of the Owner receiving the notice.

82.0 Request for Testing

82.1 If an Owner fails to have a Cross-Connection Control Device tested within ninety-six (96) hours when requested by the City Manager, the City Manager may shut off the water to the Premises until the Cross-Connection Control Device has been tested and approved as required by Section 80.0 of this Bylaw.

83.0 Inspection Prior to Occupancy

83.1 No Person shall turn on a Water Service Valve to provide water to any newly renovated or constructed or reconstructed Premises until the plumbing system in such Premises has been inspected for Cross-Connection by the City.

PROVISION OF POTABLE WATER & PROHIBITIONS

84.0 Selling and Supplying of Potable Water

84.1 No Person unless authorized by the City Manager shall:

- (a) sell Potable Water obtained from the Potable Water Distribution System;

- (b) supply Potable Water obtained from the Potable Water Distribution System to any Person who intends to sell the Potable Water; or
- (c) supply Potable Water, by a pipe or a hose, from the Potable Water Distribution System or otherwise to any other Premises which could be supplied with Potable Water through its own Water Service Connection.

85.0 Water Use

85.1 The City Manager may authorize the discharge of Potable Water onto a Street or sidewalk for the purposes of:

- (a) health and safety;
- (b) the installation of infrastructure, including the flushing of Water Mains, Fire Hydrant and Water Service Connections;
- (c) preventing the freezing of Water Mains, Fire Hydrants and Water Service Connections;
- (d) conducting water flow tests;
- (e) installation and testing of permanently installed irrigation systems;
- (f) training programs for fire fighters employed by the City; or
- (g) other purposes as deemed necessary by the City Manager from time to time provided the Consumer agrees to pay the costs associated with the use of the Potable Water.

85.2 No Owner or Occupant of a Premises shall allow Potable Water to run off the Premises such that there is a stream of water running into a Street or swale for a distance of thirty (30) metres or more from the edge of the Premises.

85.3 Potable Water discharged to the environment must be de-chlorinated, excepting Fire-Fighting Operations.

85.4 No Person shall waste Potable Water.

OFFENCES

86.0 Offences

86.1 A Person who violates or contravenes any provision of this Bylaw is guilty of an offence.

86.2 It is the intention of Council that all offences created under this Bylaw be interpreted to be strict liability offences.

86.3 No Person shall:

- (a) hinder or interrupt or cause or procure to be hindered or interrupted, the City or any of its employees, officers, contractors, servants, agents, workmen, or any of them, in the exercise of any of the powers and duties related to the Potable Water Distribution System and authorized by or contained in this Bylaw;
- (b) throw or deposit any injurious, noxious or offensive matter or Water Contaminant into the Potable Water or Potable Water Distribution System, or upon the ice in case such water is frozen, or in any way foul the water or commit any willful damage or injury to the Potable Water or Potable Water Distribution System or encourage the same to be done;
- (c) alter or tamper with in any way, any Water Meter or remote reading device so as to lessen or alter the amount of Potable Water registered thereby;
- (d) attach or connect any pipe to any pipe or Water Main of the Potable Water Distribution System or in any other way obtain or use any Potable Water thereof in a manner contrary to this Bylaw without the written consent of the City Manager; or
- (e) without authority hinder, disrupt or cut off the supply of Potable Water to any Consumer of the Potable Water Distribution System.

NOTICES³⁷

87.0 Notices³⁸

87.1 If the City Manager finds that a Person is contravening this Bylaw the City Manager may give notice in writing to a Person who is under a duty imposed by this Bylaw to prevent such a condition to remedy the same, and the City Manager may direct that this be done in such a manner as he or she deems advisable on or before a day to be named in the notice.³⁹

87.2 The notice shall describe the property by:

- (a) municipal address or location; and/or

³⁷ Bylaw B-16/2024

³⁸ Bylaw B-16/2024

³⁹ Bylaw B-16/2024

- (b) legal description.⁴⁰

87.3 The notice shall:

- (a) direct the Person to cease the offending actions;
- (b) direct the Person to alter the actions which are contributing to the contravention;
- (c) direct the Person to take any action or measures necessary to remedy the contravention of this Bylaw;
- (d) state a time within which the Person must comply with the City Manager's directions and provide proof of compliance to the City Manager; and
- (e) state that if the Person does not comply with the directions within a specified time, the City may take the action or measure at the expense of the Owner.⁴¹

