



AGENDA

SPC ON UTILITIES AND CORPORATE SERVICES

April 28, 2021, 9:30 AM
IN THE COUNCIL CHAMBER

Members

Councillor W. Sutherland, Chair
Councillor P. Demong, Vice-Chair
Councillor G. Chahal
Councillor D. Colley-Urquhart
Councillor J. Davison
Councillor D. Farrell
Councillor S. Keating
Mayor N. Nenshi, Ex-Officio

SPECIAL NOTES:

*Public are encouraged to follow Council and Committee meetings using the live stream
<http://video.isilive.ca/calgary/live.html>*

Public wishing to make a written submission and/or request to speak may do so using the public submission form at the following link: [Public Submission Form](#)

Members may be participating remotely.

1. CALL TO ORDER
2. OPENING REMARKS
3. CONFIRMATION OF AGENDA
4. CONFIRMATION OF MINUTES
 - 4.1. Minutes of the Regular Meeting of the Standing Policy Committee on Utilities and Corporate Services, 2021 March 24
5. CONSENT AGENDA
 - 5.1. DEFERRALS AND PROCEDURAL REQUESTS

None

5.2. BRIEFINGS
None

6. POSTPONED REPORTS
(including related/supplemental reports)

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

7.1. Proposed Utility Bylaw Amendments, UCS2021-0603

8. ITEMS DIRECTLY TO COMMITTEE

8.1. REFERRED REPORTS
None

8.2. NOTICE(S) OF MOTION
None

9. URGENT BUSINESS

10. CONFIDENTIAL ITEMS

10.1. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

10.1.1. Summary of Real Estate Transactions for the Fourth Quarter 2020, UCS2021-0607
Held confidential pursuant to Sections 23 (Local public body confidences), 24 (Advice from officials), and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*.

Review By: 2021 May 10.

10.1.2. Proposed Method of Disposition (Rosscarrock) – Ward 08 (3616, 3700 and 3720 17 AV SW, UCS2021-0606
Held confidential pursuant Sections 23 (Local public body confidences), 24 (Advice from officials), and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*.

Review By: 2031 December 31 except for Attachments 4 and 5 which shall remain confidential.

10.2. URGENT BUSINESS

11. ADJOURNMENT



MINUTES

SPC ON UTILITIES AND CORPORATE SERVICES

**March 24, 2021, 9:30 AM
IN THE COUNCIL CHAMBER**

PRESENT: Councillor W. Sutherland, Chair
Councillor P. Demong, Vice-Chair (Remote Participation)
Councillor G. Chahal (Remote Participation)
Councillor D. Colley-Urquhart (Remote Participation)
Councillor J. Davison (Remote Participation)
Councillor D. Farrell (Remote Participation)
Councillor S. Keating (Remote Participation)
Councillor G-C. Carra (Remote Participation)

ALSO PRESENT: A/General Manager C. Arthurs (Remote Participation)
Legislative Coordinator M. A. Carr
Legislative Advisor D. Williams

1. CALL TO ORDER

Councillor Sutherland called the Meeting to order at 9:31 a.m.

ROLL CALL:

Councillor Demong, Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Farrell, Councillor Keating, Councillor Carra, and Councillor Sutherland.

2. OPENING REMARKS

Councillor Sutherland provided opening remarks.

3. CONFIRMATION OF AGENDA

Moved by Councillor Demong

That the Agenda for the 2021 March 24 Regular Meeting of the Standing Policy Committee on Utilities and Corporate Services be confirmed.

MOTION CARRIED

4. CONFIRMATION OF MINUTES

4.1 Minutes of the Regular Meeting of the Standing Policy Committee on Utilities and Corporate Services, 2021 February 24

Moved by Councillor Demong

That the Minutes of the 2021 February 24 Regular Meeting of the Standing Policy Committee on Utilities and Corporate Services be confirmed.

MOTION CARRIED

5. CONSENT AGENDA

Councillor Chahal acknowledged the Grade 8 students from St. John XXIII and their teacher Warren Brown that are watching the meeting virtually.

Moved by Councillor Demong

That the Consent Agenda be approved as follows:

5.1 DEFERRALS AND PROCEDURAL REQUESTS

None

5.2 BRIEFINGS

5.2.1 Status of Outstanding Motions and Directions – Q1 2021, UCS2021-0454

MOTION CARRIED

6. POSTPONED REPORTS

None

7. ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

None

8. ITEMS DIRECTLY TO COMMITTEE

8.1 REFERRED REPORTS

None

8.2 NOTICE(S) OF MOTION

None

9. URGENT BUSINESS

None

10. CONFIDENTIAL ITEMS

Moved by Councillor Demong

That pursuant to Sections 23 (Local public body confidences), 24 (Advice from officials), and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*, Committee now move into Closed Meeting at 9:33 a.m., in the Council Boardroom, to discuss confidential matters with respect to the following Items:

- 10.1.1. Proposed Lease (Livingstone) – Ward 03 (1248 Livingstone WY NE), UCS2021- 0437

- 10.1.2 Building Commitment Update (Various), UCS2021-0438
- 10.1.3. Proposed Restrictive Covenant (Inglewood) – Ward 09 (6 New ST SE), UCS2021-0439
- 10.1.4. Summary of Green Line Real Property Transactions for the Fourth Quarter 2020, UCS2021-0441
- 10.1.5. Proposed Approval of Expropriation (Ogden and East Shepard Industrial) – Ward 9 and Ward 12, UCS2021-0453

MOTION CARRIED

Committee reconvened in public meeting at 10:25 a.m. with Councillor Sutherland in the Chair.

ROLL CALL:

Councillor Demong, Councillor Chahal, Councillor Colley-Urquhart, Councillor Davison, Councillor Farrell, Councillor Keating, Councillor Carra, and Councillor Sutherland.

Moved by Councillor Demong

That Committee rise and report.

MOTION CARRIED

10.1 ITEMS FROM OFFICERS, ADMINISTRATION AND COMMITTEES

- 10.1.1 Proposed Lease (Livingstone) – Ward 03 (1248 Livingstone WY NE), UCS2021-0437

Administration in attendance during the Closed Meeting discussions with respect to Report UCS2021-0437:

Clerks: M.A. Cario and D. Williams. Law: L. Lau, S. Belvedere, and S. Wheeler. Advice: C. Arthurs, C. Berry, S. McClurg, J. Halfyard, C. McLaren, S. Dongworth, D. Bell, T. Benson, A. DeCaria, J. Moisan, J. Cullen, M. Thompson, S. Quayle, E. Kortje and F. Snyders.

A confidential presentation was distributed with respect to Report UCS2021-0437.

Moved by Councillor Chahal

That with respect to Report UCS2021-0437, the following be approved

That the Standing Policy Committee on Utilities and Corporate Services recommends that Council:

1. Authorize the Recommendations as outlined in Attachment 2; and
2. Direct the Recommendations, Report and Attachments remain confidential pursuant to Sections 23 (Local public body confidences),

24 (Advice from officials) and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act* until the lease is executed.

MOTION CARRIED

10.1.2 Building Commitment Update (Various), UCS2021-0438

Administration in attendance during the Closed Meeting discussions with respect to Report UCS2021-0438:

Clerks: M.A. Cario and D. Williams. Law: L. Lau, S. Belvedere, and S. Wheeler. Advice: C. Arthurs, C. Berry, S. McClurg, J. Halfyard, C. McLaren, D. Bell, T. Benson, A. DeCaria, J. Moisan, J. Cullen, M. Thompson, S. Quayle, E. Kortje and F. Snyders.

A confidential presentation was distributed with respect to Report UCS2021-0438.

Moved by Councillor Demong

That with respect to Report UCS2021-0438, the following be approved

That the Standing Policy Committee on Utilities and Corporate Services recommends that Council:

1. Approve Recommendation 1 as contained in Report UCS2021-0438.
2. Direct that the Recommendation, Report, and Attachments remain confidential pursuant to Sections 23 (Local public body confidences), 24 (Advice from officials), and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*.

MOTION CARRIED

10.1.3 Proposed Restrictive Covenant (Inglewood) – Ward 09 (6 New ST SE), UCS2021-0439

Administration in attendance during the Closed Meeting discussions with respect to Report UCS2021-0439:

Clerks: M.A. Cario and D. Williams. Law: L. Lau, S. Belvedere, and S. Wheeler. Advice: C. Arthurs, C. Berry, S. McClurg, J. Halfyard, C. McLaren, D. Bell, T. Benson, A. DeCaria, J. Moisan, J. Cullen, M. Thompson, S. Quayle, E. Kortje and F. Snyders.

A confidential presentation was distributed with respect to Report UCS2021-0439.

Moved by Councillor Carra

That with respect to Report UCS2021-0439, the following be approved

That the Standing Policy Committee on Utilities and Corporate Services recommends that Council:

1. Authorize the Recommendations as outlined in Attachment 2;
2. Direct the Report, Recommendations, and Attachments 1a, 1b, 2, and 3, remain confidential under Sections 23 (Local public body confidences), 24 (Advice from officials), and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act* until the report is published in the Council Agenda; and
3. Direct that Attachment 4 remain confidential pursuant Sections 23 (Local public body confidences), 24 (Advice from officials), and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*.

MOTION CARRIED

10.1.4 Summary of Green Line Real Property Transactions for the Fourth Quarter 2020, UCS2021-0441

Administration in attendance during the Closed Meeting discussions with respect to Report UCS2021-0441:

Clerks: M.A. Cario and D. Williams. Law: L. Lau. S. Belvedere, and S. Wheeler. Advice: G. Arthurs, C. Berry, S. McClurg, J. Halfyard, C. McLaren, D. Bell, T. Benson, A. DeCaria, J. Moisan, J. Cullen, M. Thompson, S. Quayle, E. Kortje and F. Snyders.

Moved by Councillor Keating

That with respect to Report UCS2021-0441, the following be approved

That the Standing Policy Committee on Utilities and Corporate Services recommends that Council:

1. Direct that the Report be held confidential pursuant to Sections 23 (Local public body confidences), 24 (Advice from officials) and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act*, until the report is published in the Council Agenda; and
2. Direct that the Attachments be held confidential pursuant to Sections 23 (Local public body confidences), 24 (Advice from officials) and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act* unless The City is required to disclose pursuant to the *Expropriation Act (Alberta)*, to be reviewed 2029 February 12.

MOTION CARRIED

10.1.5 Proposed Approval of Expropriation (Ogden and East Shepard Industrial) – Ward 9 and Ward 12, UCS2021-0453

Administration in attendance during the Closed Meeting discussions with respect to Report UCS2021-0453:

Clerks: M.A. Cario and D. Williams. Law: L. Lau. S. Belvedere, and S. Wheeler. Advice: C. Arthurs, C. Berry, S. McClurg, J. Halfyard, C. McLaren, D. Bell, T. Benson, A. DeCaria, J. Moisan, J. Cullen, M. Thompson, S. Quayle, E. Kortje and F. Snyders.

Moved by Councillor Keating

That with respect to Report UCS2021-0453, the following be approved

That the Standing Policy Committee on Utilities and Corporate Services recommends that Council:

1. Approve Recommendation 1 contained in Report UCS2021-0453; and
2. Direct that the Recommendations, Report and Attachments be held confidential pursuant to Section 23 (Local public body confidences), 24 (Advice from officials) and 25 (Disclosure harmful to economic and other interests of a public body) of the *Freedom of Information and Protection of Privacy Act* unless The City is required to disclose pursuant to the *Expropriation Act (Alberta)*.

MOTION CARRIED

10.2 URGENT BUSINESS

None

11. ADJOURNMENT

Moved by Councillor Demong

That this meeting adjourn at 10:31 a.m.

MOTION CARRIED

The following Item has been forwarded to the 2021 April 12 Combined Meeting of Council:

CONSENT

- Proposed Restrictive Covenant (Inglewood) – Ward 09 (6 New ST SE), UCS2021-0439
- Summary of Green Line Real Property Transactions for the Fourth Quarter 2020, UCS2021-0441
- Proposed Lease (Livingstone) – Ward 03 (1248 Livingstone WY NE), UCS2021-0437
- Building Commitment Update (Various), UCS2021-0438

- Proposed Approval of Expropriation (Ogden and East Shepard Industrial) – Ward 9 and Ward 12, UCS2021-0453

The next Regular Meeting of the Standing Policy Committee on Utilities and Corporate Services is scheduled to be held 2021 April 28 at 9:30 a.m.

