

BYLAW NO. 378-12
A BYLAW OF THE VILLAGE OF MILO IN THE PROVINCE OF ALBERTA
“BULK WATER SERVICES BYLAW”

WHEREAS Section 7 of the Municipal Government Act, being Chapter M-26 of the Revised Statutes of Alberta, 2000 and amendments thereto, the Council of the Village of Milo is authorized to pass a Bylaw to regulate and provide the supply and use of water throughout the Village of Milo, and

WHEREAS, the Village of Milo owns and operates a bulk water distribution system as part of public utilities for the benefit of its residents and customers; and

WHEREAS, the Village of Milo is committed to offering its bulk water services in a manner that does not negatively impact the environment; and

WHEREAS it is deemed just and proper to levy rates and charges on all persons to whom such bulk water utility services are provided and to set forth the terms and conditions under which such utility services will be provided; and

WHEREAS the Council of the Village of Milo, in the Province of Alberta, deems it expedient to pass such a Bylaw;

**NOW THEREFORE, THE COUNCIL OF THE VILLAGE OF MILO DULY ASSEMBLED
HEREBY ENACTS AS FOLLOWS:**

This bylaw is composed of 3 parts:

- Part I Definitions
- Part II Utility Administration
- Part III Bulk Water Services

PART I: DEFINITIONS

1. In this bylaw the following words and phrases are defined as:
 - a) “Agreement” shall mean the contractual agreement between the customer and the Village for the supply of bulk water services;
 - b) “Consumer” shall mean a person, firm partnership, corporation, or organization who has entered into a service account with the Village for the supply of bulk water services;
 - c) “Dangerous Goods” shall have the meaning set out from time to time in the Transportation of Dangerous Goods Control Act, R.S.A. 1980, as amended, and the regulations thereunder;
 - d) “Hazardous Material” shall have the meaning set out from time to time in the Environmental Protection and Enhancement Act, R.S.A. 1980, as amended, and the regulations thereunder;
 - e) “Premises” includes land and buildings;
 - f) “Rates” shall mean the tariff of charges for the supply of bulk water and /or distribution of water set out in Schedule “A” hereto;
 - g) “Service Account” shall mean consumer account for bulk water services established by the Village which is non-transferable;
 - h) “Services” and “Bulk Water Services” shall mean and includes, as the context may require: the supply of water or portable water;
 - i) “Village” shall mean the Village of Milo or a Village employee or an agent designated to act on behalf of the Village;
 - j) “Formal notification” shall mean a telephone call, direct mail, electronic mail or fax.
 - k) “Servicing Charges” shall mean interest and/ or administrative charges;

- l) "Water Utility" shall mean the system of water works owned and operated by the Village and all accessories and appurtenances thereto.

PART II – UTILITY ADMINISTRATION

1. As provided under Section 33 of the Municipal Government Act, the Village shall be the sole provider of bulk utility services within the corporate limits of the Village of Milo.

Obtaining Bulk Water Services

2. The Village may refuse to provide bulk water services if the consumer has an outstanding utility account balance with the Village of Milo
3. The Village may refuse to provide bulk water services if a consumer is in breach of Provincial chemical contamination regulations that will impact potable water in the Village.
4. The Customer shall be responsible for all utility charges levied against the account until the Village is notified of account closure.

Bulk Water Rates

5. Utility services rates are set under guidelines established by the *Alberta Energy and Utilities Board*. The rates for bulk water services provided under this bylaw are as set out under Schedule "A".

Billing and Overdue Accounts

6. Bulk water billing shall be issued on a monthly basis.
7. Bulk water accounts are due 30 days after mailing of Invoice. The penalty rate for late payment, as well as guidelines for imposing penalties, is set out in Schedule "A".
8. The Village of Milo shall have the right to discontinue providing utility services to consumer with overdue accounts.

Termination of Bulk Water Services by the Village

9. The Village may discontinue the supply of all bulk water services for any of the following reasons:
 - a) Non-payment of bulk water account; or
 - b) Failure by, or refusal of, a customer to comply with any provision of this bylaw; or
 - c) Failure by, or refusal of, a customer to comply with any provisions of any Provincial Acts, the Building Code, or any regulations thereunder; or
 - d) In any other case provided for in this bylaw;

And in such event the Village, its officers, employees or agents shall not be liable for any damages of any kind from such discontinuance of service.

PART III – BULK WATER SERVICES

Connection to Village's Water Utility

10. Any person or entity wishing to connect any piping to the Village's water system to obtain a supply of water, must first apply to the Village for approval. An application must include a signed contract for water services.

Bulk Water Supply

11. The Village has the authority to restrict, limit or control water usage at any time it deems necessary. The Village, in imposing such limitations, shall notify affected persons or consumers by a formal notification.

12. The Village does not guarantee the pressure or the continuous supply of water and the Village reserves the right at any and all times without notice to change the operating water pressure and to shut off water.
13. Consumers dependent upon a continuous and uninterrupted supply of water, or having processes or equipment that require particularly clear or pure water, shall provide such facilities as they consider necessary to ensure a continuous and uninterrupted supply, pressure or quality of water required for this use.

Use of Village's Bulk Water Service

14. The Village is not obligated to supply water for sale at the bulk water station and the supply of water may be interrupted for any reason and the supply of water is not guaranteed.

This Bylaw shall come into full force and effect on the date of final passing thereof, with the rates in Schedule A to come into effect on March 1, 2012.

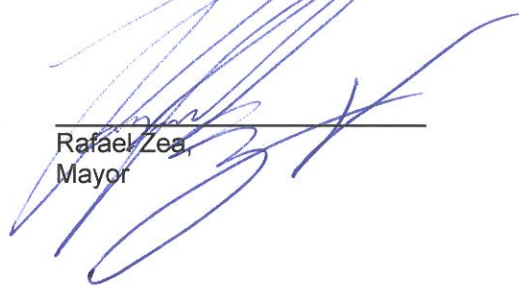
Read a first time this 27th day of February, 2012.

Read a second time this 27th day of February, 2012.

Unanimously agreed to and read the third time and passed this 27th day of February, 2012.



Kwabena Oduro-Kontoh,
Chief Administrative Officer



Rafael Zee,
Mayor

Schedule A

<u>PRODUCT</u>	<u>RATE</u>
1 gallon	\$0.03