87.4 A copy of the notice shall be served upon the Owner or Occupant of the Premises.⁴²

87.5 A notice given by the City Manager pursuant to any of the provisions of this Bylaw shall be deemed to have been duly given and served on the Person to whom it is addressed:

- (a) on the notice being personally delivered to the Owner/Occupant to whom it is addressed;
- (b) on sending it by mail in a prepaid cover addressed to the last known postal address of the Owner/Occupant to whom the notice is addressed; or
- (c) on posting the notice in a conspicuous place on the Land referred to in the notice or on a Building(s) or Structures thereon, when the City Manager has reason to believe:
 - (i) that the Person to whom the notice is addressed is evading service thereof; or
 - (ii) for any reason it is improbable that the notice will be received by the Person to whom it is addressed within seven (7) days of the

⁴⁰ Bylaw B-16/2024

⁴¹ Bylaw B-16/2024

⁴² Bylaw B-16/2024

date of the notice if it is delivered in any of the ways mentioned in this Section.⁴³

87.6 If, after the day designated for the compliance in any notice given pursuant to this Bylaw, the Owner fails to remedy the condition stated in the notice, the City Manager may determine if there is an infraction and issue an Order to Remedy.⁴⁴

ORDER TO REMEDY⁴⁵

88.0 Order to Remedy⁴⁶

88.1 An Officer is hereby authorized and empowered to issue an Order to Remedy to any Person who the Officer has reasonable and probable grounds to believe has contravened any provision of this Bylaw.⁴⁷

88.2 If the Person to whom an Order to Remedy under any section of this Bylaw has been issued fails to comply with the Order to Remedy within the time specified therein, the City may take whatever steps are necessary to remedy the contravention of the Bylaw and the cost of doing so becomes a debt owing to the City by the Person to whom the order was issued.⁴⁸

88.a Time to Remedy Situation⁴⁹

88.a.1 Any such Order may require the Person, within a period of time which shall not be more than twenty-one (21) days from the date of making of the Order unless otherwise ordered, to remedy the untidy or unsightly condition of the Premises in the manner set forth in the Order.⁵⁰

88.a.2 If the Person to whom an Order to Remedy has been issued fails to comply with the Order within the time specified therein, the City Manager shall remedy the condition to the extent directed in the Order, in accordance with the preceding Section of this Bylaw.⁵¹

88.a.3 The expenses and costs of an action or measure taken by the City under Section 88.a are pursuant to Section 90.0 Recovery of Enforcement Costs.⁵²

⁴³ Bylaw B-16/2024

⁴⁴ Bylaw B-16/2024

⁴⁵ Bylaw B-16/2024

⁴⁶ Bylaw B-16/2024

⁴⁷ Bylaw B-16/2024

⁴⁸ Bylaw B-16/2024

⁴⁹ Bylaw B-16/2024

⁵⁰ Bylaw B-16/2024

⁵¹ Bylaw B-16/2024

⁵² Bylaw B-16/2024

88.b Appeal⁵³

88.b.1 A Person who receives a Remedial Order may request a review of the Order to Remedy by Council in accordance with Section 547 of the Act by filing a written request for review of the Remedial Order with the City Manager within fourteen (14) days of receipt of the Remedial Order. The request for review shall set out the grounds for the request.⁵⁴

88.b.2 Within thirty (30) days after receipt of the request for review, Council shall review the Order to Remedy and may confirm, vary, substitute, or cancel the Order to Remedy and shall issue a written decision, including reasons for the decision, to the Person who requested the review.⁵⁵

PENALTIES

89.0 Penalties

89.1 A Person who contravenes this Bylaw is guilty of an offence.

89.2 Any Person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine not less than:

- (a) one thousand (\$1,000) dollars); and
- (b) not more than two thousand five hundred (\$2,500 dollars); and
- (c) if in default of payment of any fine imposed, to imprisonment for not more than six (6) months.

89.3 Notwithstanding Section 89.2, any Person or Persons guilty of a breach of Section 19.0 "Mainline Valves" shall be liable to a fine of not more than ten thousand (\$10,000) dollars.