CONFIRMED BY COMMITTEE ON

CHAIR

ACTING CITY CLERK

UNCONFIRMED

**Utilities & Environmental Protection Report to
SPC on Utilities and Corporate Services
2021 April 28**

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Proposed Utility Bylaw Amendments

RECOMMENDATION(S):

That the SPC on Utilities and Corporate Services recommends that Council give three readings to the following proposed Bylaw amendments:

Bylaw 37M2005, Drainage Bylaw

Bylaw 14M2012, Wastewater Bylaw

Bylaw 40M2006, Water Utility Bylaw

Bylaw 9018, Glenmore Park Bylaw

HIGHLIGHTS

- This report brings forward amendments to the Stormwater, Wastewater, Water Utility and Glenmore Park Bylaws. The changes to the bylaws were grouped into four categories based on the driver for the change: Public Health and Safety, Customer Responsiveness, Citizen Value and Technical Updates.
- What does this mean to Calgarians? These proposed amendments will:
 - Provide clear communication to help simplify long standing citizen expectations in plain language.
 - Build stronger relationships with citizens, businesses and industries by providing clear expectations and demonstrates our commitment to transparency and responsiveness to customer needs.
 - Support operational efficiencies for frontline staff to protect public safety, environment and infrastructure.
 - Clarify improved response mechanisms to protect customers from the potential rising cost of activities which negatively impact public safety, water quality, the environment and infrastructure.
- Stormwater Bylaw amendments include the name change from Drainage to Stormwater and amending language to stormwater as the service is officially called 'stormwater management' in public documents, public plans and customer bills.
- Wastewater Bylaw amendments include clarifying the public safety concerns related to hydrogen sulphide (H₂S) while maintaining regulatory compliance and protecting wastewater infrastructure.
- Water Utility Bylaw amendments include providing improved clarity for service disconnections to reduce water quality risks, and allow for less administration, streamline processes for customers, and be business friendly.
 - Glenmore Park Bylaw amendments, in efforts to reduce the risk of invasive aquatic species, include the addition of clarifying language in the Bylaw to align with Calgary Parks and Pathway Bylaw (11M2009) which includes cleaning, draining, drying and inspecting boats before use in the Glenmore Reservoir.
- Strategic Alignment to Council's Citizen Priorities: A Healthy and Green city – steward and protect the land and water by protecting the infrastructure that minimizes waste and pollution, and safeguards our water quality. A Well-run City – by continually improving to make a modern and efficient Utility that makes citizens lives better every day.

Proposed Utility Bylaw Amendments

- Strategic Alignment to Council's Citizen Priorities: A Healthy and Green city – steward and protect the land and water by protecting the infrastructure that minimizes waste and pollution, and safeguards our water quality. A Well-run City – by continually improving to make a modern and efficient Utility that makes citizens lives better every day.
- Previous Council Direction is included as Attachment 1.

DISCUSSION

Public Health and Safety focuses on reducing risk and safety improvements to employees, citizens, now and into the future. The amendments to the Wastewater Bylaw provide greater clarity to business owners and industry on the hazards of hydrogen sulphide (H₂S) and other sulphide substances to human health, the wastewater collection system and treatment processes. These are not new bylaw provisions. Long term, existing expectations and practices of the business community are being clarified by this bylaw amendment. There are 9 amendments across all the Bylaws that are under this category (refer to Attachment 6 – Bylaw Amendment Summary to review respective amendments).

Customer Responsiveness amendments provide information customers need and simplify provisions that may have been difficult to interpret. One of the highlighted changes is renaming the Drainage Bylaw to Stormwater Bylaw. This critical change is important as the service is officially called “stormwater management” in public documents, business plans and customer bills. There are 11 amendments in the Stormwater, Wastewater and Water Utility Bylaw under this category.

Citizen Value aims to increase efficiency and effectiveness to provide service value. This key theme includes administrative changes which provide consistency and alignment between all Bylaws. These amendments help decrease the conflicts or grey zones within the Bylaws and other City Bylaws. These also ensure legal clarity to allow for more effective identification and resolution of common bylaw concerns. One of the highlighted amendments in the Water Utility Bylaw is updated language for the changes to existing water service connections. These changes will enable more streamlined processes and opportunity to reduce costs for the business community while mitigating water quality risks and ensuring utility rates remain sustainable. There are 6 amendments across all the Bylaws that are under this category.

Technical Updates provide customers and businesses clear requirements to be more efficient, effective and future ready. This simplifies any ambiguity or confusion and aligns the Bylaw with current practices and industry standards. One of the Water Utility Bylaw Amendments is to update the Low Flow Plumbing Fixtures definition to reflect what is currently available in the marketplace and better aligns with the Utility's water efficiency objectives. This will help clarify for customers and businesses which products are considered Low Flow Plumbing Fixtures. There are 4 amendments in the Wastewater and Water Utility Bylaw under this category.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☒ Public Engagement was undertaken
- ☐ Public Communication or Engagement was not required
- ☒ Public/Stakeholders were informed
- ☒ Stakeholder dialogue/relations were undertaken

Proposed Utility Bylaw Amendments

The vast majority (over 90%) of the amendments are administrative. The impacts on citizens are minimal as the proposed amendments are not new bylaw provisions but rather long term existing expectations that are now being clarified.

Stakeholder engagement and dialogue have been ongoing for these proposed amendments.

The Public Health and Safety amendments provide additional clarification and elements to improve safety. The Customer Responsiveness amendments were driven from customer feedback for additional clarity and improvement opportunities. For Citizen Value, the purpose statements provide a clear description and rationale of each Bylaw to the stakeholders. The expanding and addition of definitions (e.g. owner, waste) are not new provisions and clarify missing information for the customers with the stakeholders being informed of the changes. Stakeholder dialogue was undertaken with the changes to the existing water service connections at the request of the building industry for the elimination of Bylaw conflicts and increase collaboration for business friendly initiatives. These changes serve to provide citizen service value and being business friendly to infill developers, many of these being small developers. These changes enable the Utility to more effectively respond to the building industry feedback and their needs to find continuous improvement opportunities. The technical updates in the Wastewater Bylaw have had extensive stakeholder dialogue to provide clarity and will reinforce business and industry expectations of wastewater management

IMPLICATIONS

Social

The amendments in the proposed Stormwater, Wastewater, Water Utility, and Glenmore Park Bylaws have positive societal impact and will contribute to increased transparency, accountability, open channels of communication and collaboration with citizens, and businesses. In particular, the customer focus and citizen value themes support citizen connection by improving understanding and streamlining administrative processes for citizens

Environmental

The proposed amendments encourage and support education and regulatory compliance programs. In particular, the changes in the Glenmore Park Bylaw focus on public safety and watershed management strategies for continued source water protection. The amendments in the Water Utility Bylaw demonstrate The City's alignment in meeting water efficiency objectives. Providing clear and intentional bylaw compliance demonstrates the City of Calgary's commitment in protecting the environment.

Economic

The amendments to the changes to existing water service disconnections help the Water Utility be business and customer friendly by reducing costs. By providing clarity and streamlining the City processes, the administrative burden will be reduced.

Service and Financial Implications

No anticipated financial impact

Include actual figure

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Proposed Utility Bylaw Amendments

RISK

There are no significant risks associated with these amendments. Interpretation and enforcement challenges currently experienced with the Stormwater (Drainage), Wastewater, Water Utility, and Glenmore Park bylaws are addressed through the proposed amendments.

The proposed amendments ensure success of the Utility to mitigate or address the health and safety risk to citizens and employees as well as better serve citizens, communities and customers in a cohesive and collaborative way.

ATTACHMENT(S)

1. Attachment 1 - Previous Council Direction
2. Attachment 2 - Proposed Text for a Bylaw to Amend Bylaw 37M2005 - Drainage Bylaw
3. Attachment 3 - Proposed Text for a Bylaw to Amend Bylaw 14M2012 - Wastewater Bylaw
4. Attachment 4 - Proposed Text for a Bylaw to Amend Bylaw 40M2006 - Water Utility Bylaw
5. Attachment 5 - Proposed Text for a Bylaw to Amend Bylaw 9018 - Glenmore Park Bylaw
6. Attachment 6 – Red Text Discussion Document - Bylaw 37M2005 - Drainage Bylaw
7. Attachment 7 - Red Text Discussion Document - Drainage Bylaw 37M2005
8. Attachment 8 - Red Text Discussion Document - Wastewater Bylaw 14M2012
9. Attachment 9 - Red Text Discussion Document - Water Utility Bylaw 40M2006
10. Attachment 10 - Red Text Discussion Document - Glenmore Park Bylaw 9018
11. Attachment 11 – Proposed Utility Bylaw Amendments Presentation FINAL

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Michael Thompson, General Manager	Utilities and Environmental Protection	Approve
Katie Black, General Manager	Community Services	Inform

Previous Council Direction

On 2005 July 4, Council approved Bylaw 37M2005, the Drainage Bylaw. On 2019 November 29, Council approved Bylaw 41M2019, being a Bylaw of The City of Calgary to amend Bylaw 58M2018, the Drainage Bylaw.

On 2006 July 24, Council approved Bylaw 40M2006, the Water Utility Bylaw. On 2019 November 29, Council approved Bylaw 40M2019, being a Bylaw of The City of Calgary to amend Bylaw 57M2018, the Water Utility Bylaw.

On 2012 March 12, Council approved Bylaw 14M2012, the Wastewater Bylaw. On 2019 November 29, Council approved Bylaw 42M2019 Being a Bylaw of The City of Calgary to amend Bylaw 56M2018, the Wastewater Bylaw

**PROPOSED TEXT FOR A BYLAW TO AMEND BYLAW 37M2005,
THE DRAINAGE BYLAW**

1. Bylaw 37M2005, the Drainage Bylaw, as amended, is hereby further amended.
2.
 - (1) The words “storm drainage” are deleted and replaced with “stormwater” wherever they appear in the bylaw.
 - (2) The word “owner” is deleted and replaced with “Owner” wherever it appears in the bylaw, except in section 20.1.
3. In section 1, the words “Drainage Bylaw” are deleted and replaced with “Stormwater Bylaw”.
4. The following is added after section 1 as section 1.1:

“PURPOSE

- 1.1 The purposes of this Bylaw are:
 - (a) to protect the Stormwater System from damage, obstruction, interference, unauthorized use, alteration, installation or removal of connections to the Stormwater System, or the release of prohibited materials;
 - (b) to protect The City’s employees, infrastructure, environment and the public exposure to dangerous conditions;
 - (c) to protect, control and monitor the volume and ensure the quality of water entering the Stormwater System;
 - (d) to provide for a system of rates, fees and charges for various types of use of the Stormwater System; and
 - (e) to provide for a system of permits or other permissions that facilitate the imposing of conditions on releases to the Stormwater System.”.
5. In subsection 2(1):
 - (a) the following is added after subsection 2(1)(p) as subsection 2(1)(p.1):

“(p.1) “*Owner*” means a person who is one or more of the following:

 - (i) the registered owner of the land;
 - (ii) a purchaser of the land whose interest as a purchaser is shown on the certificate of title to that land;
 - (iii) a tenant or other person who is in lawful possession or occupation of any buildings situated on the land;”;

- (b) subsection 2(1)(t)(xiv) is deleted and replaced with the following:
 - “(xiv) soaps, detergents or other chemical products;”;
 - (c) in subsection 2(1)(t)(xvi), the word “and” is deleted;
 - (d) the following is added after subsection 2(1)(t)(xvii) as subsections 2(1)(t)(xviii) and (xix):
 - “(xviii) industrial plastics including plastic pellets, flakes or powder; and
 - (xix) general refuse and domestic litter;”;
 - and
 - (e) in subsection 2(1)(aa)i. the words “that make up the storm drainage collection system” are deleted.
6. In section 11:
- (a) in subsection 11(4) after the word “by” the word “the” is added;
 - and
 - (b) subsection 11(6) is deleted and replaced with the following as subsections 11(6) and (7):
 - “(6) A Person must not, unless authorized by the Director, Water Services or the Director, Water Resources,
 - (a) enter; or
 - (b) place or remove any plant, animal or object in or from;
any facility or structure that is part of the-Stormwater System, including a storm pond.
 - (7) A Person must not fish from a storm pond.”.
7. In subsection 15(3):
- (a) in subsection 15(3)(d) after the word “plan” the words “to the satisfaction of the Director” are added;
 - and
 - (b) in subsection 15(3)(e), after the word “conditions” the word “or requirements” are added.
8. In section 15.1, the following is added after subsection (3) as subsection (4):

- “(4) In the event of default of payment of any fee or charge imposed pursuant to this bylaw or any amount due and payable to the City for anything done pursuant to this Bylaw, the Director, Water Resources may enforce the collection of amounts owing by:
- (a) discontinuing water supplied, pursuant to the Water Utility Bylaw 40M2006, to the Premises associated with the amounts owing;
 - (b) commencing an action against the Owner of the Premises associated with the amounts owing;
 - (c) entering the amount owing to the City on the tax roll of the Premises associated with the amounts owing; or
 - (d) all of the above.”.
9. In subsection 20(1)(b)(i) the words “conditions or” are added before “requirement”.
10. In **SCHEDULE “A” – SPECIFIED AND MINIMUM PENALTIES**, under the headings indicated, the following is deleted:

SECTION	OFFENCE	MINIMUM PENALTY 1st offence	SPECIFIED PENALTY 1st offence
“11(6)	Enter Storm Drainage System structure or facility	\$500	\$1500”

and replaced with:

