

TOWN OF

VEGREVILLE

BYLAW NO. 05 – 2024

TOWN OF VEGREVILLE

THIS BYLAW NO. 05-2024 OF THE TOWN OF VEGREVILLE, IN THE PROVINCE OF ALBERTA TO ESTABLISH BILLING PROCEDURES FOR UTILITIES PROVIDED BY THE TOWN OF VEGREVILLE.

WHEREAS the *Municipal Government Act*, RSA 2000, c. M-26, provides that a municipality may pass bylaws respecting public utilities;

AND WHEREAS the Municipal Council of the Town of Vegreville has deemed it advisable and expedient to set out the process for charging for the provision of the public utility service.

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

1. SHORT TITLE

1.1 This Bylaw may be cited as the **Utilities Billing Bylaw**.

2. DEFINITIONS

In this bylaw, unless the context otherwise requires:

- 2.1 **Account** means an account created pursuant to this bylaw relating to the provision of any or all of the Town of Vegreville’s Water, Sanitary Sewer, Storm Sewer, and Solid Waste Services;
- 2.2 **CAO** means the Chief Administrative Officer of the Town of Vegreville or their designate, regardless of the specific title that may be conferred on that person by Council from time to time;
- 2.3 **Consumer** means any Person who has entered into a contract with the Town of Vegreville for the provision of Water and Sanitary Sewer Services or who is the Owner of any Property connected to or provided with Water, Sanitary Sewer, Storm Sewer, and Solid Waste Services;
- 2.4 **Council** means the Municipal Council of the Town of Vegreville;
- 2.5 **Dwelling** means any building, self-contained portion of a building, or a set or suite of rooms which contains; sleeping, living and separate or shared toilet facilities, intended for domestic use, and used or intended to be used permanently or semi-permanently as a residence for one (1) household, and which, except for a secondary suite, is not separated from direct access to the outside by another separate Dwelling unit;
- 2.6 **Multiple Family Dwelling** means a place of permanent occupancy or a building or buildings which are, or are intended to be, occupied independently of one another in the same or separate building and shall include, but is not limited to; apartments, hotels, motels, boarding and rooming houses, long-term care facilities, senior lodges, manufactured home parks, and row housing consisting of more than four (4) dwelling units

- 2.7 **Municipal Government Act** means the *Municipal Government Act*, RSA 2000, c. M-26, as amended or repealed and replaced from time to time, and any regulations thereunder;
- 2.8 **Non-Residential** means a café or restaurant, warehouse, wholesale or retail business place, office building, garage or service station, factory or industrial plant and any other building, structure or lands other than those described as Residential, and includes Multiple Family Dwellings;
- 2.9 **Occupant** means any Person other than the Owner who is in possession of the Property including, but not limited to, a licensee, tenant or agent of the Owner;
- 2.10 **Owner** means:
- (a) any Person registered as the Owner of the Property under the *Land Titles Act*;
  - (b) any Person who is recorded as the Owner of the Property on the Assessment Roll of the Town;
  - (c) any Person who has become the beneficial Owner of the Property, including by entering into a Purchase and Sale Agreement, whether they have purchased or otherwise acquired directly from the Owner or from another purchaser, and who has not yet become the registered Owner thereof;
  - (d) any Person holding themselves out as the Person exercising the power or authority of ownership or who, for the time being, exercises the powers and authority of ownership over the Property; or
  - (e) any Person in control of Property under construction;
- 2.11 **Person** means a corporation, partnership or individual, and the heirs, executors, administrators or other legal representative of an individual;
- 2.12 **Property** means land, buildings, excavations, stockpiles, structures and appurtenances, or any personal property located thereupon, located within the Town;
- 2.13 **Residential** means any structure or lands that contain at least one (1), but not more than four (4) Dwelling units;
- 2.14 **Sanitary Sewer Service** means the Utility service to remove Wastewater from a private drainage system located on a Property within the Town through a Service Connection to the sanitary sewer main and to a treatment facility;
- 2.15 **Service Connection** means the part of the system or works of a Utility that runs from the sanitary sewer main or the water main of the Utility to a building or other place on a parcel of land for the purpose of providing water to or conveying Wastewater from the parcel and includes parts or works such as pipes, wires, couplings, meters and other apparatus;
- 2.16 **Stormwater** means runoff that is a result of rainfall and other natural precipitation or from the melting of snow or ice;
- 2.17 **Town** means the Municipal Corporation of the Town of Vegreville;
- 2.18 **Utility** means the system or works of a public utility operated by or on behalf of the Town;
- 2.19 **Wastewater** means a combination of water and water-borne wastes from residences, business buildings, institutions, industries, and other establishments and such ground, surface, and Stormwaters as may be directed to the Sanitary Sewer Service;

- 2.20 **Water Service** means the Utility provided by the Town to supply water to a Property located within the Town through a water main to a Service Connection;
- 2.21 Words imparting the singular include the plural whenever the context so requires and vice versa.