89.4 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues, and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this Bylaw for each such day. Each day during which a contravention continues is deemed to be a separate offence.

89.5 The specified fines for an offence committed pursuant to this Bylaw are set out in the attached Schedule "H".

⁵³ Bylaw B-16/2024

⁵⁴ Bylaw B-16/2024

⁵⁵ Bylaw B-16/2024

90.0 Recovery of Enforcement Costs

- 90.1** The expenses and costs of any action or measures taken by the City under this Bylaw are an amount owing to the City by the Person in contravention of this Bylaw.
- 90.2** Where the Owner contravened this Bylaw and the contravention occurred on the Owner's Premises, any unpaid expenses or costs may be added to the tax roll of that Premises in accordance with the Act.
- 90.3** The costs and expenses incurred by the City in the enforcement of this Bylaw may be collected as a civil debt.

VOLUNTARY PAYMENT TAG⁵⁶

91.0 Voluntary Payment Tags⁵⁷

- 91.1** An Officer is hereby authorized and empowered to issue a Voluntary Payment Tag to any Person whom the Officer has reasonable and probable ground to believe has contravened any provision of this Bylaw.⁵⁸
- 91.2** A Voluntary Payment Tag may be served on such Person who is an individual, either:
 - (a) by delivering it personally to such Person; or
 - (b) by leaving a copy for such Person at their last known Premises with an individual at the Premises who appears to be at least eighteen (18) years of age, and such service shall be adequate for the purposes of this Bylaw; or
 - (c) by sending a copy by registered mail to such Person at their last known address.⁵⁹
- 91.3** A Voluntary Payment Tag may be served on a Person which is a corporation, either:
 - (a) by sending it by registered mail to the registered office of the corporation, or

⁵⁶ Bylaw B-16/2024

⁵⁷ Bylaw B-16/2024

⁵⁸ Bylaw B-16/2024

⁵⁹ Bylaw B-16/2024

- (b) by delivering it personally to the manager, secretary or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address,

and such service shall be adequate for the purposes of this Bylaw.⁶⁰

91.4 Deleted.⁶¹

91.5 Where a contravention of this Bylaw is of a continuing nature, further Voluntary Payment Tags may be issued by the Officer provided, however, that no more than one Voluntary Payment Tag shall be issued for each day that the contravention continues.⁶²

91.6 Where a Voluntary Payment Tag has been issued in accordance with this Bylaw, the Person to whom the Voluntary Payment Tag has been issued may in lieu of being prosecuted for the offence, pay to the City cashier the penalty within the time frame specified in the Voluntary Payment Tag.⁶³

91.7 The voluntary penalty for a first offence shall be one hundred fifty (\$150.00) dollars. The voluntary penalty for a second and each subsequent offence shall be two hundred fifty (\$250.00) dollars.

91.8 Nothing in this Bylaw shall prevent an Officer from immediately issuing a Violation Ticket.

VIOLATION TICKETS AND PENALTIES⁶⁴

92.0 Violation Tickets and Penalties⁶⁵

92.1 An Officer is hereby authorized and empowered to issue a Violation Ticket to a Person if the Officer has reasonable and probable grounds to believe that Person has contravened any provision of this Bylaw.

92.2 A Violation Ticket may be served on a Person who is an individual, either:

- (a) by delivering it personally to such Person, or

⁶⁰ Bylaw B-16/2024

⁶¹ Bylaw B-16/2024

⁶² Bylaw B-16/2024

⁶³ Bylaw B-16/2024

⁶⁴ Bylaw B-16/2024

⁶⁵ Bylaw B-16/2024

- (b) by leaving a copy for such Person at his last known Premises with an individual at the Premises who appears to be at least eighteen (18) years of age,

and such service shall be adequate for the purposes of this Bylaw.

92.3 A Violation Ticket may be served on a Person which is a corporation, either:

- (a) by sending it by registered mail to the registered office of the corporation, or
- (b) by delivering it personally to the manager, secretary or other executive officer of the corporation or the person apparently in charge of a branch office of the corporation at an address held out by the corporation to be its address,

and such service shall be adequate for the purposes of this Bylaw.

92.4 Where a contravention of this Bylaw is of a continuing nature, a contravention shall constitute a separate offence in respect of each day, or part of a day, on which that offence continues.