SECTION	OFFENCE	MINIMUM PENALTY 1st offence	SPECIFIED PENALTY 1st offence
“11(6)	Enter, or place or remove a plant, animal or objects in or from, a Stormwater System structure or facility	\$500	\$1500
11(7)	Fish from a storm pond	\$500	\$1500”

11. This Bylaw comes into force on the day it is passed.

**PROPOSED TEXT FOR A BYLAW TO AMEND BYLAW 14M2012,
THE WASTEWATER BYLAW**

1. Bylaw 14M2012, the Wastewater Bylaw, as amended, is hereby further amended.
2. In section 3, the words "*storm drainage*" are deleted and replaced with "*stormwater*" wherever they appear.
3. In sections 14 and 15, the words "Schedules "D", "E", "F", "G", "H" or "I"" are deleted and replaced with "Schedules "D", "E", "F", "G" or "H".
4. The following is added after section 19 as section 19.1:
 - "19.1 (1) A person must not *release*, or allow to be *released*, any water from a swimming pool or hot tub, in an amount greater than 3 cubic metres, into the *wastewater system* unless the *person* obtains approval from the *Director, Water Services* or the *Director, Water Resources*.
 - (2) In granting approval pursuant to subsection (1), the *Director* may impose any conditions that the *Director* deems necessary."
5. Subsection 26(4)(b) is deleted and replaced with:
 - "(b) maintain a maintenance schedule and record, in a form a prescribed by the *Director*, of each maintenance for every *pre-treatment system* installed at the *premises* for a period of two years, including records for disposal of *waste residue*,".
6. In section 27:
 - (a) in subsection 27(1)(b) the words "and in compliance with the manufacturer's instructions and specifications" are deleted;
 - (b) the following is added after subsection 27(1)(c) as subsection 27(1)(d):
 - "(d) maintain a record of *FOG interceptor* cleaning and maintenance, in a form as prescribed by the *Director*, and submit such record to the *Director* upon request."
 - (c) in subsection 27(2)(b), the words "as required by the manufacturer's instructions and specifications" are deleted;
 - (d) subsection 27(2)(c) is deleted and replaced with:
 - "(c) ensure that all *wastewater* does not exceed the concentration limits for *hydrocarbons*, *flammable liquids* and *TSS*, as set out in Schedules "A", "B" and "C" of this *Bylaw*";
 - (e) in subsection 27(3)(c), the words "and as required by the manufacturer's instructions and specifications" are deleted;

and

(f) subsection 27(4) is deleted and replaced with:

“(4) A person must not use emulsifiers, enzymes, bacteria, solvents, hot water or any other agent or product directly into or upstream of an *interceptor* to facilitate the passage of *FOG* or *hydrocarbons* through an *interceptor*.”.

7. In section 30:

(a) subsection 30(5) is deleted and replaced with:

“(5) If there is one or more *monitoring access points* servicing a site, the *Director* may use the results of testing performed on samples collected from a single or multiple *monitoring access points* to determine the *wastewater surcharge* as follows:

(a) **Single Premises – Multiple Users**

Where the *wastewater* from a *premises* is released through two or more building sewers and where there is no accurate measurement of the individual flows being released from each building sewer, the *release* that would produce the highest *wastewater surcharge* will be used to determine the *wastewater surcharge* for the *premises*;

(b) **Multiple Premises – Single Water & Wastewater Service**

Wastewater released through a single building sewer from a *premises* with two or more separate businesses serviced by a single water service will be considered as being released by the *customer* for that *water meter* for the purposes of the *wastewater surcharge*;

(c) **Multiple Customers – Multiple Water Services & Single Wastewater Services**

Wastewater released through a single building sewer from a *premises* with two or more separate *customers*, each serviced by separately metered water services, will be considered as being released from each of the separate *customers*, in proportion to the water consumption from each *customer*.”;

and

(b) subsection 30(6) is deleted.

8. In **SCHEDULE “A” – PROHIBITED SUBSTANCES**, (f) is deleted and replaced with the following:

- “(f) a *substance*, including carbon disulphide or other reduced sulphur compounds, but not including *domestic wastewater*, which by itself or in combination with other *substances* is capable of creating:
- (i) odours;
 - (ii) a health or safety hazard to the public; or
 - (iii) a health or safety hazard to a worker operating, maintaining, repairing or otherwise working on the wastewater system;
- (f.1) hydrogen sulphide;”.

9. In **SCHEDULE “B” – RESTRICTED SUBSTANCES**, under the headings indicated, after:

Column 1 Substance	Column 2 Concentration Limit (mg/L)
“Chloride	1500”

the following is added:

Column 1 Substance	Column 2 Concentration Limit (mg/L)
“Chlorine	5”

10. In **SCHEDULE “G” – CHARGES FOR ACCEPTANCE OF HAULED WASTEWATER IN THE CITY**, the following is added after section 2 as section 3:

- “3. The amount a customer must pay to release hauled wastewater into a hauled wastewater facility operated by The City is calculated by multiplying the Volume charge by the tank capacity of the vehicle as set out in the permit.”.

11. In **SCHEDULE “J” – OFFENCES AND PENALTIES** under the headings indicated:

- (a) after:

Section	Description of Offence	Minimum Penalty	Specified Penalty
“19	Directing, or allowing <i>clear water waste</i> to be directed, into the <i>wastewater system</i>	\$ 500	\$1500”

the following is added:

Section	Description of Offence	Minimum Penalty	Specified Penalty
"19.1	Releasing pool water into the wastewater system without approval	\$ 500	\$1500"

(b) after:

Section	Description of Offence	Minimum Penalty	Specified Penalty
"27(1)(c)	Failing to ensure that <i>wastewater</i> does not exceed the maximum allowable concentration limits for <i>FOG</i> set out in Schedule C of the <i>Bylaw</i>	\$1000	\$3000"

the following is added:

Section	Description of Offence	Minimum Penalty	Specified Penalty
"27(1)(d)	Failing to submit <i>interceptor</i> maintenance records requested by the <i>Director</i>	\$ 100	\$ 500"

and

(c) the following is deleted:

Section	Description of Offence	Minimum Penalty	Specified Penalty
"27(4)	Using emulsifiers, enzymes, bacteria, solvents, hot water or other agent to facilitate the passage of FOG or hydrocarbons through an interceptor	\$ 500	\$1000"

and replaced with:

Section	Description of Offence	Minimum Penalty	Specified Penalty
"27(4)	Using emulsifiers, enzymes, bacteria, solvents, hot water or other agent or product to facilitate the passage of FOG or hydrocarbons through an interceptor	\$ 500	\$1000"

12. This Bylaw comes into force on the day it is passed.

**PROPOSED TEXT FOR A BYLAW TO AMEND BYLAW 40M2006,
THE WATER UTILITY BYLAW**

1. Bylaw 40M2006, The Water Utility Bylaw, as amended, is hereby further amended.
2. The following is added after section 1 as section 1.1:

“PURPOSE

1.1 The purposes of this Bylaw are:

- (a) to protect the Water System and Water Supply from damage, obstruction, interference, unauthorized use, illegal connection or operation or loss of efficiency;
- (b) to protect the City’s employees and the public from exposure to dangerous conditions;
- (c) to protect, control and monitor the water quality, pressure and distribution of the Water System, Water Supply, Glenmore Area and Reservoir and local water sources;
- (d) to provide a system of rates, fees and charges for various types of use of the Water System and Water Supply; and
- (e) to provide a system of permits or other permissions that facilitate the imposing of conditions on the use of the Water System.”.

3. In subsection 2(1):
 - (a) in subsection 2(1)(kk) the word “drainage” is deleted and replaced with “stormwater”; and
 - (b) in subsection 2(1)(ll) the words “storm drainage” are deleted and replaced with “stormwater”.
4. In subsection 5(3), the words “Bylaw 20M2003, The Parks and Pathways Bylaw” is deleted and replaced with “Bylaw 11M2019, the Parks and Pathways Bylaw”.
5. Subsection 16(1) is deleted and replaced with the following:

“16. (1) For the purposes of this section, “Low Flow Plumbing Fixtures” means:

- (a) toilets having a total water usage of no greater than 4.8 litres per flush, including the contents of both the tank and bowl of the toilet;
- (b) urinals having a total water usage of no greater than 1.9 litres per

flush, but does not include urinals which flush automatically after a period of elapsed time, regardless of the amount of water usage per flush;

- (c) showerheads having a rate of water flow no greater than 7.6 litres per minute;
- (d) faucet aerators having a rate of water flow no greater than 5.7 litres per minute;
- (e) public restroom faucets having a total water flow of no greater than 1.9 litres per minute; and
- (f) commercial pre-rinse spray valves having a rate of water flow no greater than 6 litres per minute.”.

6. In subsection 19(c) the words “Storm Drainage” are deleted and replaced with “Stormwater”.

7. Subsection 34 is deleted and replaced with the following:

- “34. (1) Pursuant to section 35(3) of the *Municipal Government Act*, as a term of providing water service to a parcel adjacent to a road or easement, the Owner of the parcel is responsible for the costs of maintenance and repair of the portion of the Water Service Connections from the City Water Main to the boundary of the road or easement. Despite section 33 of this Bylaw, the Owner of a parcel is responsible for any construction of the portion of the Water Service Connections from the City Water Main to the boundary of the road or easement subsequent to the initial connection.
- (2) Any Owner wishing to relocate, replace, alter or temporarily disconnect an existing Water Service Connection must make application to and receive approval of the Director, Water Resources prior to commencing such work.
- (3) A Person must not relocate, replace, alter or disconnect an existing Water Service Connection without receiving approval of the Director, Water Resources.
- (4) Where a relocation, replacement, alteration or disconnection referred to in subsection (2) is approved by the Director, Water Resources the work on the City owned portion of the Water Service Connection must be performed by:
- (a) The City; or
 - (b) a contractor who has been pre-approved by Director to work on City Water Service Connections;

at the election of the Director, Water Services.

- (5) The relocation, replacement, alteration or disconnection must be performed to the satisfaction of the Director, Water Services.
 - (6) Where work is performed pursuant to this section, the Owner is responsible for the costs of such work.
 - (7) The Director, Water Services may require the Owner to pay in advance a deposit in an amount determined by the Director. The deposit may be refunded on demand when the work is completed, less any amount owing for the work.”.
8. In subsection 39(5) the words “30 days” are deleted and replaced with “5 days”.
 9. In subsection 40(5) the word “The Drainage Bylaw” are deleted and replaced with “the Stormwater Bylaw”.
 10. In subsection 41(3):
 - (a) the following is added after subsection 43(3)(a) as subsection 43(3)(a.1):

“(a.1) shall maintain a six (6) metre clearance above the fire hydrant;”

and
 - (b) in subsection 43(3)(b), the words “paragraph (a) of this subsection” are deleted and replaced with “subsections (a) and (a.1)”.
 11. In **SCHEDULE “B” – OFFENCES: SPECIFIED PENALTIES**, under the headings indicated,
 - (a) after:

**SECTION
NUMBER**

**SPECIFIED
PENALTY**

“32(2)(a) Failure to provide meter reading

\$500”

the following is added:

**SECTION
NUMBER**

**SPECIFIED
PENALTY**

“34(3) Relocate, replace, alter or disconnect an existing
Water Service Connection without approval

\$1500”

and

(b) the following is deleted:

**SECTION
NUMBER**

**SPECIFIED
PENALTY**

“41(1) Allow obstruction of fire hydrant

\$150”

and replaced with:

**SECTION
NUMBER**

**SPECIFIED
PENALTY**

“41(1) Allow obstruction of fire hydrant

\$1500”

12. In **SCHEDULE “E” – OUTDOOR WATER USE RESTRICTIONS**, the words “Drainage Bylaw 37M2005” are deleted and replaced with “Stormwater Bylaw 37M2005”.
13. This Bylaw comes into force on the day it is passed.

**PROPOSED TEXT FOR A BYLAW TO AMEND BYLAW 9018,
THE GLENMORE PARK BYLAW**

1. Bylaw 9018, the Glenmore Park Bylaw, as amended, is hereby further amended.
2.
 - (1) Section 11.1 is renumbered as subsection 11.1(1).
 - (2) The following is added after subsection 11.1(1) as subsection 11.1(2):
 - “(2) If a Boat referred to in subsection 11.1(b) and (c) has been used in a body of water other than the Glenmore Reservoir, the user of the Boat must ensure that it is cleaned, drained, dried and inspected for aquatic invasive species before being used in the Reservoir.”.
3. Section 12.0 is deleted and replaced with the following:

“12.0 Despite section 12 of the Parks and Pathways Bylaw 11M2019 and except for those persons specifically allowed by Section 11.1 of this Bylaw to place and/or use a Boat in the waters of the Glenmore Reservoir any person, group, society or organization wishing to place and use a Boat or Boats in the waters of the Glenmore Reservoir shall, prior to such use, apply to the Director, Calgary Recreation for permission to use.”.
4. Section 13.3 is deleted and replaced with the following:

“13.3 No person shall allow any animal to enter the Glenmore Reservoir or to be in a Boat on the Glenmore Reservoir.”.
5. Section 13.8 is deleted and replaced with the following:

“13.8 No person shall place and/or use a Boat, except for rescue boats, in the waters of the Glenmore Reservoir:

 - (a) when the weather conditions make such use dangerous (such as during low flow, high flow or boat advisory periods); or
 - (b) which may cause pollution to or fouling of the water in the Glenmore Reservoir.”.
6. This Bylaw comes into force on the day it is passed.