### 3. Accounts

- 3.1 No Person will construct or install any manner of connection, whether on a permanent or temporary basis, to any part of the Water or Sanitary Sewer Services without first having submitted an application in accordance with the Town's Water and Sanitary Sewer Bylaws as amended or repealed and replaced from time to time, and opening an Account with the Town for Water and Sanitary Sewer Services.
- 3.2 No Account can be transferred to any Occupant or opened in the name of any Person except the Owner.
- 3.3 All Consumers receiving Water and Sanitary Sewer Services, will pay the required charges, levies and fees set out in the Town's Fees and Charges Bylaw as amended or repealed and replaced from time to time.
- 3.4 All Properties are obligated to pay all applicable non-consumption related fixed rates, fees, and charges set out in the Town's Fees and Charges Bylaw as amended or repealed and replaced from time to time. An Account will be created for every Owner of a Property if the Property is not currently receiving Water or Sewer Service and the Town will prepare and issue an invoice for these fees. This includes, but is not limited to, Properties where Water and Sewer Service has been shut off or discontinued, or vacant lands.

### 4. Utility Invoices

- 4.1 The Town will prepare and issue invoices in accordance with this bylaw on a monthly basis unless an alternate billing period has been agreed to between the Owner and the Town in writing.
- 4.2 The invoices prepared and issued by the Town pursuant to this bylaw will include all services for which fees and charges apply in accordance with the Town's Fees and Charges Bylaw as amended or repealed and replaced from time to time, including but not limited to; Water Service, Sewer Service, flood mitigation and Stormwater management, infrastructure replacement, and solid waste management provided by the Town to the Consumer. If the Town includes the fees and charges for more than one service on a single invoice, the invoice will provide information on the fees and charges due by the Owner for each service.
- 4.3 Charges issued pursuant to this bylaw to an Owner will be issued to the address:
- (a) provided by the Owner at the time of application for service; or
  - (b) as listed as the mailing address on the assessment roll of the Town.
- 4.4 The Owner will remit the applicable charges issued pursuant to this bylaw and the Town's Fees and Charges Bylaw as amended or repealed and replaced from time to time to the Town on the last business day of the billing period for which the charge was issued.
- 4.5 Charges issued pursuant to this bylaw will be deemed to have been received seven (7) days of the date of the mailing.
- 4.6 An Owner is not relieved from paying the applicable charges by reason of non-receipt of an invoice for those charges. An Owner who does not receive an invoice for an

applicable billing period will contact the Town as soon as the Owner is aware, or ought to have been aware, that the charge has become due and payable.

- 4.7 Invoices that are not paid within the period set out in Section 4.4 of this bylaw are subject to a late penalty of 2.5% of the outstanding balance.
- 4.8 A Consumer who wishes to discontinue receiving Water and Sanitary Sewer Services as a result of that Consumer’s intention to vacate the Property will provide the Town with prior notice in a form prescribed by the Town of the intention to discontinue the services.
- 4.9 A Consumer who fails to provide notice pursuant to Section 4.8 of this bylaw will be liable for those charges in relation to the provision of Water and Sanitary Sewer Services to the Property, notwithstanding that the Consumer no longer occupies the Property, that accrue up to the date that notice is provided by the Consumer.
- 4.10 Where a Utilities invoice is not paid after sixty (60) days of the date set out in Section 4.4 of this bylaw, the costs will be added to the assessment roll of the Property pursuant to the *Municipal Government Act*.
- 4.11 Fixed fees and charges in accordance with the Town’s Fees and Charges Bylaw as amended or repealed and replaced from time to time, will be charged to an Owner of Property monthly, regardless of whether or not the Property is receiving or has received Water and Sanitary Sewer Services.
- 4.12 Fixed fees and charges pursuant to Section 4.11 of this bylaw will be charged per Property, per Utility Account, per Non-Residential Unit, or per Dwelling unit, whichever is greater.
  - (a) Multiple Family Dwellings will be charged per Dwelling unit based on the amount of units listed in the Town’s assessment roll;
  - (b) Residential will be charged per Dwelling Unit based on the amount of units listed in the Town’s assessment roll;
  - (c) Non-Residential, excluding Multiple Family Dwellings, will be charged per Utility Account or per Non-Residential unit, whichever is greater; and
  - (d) Vacant lands will be charged per Property.

**5. Provisions**

- 5.1 Where this bylaw establishes a rule for Utilities billing that also exists in another bylaw or policy that predates the effective date of this bylaw, the rule in this bylaw shall be the applicable rule and the other bylaw or policy is hereby effectively amended.

**6. Severability**

- 6.1 Should any provision of this bylaw be invalid, then the invalid provision will be severed and the remainder of the bylaw will be maintained.

**7. Effective Date**

- 7.1 This bylaw will come into full force and effect on the date of passing of the third and final reading.

READ for a first time this 19 Day of August , 2024 A.D.

READ for a second time this Day of August , 2024 A.D.

READ for a third time this Day of August , 2024 A.D.

TIM MACPHEE, Mayor

SANDRA LING, CAO

First Reading Completed  
August 19, 2024