92.5 Where there is a specified penalty listed for an offence in Schedule "H" of this Bylaw, that amount is the specified penalty for the offence.

92.6 Where there is a minimum penalty listed for an offence in Schedule "H" of this Bylaw, that amount is the minimum penalty for the offence.

92.7 Notwithstanding specified and minimum penalties set out in Schedule "H" of this Bylaw:

- (a) where a Person contravenes the same provision of this Bylaw twice within one twelve (12) month period, the specified penalty payable in respect of the second contravention shall be double the amount of the specified penalty for a first offence;
- (b) where a Person is convicted of the same provision of this Bylaw twice within one twelve (12) month period, the minimum penalty for the second conviction shall be twice the amount of the minimum penalty for a first offence;
- (c) where a Person contravenes the same provision of this Bylaw three (3) or more times within one twelve (12) month period, the specified penalty payable in respect of the third and subsequent contraventions shall be triple the amount of the specified penalty for a first offence; and

- (d) where a Person is convicted of the same provision of this Bylaw three (3) or more times within one twelve (12) month period, the minimum penalty for the third and subsequent convictions shall be triple the amount of the minimum penalty for a first offence.

92.8 This Section shall not prevent any Officer from issuing a violation ticket requiring a court appearance of the defendant pursuant to the provisions of the Provincial Offences Procedure Act or from laying an information instead of issuing a violation ticket.

92.9 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs for which that Person is liable under the provisions of this Bylaw or any other bylaw.

93.0 Miscellaneous

93.1 Each provision of this Bylaw is independent of all other provisions. If any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable,

93.2 Nothing in this Bylaw relieves a Person from complying with any federal, provincial law or other regulation or City bylaw or any requirements of any lawful permit, order, consent or other direction.

93.4 A copy of a record of the City, certified as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the Person signing it.

93.5 In this Bylaw, words in the singular mean and include the plural and vice versa. Words in the masculine include the feminine and vice versa. No regard for gender is intended by the language in this Agreement.

Fees and deposits

93.6 Fees and deposits referred to in this bylaw are set by Council in the *User Fees and Charges Bylaw*, unless otherwise specified.⁶⁶

94.0 Repeal of Bylaws

94.1 Bylaw No. B-30/2016 and amendments thereto are repealed upon this Bylaw coming into force.

⁶⁶ Bylaw B-44/2023

READ A FIRST TIME THIS 4TH DAY OF FEBRUARY, A.D. 2019.

READ A SECOND TIME THIS 4TH DAY OF FEBRUARY, A.D. 2019.

READ A THIRD TIME THIS 4TH DAY OF FEBRUARY, A.D. 2019.

EXECUTED THIS 4TH DAY OF February, A.D. 2019.

“ P. Brown”

Mayor

“S. Pollyck”

City Clerk

Consolidated on:

04/17/2024

Tammy Belsham

City Clerk

Schedule "A"⁶⁷
of The Waterworks Bylaw, B-04/2019

Effective January 1, 2024

- 1 Pursuant to section 50 of Bylaw B-04/2019, the following rates are established for water service:

Having a water meter with maximum internal diameter in millimeters (inches)	Fixed Base Rate per Day	Rate for consumption, per cubic meter
15 mm (0.625")	\$0.81	\$1.5876
20 mm (0.75")	\$0.81	\$1.5876
25 mm (1.0")	\$2.03	\$1.5876
40 mm (1.5")	\$4.05	\$1.5876
50 mm (2.0")	\$6.48	\$1.5876
75 mm (3.0")	\$12.15	\$1.5876
100 mm (4.0")	\$20.25	\$1.5876
125 mm (5.0")	\$40.50	\$1.5876
150 mm (6.0")	\$64.80	\$1.5876
Unmetered Multiple Unit Residential - per each unit	\$1.66	Not Applicable
Private Hydrants	\$1.66	Not Applicable

- 2 As per Section 55, a penalty of 3% will be charged to any overdue balance.

⁶⁷ Bylaw B-66/2021, B-59/2022, B-39/2023

**SCHEDULE "B"
OF
BYLAW NO. B-04/2019**

NON-RESIDENTIAL UTILITY DEPOSITS

As per Section 7.6(d) of this Bylaw a deposit must be paid in order to establish water service in the amount of:

Average total utility cost for two (2) billing cycles

Any deposit is due upon application to open a Utility Account with the City.