Bylaw Amendment Summary

Proposed Stormwater (Drainage) Bylaw Amendment Summary (Bylaw 37M2005)

(See Attachment 2 for Amendment #)

Category	Description	Explanation	Amendment #
Public Health & Safety	<p>Interference with Storm Drainage System</p> <p>Add in</p> <ul style="list-style-type: none"> (a) Enter; or (b) Place or remove any plant, animal or object in or from; (c) Engage in fishing 	Reinforced wording of what interference in any facility or structure that is part of the Storm Drainage System, including a storm pond is not allowed.	6, 10
Customer Responsiveness	<p>Name change to 'Stormwater' from 'Drainage'</p> <p>Align wording to impose conditions or approval or agreement</p> <p>Reference to non-payment that allows for collection of money owing.</p>	<p>Name change from Drainage to Stormwater, amending language to stormwater. Reason is that the service is officially called 'stormwater management' in public documents, public plans and customer bills. It's important we use plain language and to have alignment in language to avoid confusion and applies to all the other bylaws</p> <p>Consistent wording for offences and penalties</p>	<p>2, 3</p> <p>7, 9</p> <p>8</p>

		<p>It's clearer and easier for customers to understand the plain language in the Stormwater bylaw than the references to other bylaws and the MGA.</p> <p>Stormwater bylaw would be consistent with the bylaws for Water (section 15) and Wastewater (section 14), which have similar language.</p>	
Citizen Value	Include purpose statements with same formatting for all Utility Bylaws understanding no direct legal effect	Purpose statement provides clear description and rationale for each	4
	Include definition of 'Owner'	Aligns consistency from Wastewater Bylaw with definition of owner	5
	Remove detergent and add in other chemical products	If chemical does not list itself as being a soap or detergent, it is not considered prohibited	5
	Add industrial plastics	Increased dumping of industrial plastics seen in our waterways	5
	General refuse and domestic litter	<p>Expands definition of waste as per the definition in the Stormwater Bylaw</p> <p>The above provide improved and clear definitions of what cannot be put into the stormwater system</p>	5

Wastewater Bylaw Amendment Summary (14M2012)

(See Attachment 3 for Amendment #)

Category	Description	Explanation	Amendment #
Public Health and Safety	Simplify definition by separating hydrogen sulphide (H ₂ S) and carbon disulphide or other reduced sulphur compounds.	Previous Bylaw created misperception that H ₂ S was only an odour and aesthetic issue when in fact it's a safety issue. Amendments to the Bylaw clarify the public safety concerns while maintaining regulatory compliance and protecting wastewater infrastructure.	8
	Addition of chlorine and acceptable concentration levels	Addition of chlorine as well as defined acceptable concentration level	9
Customer Responsiveness	Change wording to 'Stormwater' from 'Drainage'	Align to Stormwater Bylaw	2
	Addition of pool water release approval required	Addition clarification for customers on pool water releases	4
	Include calculation of cost of hauled wastewater to deliver/release in a City Wastewater facility	Clarification for customers to clearly state the calculation hauled wastewater is multiplying the volume charge (\$) by the tank capacity	10

Technical Updates	Pretreatment - Add in standard form	Prescribed form for maintenance schedule and record provides a consistency for customers	5
	Remove compliance with manufacturer's instructions and specifications	Remove ambiguity (custom built with no specifications or instructions, ownership change with loss of specs/instructions, old interceptor with outdated specs/instructions)	6
	Self-reporting program	Mandatory monthly maintenance and cleaning records to clarify and guide customers to follow proper cleaning frequency on pretreatment systems	6
	Remove ambiguous compliance of manufacturer's instructions and specifications	Set specific requirements on maintenance and cleaning schedule	6
	Reword and appropriately reference concentration limits for Schedule A, B, C	Add Schedule A to include list of prohibited substances including flammable liquids	6
	Add in bypassing interceptor using products directly into or upstream of an interceptor	Explicit prohibition on anything added to facilitate passage of FOG or hydrocarbons through the interceptor	6

	Clarify wording for monitoring access point scenarios to determine wastewater surcharge bill	The policy wording for greater clarification and specify scenarios to appropriately allocate the cost of providing wastewater service. This clarification will make the cost of wastewater service fairer for businesses.	7
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Proposed Water Utility Bylaw Amendment Summary (40M2006)

(See Attachment 4 for Amendment #)

Category	Description	Explanation	Amendment #
Public Health and Safety	Cross connection control - Change submission requirements to 5 days	Updated submission requirements to 5 days to align with submission requirements of recertification of failed devices. Changing to 5 days would provide alignment with other parts of the bylaw regarding cross connection and supports timely submission and protection of water quality for all users.	8
	Obstruction of hydrant - Add in section regarding a clearance of 20 feet (6 meter) maintained above the fire hydrant	Clarified language and expectation for above clearance for fire hydrants so employees will not be at risk when hydrant repairs need to be completed. This aligns with current expectations in the Bylaw on the obstruction of hydrants for safety and protection of employees and infrastructure.	10
Customer Responsiveness	Change wording to 'Stormwater' from 'Drainage'	Aligning to Stormwater Bylaw	3, 6, 9
Citizen Value	Update Bylaw reference Bylaw 11M2019, Parks and Pathways Bylaw	Update Bylaw reference Bylaw 11M2019, Parks and Pathways Bylaw	4
	Include purpose statements with same formatting for all Utility Bylaws understanding no direct legal effect	Purpose statement provides clear description and rationale for each Bylaw	2
	Existing Water Service Connections	Strengthen language and improved clarity for existing water service connections to reduce water quality risks, and allow for less administration, streamline processes for customers and be business friendly.	7

Technical Updates	Updates to the water efficiency on the Low Flow Plumbing Fixtures	Water Efficiency Plan is a 30 year document and the City monitors the effectiveness of current policies and recommend amendments to bylaws when appropriate. The City needs to remain on par with municipalities across North America by amending the bylaw to reflect the availability of these standard products in the marketplace as well as ensuring that we are aligning policy with our water efficiency objectives.	5
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Proposed Glenmore Parks Bylaw Amendment Summary (9018)

(See Attachment 5 for Amendment #)

Category	Description	Explanation	Amendment #
Public Health and Safety	Boating on Glenmore Reservoir Clean boat stipulation	In efforts to reduce the risk of invasive aquatic species, there is addition of clarifying language in the Bylaw that aligns with Parks and Pathway Bylaw 11M2009 to not use a watercraft in a river, lake or pond in a <i>park</i> unless the watercraft has been cleaned, drained, dried and inspected beforehand	2
	No person shall allow any animal to enter the Glenmore Reservoir or to be in a Boat on the Glenmore Reservoir	In efforts to protect source drinking water, no animals allowed in the Glenmore Reservoir due to potential contamination	4
	No boat use during dangerous weather conditions (such as low flow, high flow or boat advisory periods) or may cause pollution or fouling of the waters	In efforts to protect human safety and source drinking water, there is addition of clarifying language in the Bylaw that aligns with Parks and Pathway Bylaw 11M2009 to not use a watercraft in the Glenmore Reservoir during dangerous weather conditions or instances which may cause pollution or fouling of the water	5
Citizen Value	Update reference to Parks and Pathways Bylaw	Update reference to updated Parks and Pathways Bylaw	3

DISCUSSION DOCUMENT

Draft Drainage (to be renamed Stormwater) Bylaw 37M2005 showing proposed changes in red text.

Note: this is not the amending bylaw.

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BYLAW NUMBER 37M2005

**BEING A BYLAW OF THE CITY OF CALGARY
TO REGULATE STORM SEWERS AND ~~STORM~~
~~DRAINAGE STORMWATER~~ IN THE CITY OF
CALGARY**

(Amended by 15M2006, 57M2009, 50M2011, 13M2012, 14M2012, 7M2015, 47M2016, 58M2018, 41M2019)

WHEREAS the *Municipal Government Act* (R.S.A. 2000, c. M-26) authorizes a municipality to pass Bylaws for municipal purposes respecting public utilities and services provided by the municipality;

AND WHEREAS the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting people, activities and things in, on or near a public place or place that is often open to the public;

AND WHEREAS the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting nuisances;

AND WHEREAS the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting systems of licenses, permits or approvals;

AND WHEREAS the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting the enforcement of bylaws including providing for inspections to determine if bylaws are being complied with;

AND WHEREAS regulating storm sewers and ~~storm-drainage stormwater~~ within the City of Calgary is desirable;

AND WHEREAS it is deemed expedient to update and consolidate the bylaws which control and regulate storm sewers and ~~storm-drainage stormwater~~ in The City of Calgary;

**NOW THEREFORE THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

TITLE

1. This Bylaw may be referred to as the "~~Drainage Stormwater~~ Bylaw".

PURPOSE

1.1 The purposes of this Bylaw are:

- (a) to protect the Stormwater System from damage, obstruction, interference, unauthorized use, alteration, installation or removal of connections to the Stormwater System, or the release of prohibited materials;
- (b) to protect The City's employees, infrastructure, environment and the public exposure to dangerous conditions;
- (c) to protect, control and monitor the volume and ensure the quality of water entering the Stormwater System;
- (d) to provide for a system of rates, fees and charges for various types of use of the Stormwater System; and
- (e) to provide for a system of permits or other permissions that facilitate the imposing of conditions on releases to the Stormwater System.

INTERPRETATION AND DEFINITIONS

2. (1) In this Bylaw:

(a.01) "*Adverse Effect*" means impairment of or damage to, or the ability to cause impairment of or damage to:

- i. the ~~Storm Drainage~~ Stormwater System;
- ii. human health or safety;
- iii. property; or
- iv. the environment;

(13M2012, 2012 March 12)

(a) "*Animal Waste*" means all forms of waste from animals or the treatment of animals, and includes animal carcasses or parts;

(a.1) "*Bylaw Enforcement Officer*" means a person appointed pursuant to Bylaw 60M86 to enforce the provisions of this Bylaw and other bylaws of the City;

(13M2012, 2012 March 12)

- (b) “*Biomedical Waste*” means medical waste that requires proper handling and disposal because of environmental, aesthetic, health or safety concerns and includes, but is not limited to:
- (i) human anatomical waste;
 - (ii) infectious human waste;
 - (iii) infectious animal waste;
 - (iv) microbiological waste;
 - (v) blood and body fluid waste; and
 - (vi) medical sharps, such as needles, syringes, blades, or other clinical or laboratory materials capable of causing punctures or cuts;
- (c) “*City*” means the municipal corporation of The City of Calgary, and includes the geographical area within the boundaries of The City of Calgary where the context so requires;
- (d) “*City Manager*” means the Person designated by Council as the Chief Administrative Officer of the City or that Person’s designate;
- (e) “*Connection*” means a pipe or conduit installed between a Premises and the ~~Storm Drainage~~ **Stormwater** System for the purpose of draining ~~Storm Drainage~~ **Stormwater** from the Premises;
- (f) “*Decorative Pond*” means an artificial body of water for ornamental purposes but does not include fish ponds;
- (g) “*Director, Water Resources*” means the City Manager or the City Manager’s designate;
- (57M2009, 2009 November 02)
- (g.1) “*Director, Water Services*” means the City Manager or the City Manager’s designate;
- (57M2009, 2009 November 02)
- (g.2) “*Stormwater Service Charge*” means the flat monthly (30 day) charge for the operation and maintenance or inspection of the ~~Storm Drainage~~ **Stormwater** System;
- (7M2015, 2015 February 09)
(58M2018, 2019 January 01)

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- (h) “*Foundation Drainage*” means Water collected beneath the surface of the ground by a foundation drain, weeping tile, sump pump or other similar means;
(13M2012, 2012 March 12)
- (i) “*General Medical Waste*” means non-hazardous medical waste and includes, but is not limited to, soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubings, filters, towels and disposable sheets, but excludes Biomedical Waste;
- (j) “*Hazardous Substance*” means a Substance that is either a hazardous substance or a hazardous waste, or has the properties of hazardous waste, as described in the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12;
(13M2012, 2012 March 12)
- (k) “*Industrial Waste*” means waste generated by commercial or industrial activities that presents health, safety or environmental concerns, and includes, but is not limited to, lime, sulphur, asbestos, contaminated soils, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump Water, but excludes Hazardous Substances and Biomedical Waste;
(13M2012, 2012 March 12)
- (l) “*Interceptor*” means a treatment system or device, approved by the Director, Water Resources that is designed to remove Substances or contaminants from ~~Storm Drainage~~ Stormwater or Water before passing into the ~~Storm Drainage~~ Stormwater System;
(57M2009, 2009 November 02)
(13M2012, 2012 March 12)
- (m) “*Municipal Government Act*” means the *Municipal Government Act*, R.S.A. 2000, chapter M-26;
(13M2012, 2012 March 12)
- (n) “*Negative Drainage*” means, on a Parcel with a single detached, semi-detached or duplex dwelling, the continuous downward slope from the property line to the elevation of finished ground surface at any point immediately adjacent to the building on all sides of the Parcel;
- (o) DELETED BY 13M2012, 2012 March 12;
- (p) “*Officer*” includes a Peace Officer, a Bylaw Enforcement Officer or a member of the Calgary Police Service;
(13M2012, 2012 March 12)

- (p.1) “Owner” means a person who is one or more of the following:
- (i) the registered owner of the land;
 - (ii) a purchaser of the land whose interest as a purchaser is shown on the certificate of title to that land;
 - (iii) a tenant or other person who is in lawful possession or occupation of any buildings situated on the land;
- (q) “Parcel” means the aggregate of one or more areas of land described in a certificate of title;
- (q.1) “Peace Officer” means a person appointed pursuant to the Peace Officer Act, S.A. 2006, c. P-3.5;
(13M2012, 2012 March 12)
- (r) “Person” means any of the following:
- (i) an individual;
 - (ii) a legal entity or business entity, including a firm, association, partnership, society or corporation;
 - (iii) a trustee, executor, administrator, agent or employee of either (i) or (ii);
(13M2012, 2012 March 12)
- (s) “Premises” includes lands and buildings or both, or a part thereof;
- (t) “Prohibited Material” means any Substance that may, directly or indirectly, obstruct the flow of Water within the ~~Storm~~ Stormwater Drainage System or may have an Adverse Effect and includes, but is not limited to:
- (i) soil, sediment, waste or other solid matter;
 - (ii) fecal matter, Animal Waste, dead animals or animal parts;
 - (iii) cooking oils and greases;
 - (iv) gasoline, motor oil, transmission fluid, and antifreeze;
 - (v) solvents;
 - (vi) paint;

- (vii) cement or concrete wastes;
- (viii) sawdust, wood, fibreboard or construction material;
- (ix) Yard Waste;
- (x) pesticides, herbicides or fertilizers;
- (xi) Biomedical Waste or General Medical Waste;
- (xii) Hazardous Substances;
- (xiii) Industrial Waste;
- (xiv) soaps, ~~or~~ detergents ~~or other chemical products~~;
- (xv) Water from hot tubs;
- (xvi) any Substance or combination of Substances that emits an odour;
~~and~~
- (xvii) fish and other aquatic fauna and flora not authorized by the
Director, Water Resources;
- (xviii) industrial plastics including plastic pellets, flakes or powder; and
- (xix) general refuse and domestic litter;

(57M2009, 2009 November 02)
(13M2012, 2012 March 12)

- (u) “Provincial Offences Procedure Act” means the Provincial Offences Procedure Act, R.S.A. 2000, chapter P-34;

(13M2012, 2012 March 12)

- (v) “*Release*” means:

- (i) to directly or indirectly conduct a Substance to the ~~Storm~~
~~Stormwater~~ Drainage System by spilling, discharging, disposing
of, abandoning, depositing, leaking, seeping, pouring, draining,
emptying, or by any other means; or
- (ii) a spill, release, disposal, abandonment, deposit, leak, seep, pour,
drain or emptying of a Substance into the ~~Storm~~ ~~Stormwater~~
Drainage System;

(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

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- (w) “*Remedial Order*” means a remedial order written pursuant to Section 545 of the *Municipal Government Act* and in accordance with Part 2 of the Community Standards Bylaw, Bylaw Number 5M2004;
(13M2012, 2012 March 12)
- (x) “*Reserve*” means a Parcel designated on its certificate of title as municipal reserve, school reserve, municipal and school reserve, environmental reserve or public utility lot, or a Parcel administered by the City as if it had such reserve designation;
- (y) “*Sideyard*” means that portion of a Parcel extending from the front yard to the rear yard and between the side property line of the Parcel and the closest side of the principal building;
- (z) “~~*Storm Drainage Stormwater*~~” means runoff that is the result of rainfall and other natural precipitation or from the melting of snow or ice;
(57M2009, 2009, November 02)
- (aa) “~~*Storm Drainage Stormwater System*~~” means the system for collecting, transmitting, storing, treating, and disposing of ~~*Storm Drainage Stormwater*~~ and Foundation Drainage, and includes:
- i. the catch basins, sewers and pumping stations ~~that make up the storm drainage collection system~~,
 - ii. the ~~storm drainage Stormwater~~ facilities, structures or things used for storage, management and treatment to buffer the effects of runoff or improve the quality of the storm water,
 - iii. the sewers and pumping stations that transport storm drainage to the location where it is treated or disposed of,
 - iv. the ~~storm drainage Stormwater~~ outfall structures, and
 - v. the Surface Drainage Facilities,
- but does not include plumbing or service connections in buildings;
(13M2012, 2012 March 12)
(7M2015, 2015 February 09)
- (bb) “*Street*” means any thoroughfare, highway, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes:
- (i) a sidewalk (including the boulevard portion of the sidewalk),

- (ii) if a ditch lies adjacent to and parallel with the roadway, the ditch, and
 - (iii) if a street is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but
 - (iv) does not include a place declared by the Lieutenant Governor in Council not to be a street;
- (cc) “*Substance*” means any one or more of the following:
 - (i) any solid matter;
 - (ii) any liquid matter;
 - (iii) any gaseous matter;
 - (iv) any sound, vibration, heat, radiation, or other form of energy;
 - (v) any combination of (i), (ii), (iii) or (iv);

(13M2012, 2012 March 12)
- (dd) “*Surface Drainage Facility*” means any facility or facilities associated with drainage or control of ~~Storm Drainage~~ ~~Stormwater~~ and includes, but is not limited to:
 - (i) a grass swale;
 - (ii) a concrete or asphalt walkway, gutter or swale;
 - (iii) a drainage control fence or structure; or
 - (iv) the sloping and contouring of land to facilitate or control ~~Storm Drainage~~ ~~Stormwater~~;

(13M2012, 2012 March 12)
(7M2015, 2015 February 09)
- (dd.1) “*Wastewater System*” means the system owned and operated by the City for the collection, transmission, treatment and disposal of wastewater;
- (ee) “*Water*” means all water in any form on or under the surface of the ground;

- (ff) “Yard Waste” means waste from gardening or horticultural activities and includes, but is not limited to, grass, leaves, plants, tree and hedge clippings, and sod.
- (2) Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.
- (3) 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.
- (4) All the schedules attached to this Bylaw shall form a part of this Bylaw.
(15M2006, 2006 January 24)
- (5) Where this Bylaw cites or refers to any other Act, bylaw, regulation, agency, organization or publication, the citation or reference is to the Act, bylaw, regulation, agency, organization or publication as amended, whether amended before or after the commencement of this Bylaw, and includes reference to any Act, bylaw, regulation, agency, organization or publication that may be substituted in its place.
(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

COMPLIANCE WITH OTHER LAWS

3. Nothing in this Bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, agency, organization, other bylaw or any requirement of any lawful permit, order or licence.
(7M2015, 2015 February 09)

RELEASES TO THE ~~STORM DRAINAGE~~ STORMWATER SYSTEM

4. Prohibited

- (1) No Person shall Release, or allow to be Released, any Prohibited Material into the ~~Storm Drainage-Stormwater~~ System, except as permitted in Subsection (3).

Restricted

- (2) No Person shall Release, or allow to be Released, any Water into the ~~Storm Drainage-Stormwater~~ System that has been impounded either passively or actively, except as permitted in Subsection (3).

Permitted

- (3) The following may be Released into the ~~Storm Drainage-Stormwater~~ System unless the Release could cause an Adverse Effect:

- (a) Foundation Drainage;
- (b) Water from a portable swimming pool, Decorative Pond or fountain, having a capacity of three (3) cubic meters (3000 litres) or less;
- (c) subject to the restrictions in the Water Utility Bylaw 40M2006, Water resulting solely from:
 - (i) irrigating or otherwise watering a lawn, garden and trees or other landscaping; or
 - (ii) washing of single-family or semi-detached homes with potable Water;
- (d) Water resulting from extinguishing fires;
- (e) Water in accordance with a permit or written approval from the Director, Water Resources;
- (f) Water in accordance with an approval pursuant to Section 7; and
- (g) a Release that complies with the conditions established by the Director, Water Resources pursuant to section 15(4).

(15M2006, 2006 January 24)
(57M2009, 2009 November 02)
(7M2015, 2015 February 09)

RELEASE OF PROHIBITED MATERIALS

5. (1) Any Person who Releases, or causes or allows to be Released, any Prohibited Material into the ~~Storm Drainage-Stormwater~~ System in contravention of this Bylaw must take all reasonable measures to immediately notify:
- (a) the 9-1-1 emergency telephone number if there is any damage or immediate danger to:
 - (i) human health or safety;
 - (ii) property;
 - (iii) the environment; or
 - (iv) the ~~Storm Drainage-Stormwater~~ System;
 - (b) the City, by calling the 24-hour 3-1-1 telephone number;

- (c) the ~~owner~~ Owner of the Premises where the Release occurred; and
 - (d) any other Person that may be affected by the Release.
- (2) The Person reporting the Release described in Subsection (1) must provide the following information:
 - (a) the name and contact information of the Person reporting the Release;
 - (b) the time and location of the Release;
 - (c) the type of material Released and any known associated hazards;
 - (d) the volume of material Released; and
 - (e) any corrective action taken, or proposed to be taken, to control the Release.
- (3) The Director, Water Services or the Director, Water Resources may require the ~~owner~~ Owner or Person responsible for the Release described in Subsection (1) to:
 - (a) compensate the City for any costs incurred by the City to mitigate the effects of the Release; and
 - (b) submit to the Director, Water Resources a plan setting out how the risk of future similar Releases will be prevented or eliminated.
- (4) Any Person who Releases, or causes or allows to be Released, any Prohibited Material into the ~~Storm Drainage-Stormwater~~ System in contravention of this Bylaw must immediately take all reasonable measures to:
 - (a) mitigate the Release, including but not limited to taking measures to prevent the obstruction of the ~~Storm Drainage-Stormwater~~ System or measures to prevent an Adverse Effect and
 - (b) cover and clearly mark all hoses used to direct Water to the ~~Storm Drainage-Stormwater~~ System to protect the public from injury.
- (5) Nothing in this Section relieves a Person from complying with the requirements of any federal or provincial law or regulation, agency, organization, other bylaw or any requirements of any lawful permit, order or licence.

(13M2012, 2012 March 12)

(15M2006, 2006 January 24)
(57M2009, 2009 November 02)
(7M2015, 2015 February 09)

DIRECTING ~~STORM DRAINAGE~~ STORMWATER

6. (1) Except where an entire Parcel has Negative Drainage, no Person shall allow downspouts, eavestroughing, piping or other means of directing ~~Storm Drainage~~ **Stormwater** or Foundation Drainage on a Parcel to terminate within 2 metres of:
- (a) a Reserve;
 - (b) a Surface Drainage Facility, except where such Surface Drainage Facility is located in a Sideyard; or
 - (c) a Street
- unless authorized to do so by the Director, Water Services.
- (2) No Person shall directly connect or allow direct connection of downspouts, eavestroughing, piping or other means of directing roof drainage to a foundation drain or weeping tile unless authorized to do so by the Director, Water Services.
(7M2015, 2015 February 09)
7. Except in an emergency, no Person shall direct, pump or Release impounded Water from a Parcel to the ~~Storm Drainage-Stormwater~~ System or to property owned or occupied by the City without written consent of the Director, Water Services or the Director, Water Resources.

(15M2006, 2006 January 24)
(57M2009, 2009 November 02)
(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

RETENTION AND TREATMENT

8. The Director, Water Resources may permanently or temporarily require the ~~owner~~ **Owner** or occupant of a Parcel to treat, restrict, impound, manage or otherwise retain Water on such Parcel:
- (a) if Prohibited Materials are likely to directly or indirectly enter the ~~Storm Drainage~~ **Stormwater** from the Parcel; or
 - (b) if the Water from the Parcel is likely to directly or indirectly cause erosion, damage or other Adverse Effect to property owned or occupied by the City; or
 - (c) in order to:
 - (i) control the volume; or
 - (ii) ensure the water quality;

of Water directly or indirectly entering the ~~Storm Drainage~~-Stormwater System.