INTEREST PAID ON DEPOSITS

Deposits are non-interesting bearing.

RETURN OF DEPOSIT

Upon closing the utility account the deposit will be applied to any amount outstanding. Any further amount outstanding will be due immediately and any surplus will be returned to the Consumer.

SCHEDULE "C" – Deleted. ⁶⁸

⁶⁸ Bylaw B-44/2023

SCHEDULE "D" – Deleted.⁶⁹

⁶⁹ Bylaw B-33/2019, Bylaw B-59/2022, Bylaw B-44/2023

SCHEDULE "E" OF BYLAW NO. B-04/2019⁷⁰
WATER CONSERVATION USE SCHEDULE

Note: These restrictions apply to the use of Potable Water and DO NOT apply to the use of rainwater, stormwater, or other alternate water source.

<u>Activity</u>	<u>Application Method</u>	<u>Application By</u>	<u>Watering Schedule</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>	<u>LEVEL 4</u>
Landscape Watering	Watering with hose connected sprinkler	EVEN numbered addresses ending in 0, 2, 4, 6, 8:	Monday Wednesday Saturday Hours: 6 am - 9 am OR 7 pm - 10 pm	1 day/week Wednesday OR Saturday Maximum of 2 hours per day Hours: 6 am - 9 am OR 7 pm - 10 pm	1 day/week Wednesday OR Saturday Maximum of 1 hour per day Hours: 6 am - 9 am OR 7 pm - 10 pm	Not Allowed	Not Allowed
		ODD numbered addresses ending in 1, 3, 5, 7, 9:	Tuesday Thursday Sunday Hours: 6 am - 9 am OR 7 pm - 10 pm	1 day/week Thursday OR Sunday Maximum of 2 hours per day Hours: 6 am - 9 am OR 7 pm - 10 pm	1 day/week Thursday OR Sunday Maximum of 1 hour per day Hours: 6 am - 9 am OR 7 pm - 10 pm	Not Allowed	Not Allowed
	Irrigation with automatic sprinkler systems	EVEN numbered addresses ending in 0, 2, 4, 6, 8:	Monday Wednesday Saturday Hours: 1 am - 4 am	1 day/week Monday OR Wednesday Maximum of 2 hours per day Hours: 1 am - 4 am	1 day/week Monday OR Wednesday Maximum of 1 hour per day Hours: 1 am - 4 am	Not Allowed	Not Allowed

⁷⁰ Bylaw B-16/2024

<u>Activity</u>	<u>Application Method</u>	<u>Application By</u>	<u>Watering Schedule</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>	<u>LEVEL 4</u>
Landscape Watering (<i>cont'd</i>)	Irrigation with automatic sprinkler systems	ODD numbered addresses ending in 1, 3, 5, 7, 9: Residential, Commercial, Industrial Consumers	Tuesday Thursday Sunday Hours: 1 am to 4 am	1 day/week Tuesday OR Thursday Maximum of 2 hours per day Hours: 1 am to 4 am	1 day/week Tuesday OR Thursday Maximum of 1 hour per day Hours: 1 am to 4 am	Not Allowed	Not Allowed
Watering New Grass Plantings (sod or seed) and a Water Use Exception Permit: sod within 21 days seed within 45 days	Any	All Consumers	Allowed	Allowed	Allowed	Allowed	Not Allowed
Watering with a smart irrigation system and a Water Use Exception Permit	Irrigation with automatic sprinkler systems that has weather monitoring and automatic schedule adjustments enabled	All consumers	Allowed	Allowed must reduce watering programs by 15%	Allowed must reduce watering programs by 25%	Allowed must reduce watering programs by 35%	Not Allowed
Watering of gardens, trees and shrubs (<i>excluding lawns</i>)	Handheld container (<i>e.g., watering can, bucket</i>)	All Consumers	Allowed	Allowed	Allowed	Allowed	Not Allowed
	Spring-loaded nozzle	All Consumers	Allowed	Allowed	Allowed	Not Allowed	Not Allowed
	Drip Irrigation (<i>if it is a separate zone</i>)	All Consumers	Allowed	Allowed	Allowed	Not Allowed	Not Allowed