(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

INTERCEPTORS, DEVICES AND PRACTICES

9. (1) Any Person who owns or occupies a Parcel on which the Director, Water Resources has, pursuant to Section 8, directed an Interceptor, device or practice be implemented in order to control or reduce the amount of runoff or improve water quality or infiltration must:
- (a) keep the Interceptor, device or practice in good working condition at all times;
 - (b) service the Interceptor, device or practice often enough so that it does not become overloaded; and
 - (c) keep a maintenance or inspection record and provide such maintenance or inspection record to the City upon request.
- (2) No Person shall deposit, or cause or allow to be deposited, any residue from an Interceptor, device or practice into the ~~Storm Drainage~~-Stormwater System.
- (15M2006, 2006 January 24)
(57M2009, 2009 November 02)
(7M2015, 2015 February 09)

USE AND RE-USE OF ~~STORM DRAINAGE~~ STORMWATER OR FOUNDATION DRAINAGE

10. (1) ~~Storm Drainage~~-Stormwater or Foundation Drainage must not be used or re-used for any purpose without written approval from the Director, Water Resources or the Director, Water Services.
- (2) The Director, Water Resources or the Director, Water Services may impose conditions on an approval granted for ~~Storm Drainage~~-Stormwater or Foundation Drainage re-use, including any of the following:
- (a) limits on the types of applications for which ~~Storm Drainage~~-Stormwater or Foundation Drainage may be re-used;
 - (b) requirements on applications, risks, volumes, and any other information the Director, Water Resources or the Director, Water Services may require.
- (3) Notwithstanding subsections (1) and (2), the approval of the Director, Water Resources or the Director, Water Services is not required for the use of ~~Storm~~

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~~Drainage-Stormwater~~ captured by one or more water barrels located above ground and intended for outdoor use.

(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

INTERFERENCE WITH THE ~~STORM DRAINAGE-Stormwater~~ SYSTEM

11. (1) Any Person who owns or occupies a Parcel on which a Surface Drainage Facility is located must ensure that:
- (a) no building or other structure is constructed, erected, placed or allowed to remain on or over the Surface Drainage Facility; and
 - (b) the Surface Drainage Facility remains clear of soil, silt, Yard Waste, debris, ice, snow or other matter which may obstruct, restrict or prevent the flow of ~~Storm Drainage-Stormwater~~ within the Surface Drainage Facility or the ~~Storm Drainage-Stormwater~~ System.
- (2) Notwithstanding Subsection (1), a fence may be constructed over a Surface Drainage Facility provided there is a vertical clearance over the top of the Surface Drainage Facility of at least 0.15 meters (6 inches).
- (3) No Person, unless authorized by the Director, Water Services or the Director, Water Resources, shall obstruct, restrict or prevent:
- (a) access to the ~~Storm Drainage-Stormwater~~ System; or
 - (b) flow of ~~Storm Drainage-Stormwater~~ into or within the ~~Storm Drainage-Stormwater~~ System.
- (4) No Person, unless authorized by the Director, Water Services or the Director, Water Resources, shall alter, remove or change, either temporarily or permanently, any part of the ~~Storm Drainage-Stormwater~~ System.
- (5) A Person must not, unless authorized by the Director, Water Services or the Director, Water Resources make or create a Surface Drainage Facility that connects to the ~~Storm Drainage-Stormwater~~ System.
- (6) A Person must not, unless authorized by the Director, Water Services or the Director, Water Resources,
- (a) enter; or
 - (b) place or remove any plant, animal or object in or from;

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any facility or structure that is part of the-Stormwater System, including a storm pond.

- (7) A Person must not fish from a storm pond.

(57M2009, 2009 November 02)
(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

COMPLIANCE WITH INSTRUMENTS REGISTERED ON TITLE

12. The ~~owner~~ Owner of a Parcel shall comply with the terms and conditions of any easement, utility right-of-way, caveat, restrictive covenant, or any other document that has been registered on the title of the Parcel to protect the ~~Storm Drainage-Stormwater~~ Storm Drainage-Stormwater System, including a drainage structure, swale, ditch or other Surface Drainage Facility, or the stability of a slope.

(13M2012, 2012 March 12)

CONNECTIONS

13. (1) No Person shall make, alter or remove, or permit the making, alteration or removal of, any Connection to the ~~Storm Drainage-Stormwater~~ Storm Drainage-Stormwater System without the written approval of the Director, Water Services.
- (2) Applications for the installation, alteration or removal of a Connection shall be made in writing to the Director, Water Services.
- (3) The Director, Water Services may approve the installation, alteration or removal of a Connection upon such terms and conditions as the Director, Water Services considers necessary including but not limited to compliance with The City of Calgary's Utility Site Servicing Bylaw and the payment in advance of the cost or estimated cost of the installation, alteration or removal of the Connection.
- (4) The installation, alteration or removal of a Connection shall be carried out at the expense of the applicant.
- (5) No Person shall re-use a Connection that has been discontinued, altered or removed without first obtaining the written consent of the Director, Water Services.
- (6) Where the use of a Connection is discontinued, the ~~owner~~ Owner of the Premises which was serviced by such Connection shall immediately notify the Director, Water Services in writing and the ~~owner~~ Owner shall pay to the City, in advance, the cost of disconnection.
- (7) A Person is required to report to the City any connection or equipment located on a Premises that does not comply with the requirements of this Bylaw.

(15M2006, 2006 January 24)

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(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

DISCONNECTIONS

14. (1) The Director, Water Services may, in addition to any other remedy available, disconnect or seal off the Parcel from the ~~Storm Drainage~~ Stormwater System or take such other action as is necessary to prevent a Release of ~~Storm Drainage~~ Stormwater, Foundation Drainage or Water from entering the ~~Storm Drainage~~ Stormwater System where the "Release":
- (a) contains a Prohibited Material;
 - (b) creates an immediate danger to any Person;
 - (c) interferes with or endangers the operation of the ~~Storm Drainage~~ Stormwater System; or
 - (d) may otherwise cause or result in an Adverse Effect.
- (2) Where the Director, Water Services has taken action pursuant to subsection (1), such action may be maintained or continued until evidence satisfactory to the Director, Water Services has been produced to assure that no further harmful "Release" will be made.
- (3) Where the Director, Water Services has taken action pursuant to subsection (1), the Director, Water Services may, by notice in writing, advise the ~~owner~~ Owner or occupier of the Premises from which the "Release" was emanating, of the cost of taking such action and the ~~owner~~ Owner or occupier shall forthwith reimburse the City for all such costs which were incurred.

(15M2006, 2006 January 24)
(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

AUTHORITY OF DIRECTORS

15. (1) The Director, Water Resources may delegate any or all of the powers granted to the Director, Water Resources pursuant to this Bylaw.
- (2) The Director, Water Services may delegate any or all of the powers granted to the Director, Water Services pursuant to this Bylaw.
- (3) The Director, Water Resources may:

- (a) establish any conditions or requirements of an approval or permit to Release Water to the ~~Storm Drainage-Stormwater~~ System, including but not limited to:
 - (i) testing, monitoring or reporting requirements;
 - (ii) equipment or equipment maintenance or inspection requirements;
 - (iii) filtration, settling or other treatment requirements;
 - (b) order the testing of any Release to the ~~Storm Drainage-Stormwater~~ System;
 - (c) establish fees for approvals or permits;
 - (d) require the ~~owner~~ Owner or occupier of a Parcel to submit a plan to the satisfaction of the Director setting out how Releases from the Parcel will not cause an Adverse Effect; and
 - (e) impose conditions or requirements upon the ~~owner~~ Owner or occupier of a Parcel to prevent Releases from the Parcel from causing an Adverse Effect.
- (4) Notwithstanding any other provision in this Bylaw, the Director, Water Resources may establish rates, volumes, locations or other conditions for Releases, including but not limited to:
- (a) overland flows to a City owned Parcel, including a Reserve;
 - (b) Releases into a ~~Storm Drainage-Stormwater~~ System, and
 - (c) Releases to a Street.

(15M2006, 2006 January 24)
(57M2009, 2009 November 02)
(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

STORMWATER SERVICE CHARGE

(58M2018, 2019 January 01)

- 15.1 (1) In addition to any other fee or charge set out in this Bylaw, the ~~owner~~ Owner of a Premises which is located within the boundaries of the City and connected to the Wastewater System must pay a Stormwater Service Charge to the City in accordance with Schedule "B".

(58M2018, 2019 January 01)

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- (2) The Director, Water Resources may establish a system for the billing and collection of any rates, charges and fees in connection with the ~~Storm Drainage~~ Stormwater System.
- (3) The Director, Water Resources may establish rates, charges or fees for any work done or service or material supplied for the construction, installation, Connection, disconnection or replacement of any of the following:
 - (a) any part of the ~~Storm Drainage-Stormwater~~ System;
 - (b) any part of a Person's drainage system located on private property.
(7M2015, 2015 February 09)
- (4) In the event of default of payment of any fee or charge imposed pursuant to this bylaw or any amount due and payable to the City for anything done pursuant to this Bylaw, the Director, Water Resources may enforce the collection of amounts owing by:
 - (a) discontinuing water supplied, pursuant to the Water Utility Bylaw 40M2006, to the Premises associated with the amounts owing;
 - (b) commencing an action against the Owner of the Premises associated with the amounts owing;
 - (c) entering the amount owing to the City on the tax roll of the Premises associated with the amounts owing; or
 - (d) all of the above.

APPROVALS AND REQUIREMENTS

- 16. (1) A Person to whom a written approval or requirement has been issued pursuant to this Bylaw shall ensure every provision and condition of that approval or requirement is complied with.
- (2) Every Person who relies on a written approval issued pursuant to this Bylaw has the onus of proving that they were the holder of a valid and subsisting approval.
- (3) A written approval given by the Director, Water Resources or the Director, Water Services pursuant to this Bylaw, or an agreement entered into by the Director, Water Resources or Director, Water Services pursuant to this Bylaw, must be available for inspection on the request of either of the Directors or on the request of an Officer.

(13M2012, 2012 March 12)

INSPECTIONS

17. Subject to the entry notice provisions of the *Municipal Government Act*, a designated officer of the City, bearing proper identification, may inspect, observe, measure, sample and test the Water, Foundation Drainage or ~~Storm Drainage~~ Stormwater on any Premises in order to determine whether or not this Bylaw or an approval granted pursuant to this Bylaw is being complied with.

(13M2012, 2012 March 12)

REMEDIAL ORDERS

18. (1) Where:

- (a) the Director, Water Resources;
- (b) the Director, Water Services; or
- (c) an Officer;

believes a Person has contravened any provision of this Bylaw, he or she may issue to the Person a Remedial Order, pursuant to section 545 of the *Municipal Government Act* and in accordance with Part 2 of The City of Calgary Community Standards Bylaw Number 5M2004, to remedy the infraction.

- (2) Every Remedial Order written with respect to this Bylaw must:

- (a) indicate the Person to whom it is directed;
- (b) identify the property to which the Remedial Order relates by municipal address or legal description;
- (c) identify the date that it is issued;
- (d) identify how the Premises fails to comply with this Bylaw;
- (e) identify the specific provisions of the Bylaw the Premises contravenes;
- (f) identify the nature of the remedial action required to be taken to bring the Premises into compliance;
- (g) identify the time within which the remedial action must be completed;
- (h) indicate that if the required remedial action is not completed within the time specified, the City may take whatever action or measures are necessary to remedy the contravention;

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- (i) indicate that the expenses and costs of any action or measures taken by the City under this Section are an amount owing to the City by the Person to whom to order is directed;
 - (j) indicate that the expenses and costs referred to in this Section may be attached to the tax roll of the property if such costs are not paid by a specified time;
 - (k) indicate that an appeal lies from the Remedial Order to the Licence and Community Standards Appeal Board, if a notice of appeal is filed in writing with the City Clerk within fourteen days of the receipt of the Remedial Order.
- (3) A Remedial Order written pursuant to this Bylaw may be served personally upon the ~~owner~~ Owner of the Premises to which it relates, or it may be left with a Person apparently over the age of 18 years at the Premises.
- (4) If, in the opinion of the Director, Water Resources, the Director, Water Services or an Officer, service of the Remedial Order cannot be reasonably affected, or if the Director, Water Resources, the Director, Water Services or the Officer believes that the ~~owner~~ Owner of the Premises is evading service, the Remedial Order may be posted in a conspicuous place on the Premises to which the Remedial Order relates, or on the private dwelling place of the owner of the Premises, as registered at the Land Titles Office or on the municipal tax roll for the Premises, and the Remedial Order shall be deemed to be served upon the expiry of three (3) days after the Remedial Order is posted.
- (5) Every Person who fails to comply with a Remedial Order issued pursuant to this Bylaw within the time set out in the Remedial Order commits an offence.

(50M2011, 2011 September 19)
(7M2015, 2015 February 09)

INTERFERENCE WITH CITY FORCES

19. No Person shall hinder, interrupt or cause to be hindered any employee of the City or its contractors, servants and agents or workers, in the exercise of the powers or duties as authorized or required in this Bylaw.

RECOVERY OF COSTS

- 19.1 The ~~owner~~ Owner or occupier of a Premises is responsible for all costs associated with any of the following:

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- (a) the implementation of any measures taken, or required to be taken with respect to the Premises, to meet the requirements of this Bylaw with respect to the Premises or to remediate, mitigate or prevent an Adverse Effect;
- (b) damage or harm to the ~~Storm Drainage-Stormwater~~ System resulting from the ~~owner~~ Owner's or occupier's contravention of the requirements of this Bylaw.

(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

OFFENCES AND PENALTIES

20. (1) Any Person who contravenes any provision of this Bylaw by:
- (a) doing any act or thing which the Person is prohibited from doing; or
 - (b) failing to do any act or thing which the Person is required to do, including:
 - (i) failing to comply with a requirement **or condition** imposed by the Director, Water Resources or the Director, Water Services;
 - (ii) failing to comply with a requirement or condition of a written approval or permit given by the Director, Water Resources or the Director, Water Services; or
 - (iii) failing to comply with a requirement or condition of an agreement entered into by the Director, Water Resources or the Director, Water Services with the Person;

is guilty of an offence.

- (1.1) Any offence created pursuant to this Bylaw is a strict liability offence for the purposes of prosecution under this Bylaw.
- (2) Any Person who is convicted of an offence pursuant to this Bylaw is liable for every day or part thereof upon which such offence occurs or continues, on summary conviction to a fine not exceeding \$10,000 or imprisonment for not more than one year, or both, and in default of payment of any fine imposed, to imprisonment for a term not exceeding one (1) year.
- (3) Where an Officer believes that a Person has contravened any provision of this Bylaw, the Officer may, in addition to any other remedy at law, serve upon the Person a violation ticket, in the form provided under the Provincial Offences Procedure Act.

- (4) Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.
- (5) Where there is a minimum penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the minimum penalty for the offence.
- (6) Notwithstanding specified and minimum penalties set out in Schedule "A" to this Bylaw:
 - (a) where a Person contravenes the same provision of this Bylaw twice within one twelve 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 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 or more times within one twelve 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 or more times within one twelve month period, the minimum penalty for the third and subsequent convictions shall be triple the amount of the minimum penalty for a first offence.
- (7) 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.
- (8) 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 from which that Person is liable under the provisions of this Bylaw or any other bylaw.

(7M2015, 2015 February 09)

- 20.1
- (1) For the purposes of this section, "owner", "driving" and "motor vehicle" have the same meaning as set out in the Traffic Safety Act, R.S.A. 2000, c. T-6;
 - (2) If a motor vehicle is involved in an offence described in this Bylaw, the owner of the motor vehicle is guilty of the offence.

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- (3) Subsection (2) does not apply if the owner of the motor vehicle satisfies the Court that:
- (a) the owner was not driving the motor vehicle at the time of the offence; and
 - (b) the person driving the motor vehicle at the time of the offence did not have the owner's express or implied consent to have care and control of the motor vehicle.
- (4) Despite subsection (2), if the owner was not driving the motor vehicle at the time of the offence, the owner is not liable for imprisonment.

(13M2012, 2012 March 12)

CONSEQUENTIAL AMENDMENTS

21. (1) The City of Calgary Street Bylaw 20M88, as amended, is hereby further amended by repealing section 19.
- (2) REPEALED BY 14M2012, 2012 MARCH 12.
- (3) REPEALED BY 14M2012, 2012 MARCH 12.
22. Bylaw Number 26M98, as amended, is hereby repealed.

COMMENCEMENT

23. This Bylaw comes into force on 2005 September 01.

READ A FIRST TIME THIS 4TH DAY OF JULY, 2005.

READ A SECOND TIME THIS 4TH DAY OF JULY, 2005.

READ A THIRD TIME THIS 4TH DAY OF JULY, 2005.

(Sgd.) D. Bronconnier
MAYOR

(Sgd.) B. Clifford
ACTING CITY CLERK

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SCHEDULE "A"

SPECIFIED AND MINIMUM PENALTIES

SECTION	OFFENCE	MINIMUM PENALTY 1st offence	SPECIFIED PENALTY 1st offence
4(1)	Release a Prohibited Material	\$500	\$3000
4(2)	Release impounded Water	\$500	\$1500
4(3)(b)	Release exceeding 3000 L	\$75	\$500
4(3)(e)	Release without permit	\$500	\$1500
5(1)(a),(b)(c), or (d)	Fail to notify of Release	\$75	\$500
5(4)(a)	Fail to mitigate prohibited Release	\$500	\$3000
5(4)(b)	Fail to cover or clearly mark hoses	\$75	\$200
6(1)	Allow termination within 2m	\$75	\$300
6(2)	Connect directly to foundation drain or weeping tile	\$75	\$500
7	Pump or direct Water from a Parcel	\$500	\$1500
8	Fail to treat, restrict, impound, manage or retain as required by the Director, Water Resources	\$500	\$3000
9(1)(a)	Fail to maintain Interceptor, device or practice	\$500	\$1500
9(1)(b)	Fail to service Interceptor, device or practice	\$500	\$1500
9(1)(c)	Fail to keep or provide a record	\$75	\$200
9(2)	Deposit residue	\$500	\$3000
10(1)	Unauthorized use of Storm Drainage Stormwater	\$500	\$1000
11(1)(a)	Allow structure on or over a Surface Drainage Facility	\$500	\$1500
11(1)(b)	Fail to ensure Surface Drainage Facility remains clear of debris	\$500	\$1500
11(2)	Insufficient clearance over a Surface Drainage Facility	\$500	\$1500

January 7, 2021
Version 4
1764789

SECTION	OFFENCE	MINIMUM PENALTY 1st offence	SPECIFIED PENALTY 1st offence
11(3)(a)	Restricting access to Storm Drainage Stormwater System	\$500	\$1500
11(3)(b)	Restricting Flow into or within Storm Drainage Stormwater System	\$500	\$1500
11(4)	Altering, removing or changing Storm Drainage Stormwater System	\$500	\$1500
11(5)	Make or create Surface Drainage Facility	\$500	\$1500
11(6)	Enter, or place or remove a plant, animal or objects in or from, a Stormwater System structure or facility	\$500	\$1500
11(7)	Fish from a storm pond	\$500	\$1500
12	Fail to comply with an easement	\$200	\$500
13(1)	Unauthorized Connection to Storm Drainage Stormwater System	\$500	\$1500
13(5)	Unauthorized re-use of Connection	\$500	\$1500
13(6)	Failure to notify Director of discontinuation	\$75	\$300
16(1)	Fail to comply with requirement or condition of approval	\$500	\$1500
16(3)	Fail to produce approval.	\$100	\$200
18(5)	Fail to comply with Remedial Order	\$250	\$1000
19	Hindering authorized City employee	\$500	\$1000
20(1)(b)(i)	Failing to comply with a requirement or condition of the Director, Water Resources or Director, Water Services	\$500	\$1500
20(1)(b)(ii)	Failing to comply with a requirement or condition of a written approval or permit	\$500	\$1500
20(1)(b)(iii)	Failing to comply with a requirement or condition of an agreement	\$500	\$1500

(57M2009, 2009 November 02)
(13M2012, 2012 March 12)
(7M2015, 2015 February 09)

SCHEDULE "B"

STORMWATER SERVICE CHARGE

The rates or charges described in this Schedule are shown for the years 2019, 2020, 2021, and 2022, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

Monthly rates or charges described in this Schedule are based on a thirty (30) day period. The amount billed must be established by dividing the applicable monthly rate or charge by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Stormwater Service Charge (\$ per 30 days)	\$15.43	\$15.63	\$16.21	\$16.61

(47M2016, 2017 January 01)
(58M2018, 2019 January 01)
(41M2019, 2019 November 29)

DISCUSSION DOCUMENT

Draft Wastewater Bylaw 14M2012 showing proposed changes in red text.

Note: this is not the amending bylaw.

BYLAW NUMBER 14M2012

**BEING A BYLAW OF THE CITY OF CALGARY
TO REGULATE WASTEWATER**

(Amended by 38M2013, 61M2014, 9M2015, 45M2016, 56M2018, 42M2019)

WHEREAS the Municipal Government Act, R.S.A. 2000, c. M-26 provides that Council may pass bylaws for municipal purposes respecting the safety, health and welfare of people, services provided by or on behalf of the municipality, public utilities and the enforcement of bylaws;

AND WHEREAS Council has approved and adopted the recommendations in Report UCS2012-04 and deems it desirable to manage wastewater within The City of Calgary in compliance with environmental and regulatory guidelines;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

**PART I:
DEFINITIONS AND INTERPRETATION**

Short Title

1. This *Bylaw* may be referred to as the “*Wastewater Bylaw*”.

Purpose

2. The purposes of this *Bylaw* include the following:
 - (a) to protect the *wastewater system* and its processes from damage, obstruction, toxic upset, or loss of efficiency;
 - (b) to protect *The City’s* employees and the public from exposure to hazardous conditions;
 - (c) to control the flow and composition of *releases* of *wastewater* and *substances* to the *wastewater system*;
 - (d) to provide for a system of rates, fees and charges for various types of use of the *wastewater system*;
 - (e) to provide for a system of *permits* or other permissions that facilitate the imposing of conditions on *releases* to the *wastewater system*.

Definitions

3. The following definitions apply in this *Bylaw*:

“*accredited laboratory*” means a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc., the Standards Council of Canada, or an accrediting body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement, using the criteria and procedures outlined in “ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories” established by the International Organization for Standardization;”

“*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;
- (iv) the *wastewater system*.

“*apartment building*” means a single building comprised of five or more dwelling units with shared entrance facilities;

“*biological substance*” means a *substance* from hospitals, medical clinics, medical laboratories, dental laboratories, dental clinics, health care facilities, necropsy facilities, research laboratories, biological research facilities, or from other similar facilities, which cannot be treated to acceptable levels by the *wastewater* treatment process, and which may contain either a pathogenic *substance* or an experimental biological substance;

“*biosolid*” means a solid or semi-solid *substance* produced from *wastewater* treatment processes that may be beneficially recycled;

“*BOD*” or “*biochemical oxygen demand*” means the quantity of oxygen utilized in the oxidation of matter under standard laboratory conditions for 5 days at 20 degrees Celsius as set out in *Standard Methods*;

“*BTEX*” means the total of benzene, toluene, ethyl benzene, and xylenes;

“*Bylaw*” means the *Wastewater Bylaw*, described in section 1, as amended from time to time;

“*Bylaw Enforcement Officer*” means a *person* appointed pursuant to Bylaw 60M86 to enforce the provisions of this *Bylaw* and other bylaws of *The City*;

“*CAN/CSA B481*” refers to the 2007 edition of the Canadian Standards Association publication titled ‘Grease Interceptors’;

“*City Manager*” means the *person* appointed by the *Council* of *The City* as its chief administrative officer, or that *person’s* designate;

“*clear water waste*” means water originating from sources other than *wastewater* streams and includes the following:

- (i) roof and *foundation drainage*;
- (ii) remediated *groundwater*;
- (iii) impounded ~~storm drainage~~ *stormwater* or impounded *groundwater*;
- (iv) *non-contact cooling water*;
- (v) a *release* as directed by Alberta Environment;

“*COD*” or “*chemical oxygen demand*” means the quantity of oxygen utilized in the chemical oxidation of matter as set out in *Standard Methods*;

“*common wastewater service*” means a *wastewater* service provided to 2 or more *premises* by means of a single *connection*;

“*connection*” means a pipe or conduit installed between a *premises* and the *wastewater system* for the purpose of draining *wastewater* from the *premises*;

“*Council*” means the municipal council of *The City*;

“*Customer*” means any *person*, any other municipal corporation, the Government of Alberta, or the Government of Canada, whose property is connected to the *wastewater system* or any lessee or occupant of such property, or any *person* who requests *wastewater* services or has applied for an account or is otherwise responsible for paying such account for *wastewater* services;

“*Director*” refers to the *Director, Water Resources* or the *Director, Water Services*, whichever term is used immediately before it within the same section;

“*Director, Water Resources*” means the *City Manager* or the *City Manager’s* designate;

“*Director, Water Services*” means the *City Manager* or the *City Manager’s* designate;

“*domestic wastewater*” means *wastewater* generated from *premises* as a result of human living processes, including cooking, cleaning, washing, drinking or other domestic activities;

“*effluent meter*” means a device that measures the volume of *wastewater released* into *The City’s wastewater system*;

“*emergency*” includes a situation in which there is imminent danger to public safety or of serious harm to property;

“*Environmental Protection and Enhancement Act*” means the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12 and all regulations adopted under the *Environmental Protection and Enhancement Act*;

“*extra strength wastewater*” means *wastewater* that contains one or more of the *substances* described in Column 1 in Schedule “C” in excess of the concentration limits set for those *substances* in Column 2 of Schedule “C”;

“*flammable liquid*” means a *substance* that is a liquid, or a mixture of liquids, or a liquid containing solids that has a flash point of not more than 61 degrees Celsius as determined by the American Society for Testing Materials method D93-08 for flash point by the Pensky-Martens closed cup tester;

“*FOG*” or “*Fats, Oils, and Grease*” means organic matter extracted by n-hexane using the partition gravimetric procedure set out in *Standard Methods*;

“*foundation drainage*” means water collected beneath the surface of the ground by a foundation drain or weeping tile;

“*grab sample*” means a single sample of *wastewater*, *clear water waste* or *groundwater* collected at a specific time and at a specific location;

“*groundwater*” means all water under the surface of the ground;