<u>Activity</u>	<u>Application Method</u>	<u>Application By</u>	<u>Watering Schedule</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>	<u>LEVEL 4</u>
Municipal and school sports fields	Any	EVEN numbered addresses ending in 0, 2, 4, 6, 8: City of Airdrie Operations	Monday Wednesday Saturday Max 40 mins /zone Hours: 11 pm - 7 am	2 days/week Monday Wednesday Max 40 mins /zone Hours: 11 pm - 7 am	2 day/week Monday Wednesday Max 20 mins /zone Hours: 11 pm - 7 am	1 day/week Monday OR Wednesday Max 20 mins /zone Hours: 11 pm - 7 am	Not Allowed
		ODD numbered addresses ending in 1, 3, 5, 7, 9: City of Airdrie Operations	Tuesday Thursday Sunday Max 40 mins /zone Hours: 11 pm - 7 am	2 days/week Tuesday Thursday Max 40 mins /zone Hours: 11 pm - 7 am	2 day/week Tuesday Thursday Max 20 mins /zone Hours: 11 pm - 7 am	1 day/week Tuesday OR Thursday Max 20 mins /zone Hours: 11 pm - 7 am	Not Allowed
Municipal landscape watering	Any	EVEN numbered addresses ending in 0, 2, 4, 6, 8: City of Airdrie Operations, Developers, Contractors	Monday Wednesday Saturday Max 40 mins /zone Hours: 11 pm - 7 am	Not Allowed	Not Allowed	Not Allowed	Not Allowed
		ODD numbered addresses ending in 1, 3, 5, 7, 9: City of Airdrie Operations, Developers, Contractors	Tuesday Thursday Sunday Max 40 mins /zone Hours: 11 pm - 7 am				
Municipal landscape watering - stormwater ONLY	Any	City of Airdrie	Allowed	Allowed	Allowed	Allowed	Allowed

<u>Activity</u>	<u>Application Method</u>	<u>Application By</u>	<u>Watering Schedule</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>	<u>LEVEL 4</u>
Testing of Irrigation Systems	Not Applicable	All Consumers	Allowed	Not Allowed except with permission from the City Manager	Not Allowed except with permission from the City Manager	Not Allowed except with permission from the City Manager	Not Allowed
Golf Course Maintenance	Irrigation with potable water and stormwater OR:	Golf Courses	Allowed	Stormwater Allowed Must reduce potable watering programs by 25%	Stormwater Allowed Must reduce potable watering programs by 50%	Stormwater Allowed Must reduce potable watering programs by 75%	Not Allowed
	Irrigation with stormwater ONLY			Allowed	Allowed	Allowed	Allowed
Filling of recreational water bodies including hot tubs, swimming, and wading pools	Any	Commercial	Allowed	Allowed	Allowed	Not Allowed except with permission from the City Manager	Not Allowed except with permission from the City Manager
	Any	Residential	Allowed	Allowed	Allowed	Not Allowed except with exception permit	Not Allowed except with exception permit
Exterior window washing notwithstanding 84.2- Water Use	Any	All consumers except:	Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	Any	Licensed Cleaning Services	Allowed	Allowed	Allowed	Allowed	Allowed

<u>Activity</u>	<u>Application Method</u>	<u>Application By</u>	<u>Watering Schedule</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>	<u>LEVEL 4</u>
Filling fountains and other decorative features	Any	All Consumers	Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Wash down sidewalks, walkways, driveways, exterior building surfaces or other outdoor surfaces notwithstanding 84.2- Water Use	Any	All Consumers except:	Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	Any	Childcare facilities, Food and Beverage establishments, Kennels or animal care facilities (where required by health and safety regulations)	Allowed	Allowed	Allowed	Allowed	Allowed
Washing of vehicles outdoors, subject to Drainage Bylaw No. B-03/2014	Any	All Customers except:	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	Any	Vehicles subject to health and safety regulations	Allowed	Allowed	Allowed	Allowed	Allowed
Watering plants for commercial sale	Any	Nurseries, Garden Centers, Turf and Tree Farms, Market Gardens	Allowed	Allowed	Allowed	Allowed	Allowed
Outdoor snow or ice making	Any	All consumers	Allowed	Allowed	Allowed	Not Allowed except with permission from the City Manager	Not Allowed except with permission from the City Manager
Essential street cleaning and bridge washing	Any	City of Airdrie Operations	Allowed	Allowed	Allowed	Allowed	Allowed

<u>Activity</u>	<u>Application Method</u>	<u>Application By</u>	<u>Watering Schedule</u>	<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>	<u>LEVEL 4</u>
Mandated regulatory activities: (e.g. Hydrant flushing, Main flushing, Pressure testing)	N/A	City of Airdrie Operations, Developers	Allowed	Allowed	Allowed	Allowed	Allowed
Water use for construction and renovation (home, commercial) purposes	Any	All Consumers	Allowed	Allowed	Allowed	Not Allowed Except with permission from Utilities	Not Allowed
Bulk Water Sales	N/A	All Consumers except:	Allowed	Allowed	Allowed	Not Allowed	Not Allowed
	N/A	Farm/Acreage Operations (e.g., watering livestock, water well top up)	Allowed	Allowed	Allowed	Not Allowed Except with permission from Utilities	Not Allowed Except with permission from Utilities
	N/A	Water use for construction, including grading, compaction and dust control	Allowed	Allowed	Allowed	Not Allowed Except with permission from Utilities	Not Allowed

SCHEDULE "F"
OF BYLAW NO. B-04/2019

AUTHORIZED FUNCTIONS LIST - CROSS CONNECTION DEVICES

Item	Authorized Function (1)	Professional Engineer	Certified Engineering Technologist (2)	Licensed Master Plumber with Contractor's License	Journeyman Plumber (4)	Apprentice Plumber (4)	Fire System Sprinkler Fitter	Lawn Irrigation System Installer
1	Carry out cross-connection survey	√	√	√	√	-	-	-
2	Install, relocate, or replace Cross-Connection Control Device	-	-	√	√	√	-	-
3	Repair Cross-Connection Control Device	√	√	√	√	√	-	-
4	Test Cross-Connection Control Device	√	√	√	√	√	-	√
5	Complete Items 1, 2, 3 and 4 in relation to Fire Protection systems	√	√	√	√	√	√	
6	Complete items 3 and 4 in relation to lawn irrigation systems	√	√	√	√	√		

Notes:

- 1) All Persons performing an Authorized Function must have a Tester's License.
- 2) Required to be under the direction of a professional engineer.
- 3) Required to be employed by a licensed plumbing contractor or licensed fire sprinkler contractor.
- 4) Required to be employed by a licensed plumbing contractor and under the direct supervision of a master plumber.

**SCHEDULE "G"
OF BYLAW NO. B-04/2019**

CONTRAVENTION REPORT FORMAT

In accordance with Section 13.5 of this Bylaw, the Person responsible for contravening Sections 13.1, 13.2 or 13.3 of this Bylaw must file a report with the City Manager within seven (7) days of the contravention providing following information:

- a) a description of contravention;
- b) the date and time of the contravention;
- c) the duration of the contravention;
- d) the location of the contravention (legal land description,;
- e) the circumstances leading to the contravention (explanation as to why);
- f) a summary of preventative measures prior to contravention;
- g) a summary of measures taken to mitigate any effects of contravention;
- h) a summary of measures that will be taken to address any remaining effects and potential effects relating to the contravention;
- i) the name, address, phone number and responsibilities of all Persons present at time of contravention;
- j) a summary of the Adverse Effect caused by the contravention; and
- k) such other information as may be required by the City Manager.

SCHEDULE "H"
OF BYLAW NO. B-04/2019

OFFENCES AND PENALTIES

Section	Description of Offence	Specified Penalty
4.1 (c)	Failing to comply with a requirement or condition of the Safety Codes Act	\$1,500
4.1(d)	Failing to comply with a requirement or condition of a written approval or permit.	\$1,500
4.1 (e)	Failing to maintain service connection	\$1,500
4.1(f)	Failing to comply with any request or direction by the City.	\$1,500
4.4	An Owner knowingly information about the use of his Premises or failing to notify the City in writing when any changes or modifications are made to Premises that may increase utility rates.	\$1,000
5.1	Unauthorized use of alternate source of Potable Water.	\$1,500
6.2	Unauthorized connection of alternate water source to Potable Water Distribution System.	\$3,000
6.3	Connecting, causing to be connected, or allowing to remain any part that may allow contaminants to enter the Potable Water Distribution System.	\$3,000
13.1	Damaging, destroying, removing or interfering with part of the Potable Water Distribution System including prohibited opening of a bypass valve or metering install	\$1,500
13.3/19.1	Operating (opening, closing or Controlling) a Mainline Valve	\$10,000
13.4	Failing to report a contravention with respect to interference with the Potable Water Distribution System.	\$5,000
14.1	Using a boosting device to increase water pressure.	\$1,500
15.1	Prohibited installation upstream of a Water Meter or Water Shut-off Valve.	\$1,500
16.1	Tampering with, breaking or removing any seal installed by the City.	\$1,500
17.1	Failing to notify the City Manager of broken seal within twenty-four (24)	\$1,000
18.0	Unauthorized operation of a Water Service Valve	\$1,500
20.1	Trespassing on any City property which forms part of the Potable Water Distribution System	\$1,500
21.1	Contaminating the Potable Water used in the Potable Water Distribution System.	\$5,000
26.0	Access to Premises-Hindrance of the City Manager	\$1,000
32.1	Alter, change or relocate water meter without approval	\$1,000
41.1	Interfering or tampering with a Water Meter or reading device.	\$1,000

39.1	Failing to notify the City immediately whenever a Water Meter or remote reading device	\$1,000
42.1	Using a Meter spacer in place of a Water Meter.	\$1,500
43.1	Obtaining Potable Water supplied through temporary and seasonal Water Service Connections without passing through a Water installed by the City without City approval	\$1,500
52.1	Providing an incorrect Statement.	\$1,000
54.2	Failing to comply with Bulk Water station filling requirements.	\$500
60.0	Failing to install Low Flow Plumbing Fixtures.	\$500
63.0 ⁷¹	Use of water contrary to Watering Schedule.	\$200
63.7(a) ⁷²	Use of water contrary to Level 1 restrictions.	\$400
63.7(b) ⁷³	Use of water contrary to Level 2 restrictions.	\$600
63.7(c) ⁷⁴	Use of water contrary to Level 3 restrictions.	\$1,500
63.7(d) ⁷⁵	Use of water contrary to Level 4 restrictions.	\$3,000
65.1	Unauthorized opening, closing or interfering with any Fire Hydrant.	\$1,500
66.1	Unauthorized opening, closing or interfering with any Fire Hydrant.	\$1,500
67.1	Allowing obstruction of Fire Hydrant.	\$150
67.2	Allowing anything to interfere with operation of a Fire Hydrant.	\$1,500
67.2	Painting or allowing a Fire Hydrant to be painted an unauthorized colour.	\$100
69.0	Failing to comply with hydrant connection requirements.	\$1,500
70.1	Failing to maintain a fire hydrant	\$1,500
71.1	Failing to notify the Fire Chief of any alterations, repairs, shutdown or impairment that affects the operation of a Fire	\$1,000
75.1	Unauthorized Cross-Connection.	\$1,500
76.0	Failing to install Premises-isolating Cross-Connection Control Device.	\$2,000
80.1	Failing to test and maintain Cross-Connection Control Devices.	\$1,500
80.2	Failing to retain test records on-site or fail to submit passed Testable Cross-Connection Device upon request.	\$500
80.3(a)	Failing to replace Testable Cross-Connection Control Device	\$1,500
80.3(b)	Failing to submit failed Testable Cross-Connection Control Device report within two (2) days.	\$500
83.1	Prohibited Water Service Valve operation.	\$1,500
84.1	Prohibited sharing of Potable Water from one Premises to other eligible Premises.	\$1,500

⁷¹ Bylaw B-16/2024

⁷² Bylaw B-16/2024

⁷³ Bylaw B-16/2024

⁷⁴ Bylaw B-16/2024

⁷⁵ Bylaw B-16/2024

85.2	Allowing Potable Water to run off a Premises for thirty (30) meters or more.	\$200
85.4	Wasting Potable Water.	\$400
87.1	Failure to comply with a Remedial Order.	\$1,000

SCHEDULE "I" – Deleted.⁷⁶

⁷⁶ Bylaw B-44/2023