“*hauled wastewater*” means *wastewater*, *septage*, *FOG* or *waste residue* that is transported by a vehicle to a designated site for disposal to the *wastewater system* ;

“*hazardous substance*” means a *substance* that is either a hazardous substance or a hazardous waste, or has the properties of hazardous waste as described in the *Environmental Protection and Enhancement Act*;

“*hydrocarbons*” means non-polar organic matter extracted by n-hexane using the partition gravimetric procedure set out in *Standard Methods*;

“*ICI premises*” means industrial, commercial or institutional *premises*;

“*interceptor*” means a type of *pre-treatment system*;

“*ISO 11143*” means the standard ISO/FDIS 11143: (2008) for “Dental equipment-Amalgam *separators*” established by the International Organization for Standardization;

“*manifest*” means the documentation accompanying *hauled wastewater*;

“monitoring access point” means an access point in or on a *premises* that allows for the observation, sampling and flow measurement of *wastewater* entering the *wastewater system*, and includes a *test manhole*;

“multi-family residential metered” means:

- (i) a *premises* used for residential purposes containing five or more dwelling units that are not individually metered by *The City*; or
- (ii) an *apartment building* regardless of how the *apartment building* is metered;

“Municipal Government Act” means the *Municipal Government Act*, R.S.A. 2000, C. M-26;

“National Plumbing Code of Canada” means the current edition of the *National Plumbing Code of Canada* published by the Canadian Commission on Building and Fire Codes;

“non-contact cooling water” means water used in a process for the purpose of removing heat and that has not, by design, come into contact with any additional *substance*;

“Nuclear Safety and Control Act” means the *Nuclear Safety and Control Act*, S.C. 1997, c.9; and all regulations adopted under the *Nuclear Safety and Control Act*;

“Officer” includes a *Peace Officer*, a *Bylaw Enforcement Officer* or a member of the Calgary Police Service;

“owner” means a *person* who is one or more of the following:

- (i) the registered owner of the land;
- (ii) a purchaser of the land whose interest as a purchaser is shown on the certificate of title to that land;
- (iii) a tenant or other *person* who is in lawful possession or occupation of any buildings situated on the land;

“PCB” or *“polychlorinated biphenyl”* means any of the following:

- (i) monochlorinated biphenyl;
- (ii) polychlorinated biphenyl;
- (iii) any mixture that contains either (i) or (ii),
- (iv) any mixture that contains both (i) and (ii);

“*Peace Officer*” means a *person* appointed pursuant to the *Peace Officer Act*, S.A. 2006, c. P-3.5;

“*permit*” means a form of approval, in writing, issued by either the *Director, Water Resources* or the *Director, Water Services*, as applicable;

“*person*” means any of the following:

- (i) an individual;
- (ii) a legal entity or business entity, including a firm, association, partnership, society or corporation;
- (iii) a trustee, executor, administrator, agent or employee of either (i) or (ii);

“*pesticide*” means a pesticide as defined and regulated in the *Environmental Protection and Enhancement Act*;

“*pharmaceutical*” means prescription and non-prescription drugs;

“*premises*” means any one or more of the following:

- (i) land;
- (ii) a building or a structure;
- (iii) both (i) and (ii);
- (iv) part of (i) or (ii);
- (v) *ICI premises*;

“*pre-treatment system*” means a treatment system or device that is designed to remove *substances* or contaminants from *wastewater* produced on site before that *wastewater* passes into the *wastewater system*, and includes *interceptors*, *separators* and *sumps*;

“*private wastewater system*” means a privately owned system for the collection, treatment and disposal of *wastewater*, and may include a septic tank with an absorption field or other approved means of disposal;

“*prohibited substance*” means any of the *substances* described in Schedule “A” of this *Bylaw*;

“*Provincial Offences Procedure Act*” means the *Provincial Offences Procedure Act*, R.S.A. 2000, c. P-34;

“*qualified person*” means a *person* who is qualified to determine the truthfulness, accuracy and completeness of information relating to a specific subject matter because the *person* possesses either one, or both, of the following:

- (i) a recognized degree, certificate, or professional standing in respect of the subject matter;
- (ii) extensive knowledge, training, and experience in respect of the subject matter;

“*radioactive material*” means a nuclear *substance* as defined in the *Nuclear Safety and Control Act*;

“*reclaimed water*” means *wastewater* that has been treated at a *City* facility to a specific standard and distributed for a specific use

“*release*” means:

- (i) to directly or indirectly conduct a *substance* to the *wastewater system* or a watercourse by spilling, discharging, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means; or
- (ii) a spill, discharge, disposal, abandonment, deposit, leak, seep, pour, drain or emptying of a *substance* into the *wastewater system* or a watercourse;

“*Remedial Order*” means a remedial order written pursuant to section 545 of the *Municipal Government Act*;

“*residential metered*” means a *premises* used for residential purposes:

- (i) containing one or more dwelling units that are individually metered by *The City*; or
- (ii) containing less than five dwelling units regardless of how each dwelling unit is metered by *The City*;

but does not include an *apartment building*;

“*restricted substance*” means a *substance* described in Column 1 of Schedule “B” of this *Bylaw*;

“*return factor*” means the adjustment factor applied to convert a volume of water, as measured by a *water meter*, into a volume of *wastewater* by subtracting the volume of water not returned to the *wastewater system*;

“*separator*” means a type of *pre-treatment system*;

"Safety Codes Act" means the Alberta Safety Codes Act, c. S-1 R.S.A. 2000 and all regulations adopted under the Alberta Safety Codes Act;

"septage" means *wastewater* removed from a cesspool, septic tank system, privy vault or privy pit, chemical toilet, portable toilet, or other *wastewater* holding structure;

"Standard Methods" means the analytical and examination procedures set out in the current edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association and the Water Environment Federation;

"~~storm-drainage~~ *stormwater*" means runoff that is the result of rainfall or other natural precipitation or runoff that results from the melting of snow or ice;

"~~storm-drainage~~ *stormwater* system" means the system for collecting, storing, treating, transporting or disposing of ~~storm-drainage~~ *stormwater*, but does not include plumbing or service connections in premises;

"substance" means any one or more of the following:

- (i) any solid matter;
- (ii) any liquid matter;
- (iii) any gaseous matter;
- (iv) any sound, vibration, heat, radiation or other form of energy;
- (v) any combination of (i), (ii), (iii) or (iv);

"sump" means a device that traps large, heavy solids from the *wastewater* before the *wastewater* is released into the *wastewater* system or ~~storm-drainage~~ *stormwater* system;

"test manhole" means a type of *monitoring access point*;

"The City" means the municipal corporation of The City of Calgary;

"TKN" or "Total Kjeldahl Nitrogen" means organically bound nitrogen plus ammonia nitrogen, as determined by procedures approved by the *Director, Water Resources*;

"TN" or "total nitrogen" means TKN plus nitrates and nitrites, as determined by procedures approved by the *Director, Water Resources*;

“*TP*” or “*total phosphorus*” measures all forms of phosphorus, including orthophosphate, condensed phosphate, and organic phosphate, as determined by procedures approved by the *Director, Water Resources*;

“*TSS*” or “*total suspended solids*” means an insoluble *substance* or *substances* in liquid that is removable by filtration, as determined by the appropriate procedure described in *Standard Methods*;

“*waste residue*” means all substances removed from *wastewater* by a *pre-treatment system*;

“*wastewater*” means the composite of water and water-carried *substances released* from *premises* or from any other source;

“*wastewater agreement*” means an agreement governing any of the following:

- (i) conditions related to the *release of wastewater* from a *premises* to the *wastewater system*; or
- (ii) conditions related to *connection* of a *premises* to the *wastewater system*;

“*wastewater charge*” means a charge levied pursuant to the provisions of this *Bylaw* that:

- (i) is based on a 30 day period where the amount billed is determined by dividing the applicable charge by 30 to derive the daily rate and multiplying the daily rate by the actual number of days in the billing period; and
- (ii) does not include a *wastewater surcharge*;

“*wastewater information report*” means a report containing information for the purpose of evaluating *wastewater released* from *ICI premises*;

“*wastewater treatment facility*” means a facility that stores, treats and disposes of *wastewater*, but which is not part of the *wastewater system*;

“*wastewater surcharge*” means an additional charge levied pursuant to the provisions of this *Bylaw*;

“*wastewater system*” means the system for the collection, transmission, treatment and disposal of *wastewater* owned and operated by *The City*.

“*water meter*” means a device owned and installed by *The City* that measures the volume of water used in a *premises*.

Interpretation

4. (1) Wherever a word used in this *Bylaw* is italicized, the term is being used as it is defined in section 3, and where any word appears in regular font, its common meaning in the English language is intended.
- (2) A word or expression and grammatical forms of the same word or expression have corresponding meanings.
- (3) Headings or sub-headings are inserted for ease of reference and guidance purposes only and do not form part of this *Bylaw*.
- (4) Where this *Bylaw* cites or refers to any other Act, bylaw, agency, organization, regulation or publication, the citation or reference is to the Act, bylaw, agency, organization, regulation or publication as amended, whether amended before or after the commencement of this *Bylaw*, and includes reference to any Act, bylaw, agency, organization, regulation or publication that may be substituted in its place.
- (5) Each provision of this *Bylaw* is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this *Bylaw* remain valid and enforceable.
- (6) All schedules attached to this *Bylaw* form a part of this *Bylaw*.

(9M2015, 2015 February 09)

Compliance With Other Laws

5. Nothing in this *Bylaw* relieves a *person* from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.

PART II: GENERAL

Wastewater Treatment Facilities

6. (1) A *person* must not install or operate a *wastewater treatment facility* that treats *wastewater* from a source external to that *wastewater treatment facility* unless:
 - (a) the *person* obtains written approval from either the *Director, Water Resources* or the *Director, Water Services*, and

- (b) the *person* complies with all conditions or requirements as required by the *Director* for the installation and operation of the *wastewater treatment facility*.
- (2) If all conditions or requirements as required by the *Director* pursuant to subsection (1) are not complied with, the *Director* may, considering the severity of the breach or breaches of compliance with the conditions or requirements, do any of the following:
 - (a) issue a *Remedial Order*;
 - (b) suspend the written approval for a period of time to be determined by the *Director* in the *Director's* discretion;
 - (c) revoke the written approval.
- (3) If a written approval to install or operate a *wastewater treatment facility* is suspended or revoked by the *Director* pursuant to subsection (2), the *Director* will notify the *person* of the suspension or revocation and the reasons for it by:
 - (a) delivering a notice to the *person*, or that *person's* representative, personally; or
 - (b) mailing a registered letter to the *person's* place of business as shown on the *person's* application for a written approval to install or operate a *waste treatment facility*.
- (4) A suspension or revocation issued by the *Director* pursuant to subsection (2) may be appealed to the Licence and Community Standards Appeal Board in accordance with the Licence and Community Standards Appeal Board Bylaw 48M2007 by filing a notice of appeal with the City Clerk not later than 14 days after the day on which the suspension or revocation was issued.

(9M2015, 2015 February 09)

Obligations of Owner

- 7. (1) If a *wastewater service connection* is made or continued pursuant to this *Bylaw*, an *owner* of a *premises* must do all of the following:
 - (a) provide the *wastewater connection* from the property line, or from the boundary of an easement granted by *The City* for the *wastewater system*, to the *owner's* plumbing system;
 - (b) ensure that the *connection* referred to in subsection (a) complies with the provisions of this *Bylaw*;

- (c) ensure that the *connection* referred to in subsection (a) and the remainder of the *owner's* plumbing system complies with the *Safety Codes Act*;
 - (d) ensure that any permits, inspections or approvals required pursuant to the *Safety Codes Act*, the *Environmental Protection and Enhancement Act*, or any bylaw or any other applicable legislation, have been conducted or obtained and are valid and subsisting prior to *connection* to the *wastewater system*;
- (2) An *owner* of a *premises* that is serviced by a *wastewater connection* must notify the *Director, Water Services* in writing when the *wastewater connection* is being discontinued and requires disconnection.
- (3) An *owner* is responsible for all costs associated with any of the following:
- (a) the implementation of any measures taken, or required to be taken, by either the *owner* or *The City* to meet the requirements of this *Bylaw*;
 - (b) damage or harm to the *wastewater system* resulting from the *owner's* contravention of the requirements of this *Bylaw*.

(9M2015, 2015 February 09)

Obligation to Report

8. A *person* is required to report to *The City* any connections or equipment located on a *premises* that do not comply with the requirements of the *Safety Codes Act* or this *Bylaw*.

Limitation on Liability

9. *The City* is not liable for damages or loss suffered by any *person* due to the operation of the *wastewater system*, unless such damages or loss are shown to be directly due to the negligence of *The City* or its employees, and without limiting the generality of the foregoing, *The City* will not be liable for damages or loss resulting from any of the following:
- (a) the settlement of an excavation or trench made for the purpose of installing, maintaining or repairing any part of the *wastewater system*, or any damage or loss resulting from that settlement;
 - (b) a break of a *wastewater* main or *connection*;
 - (c) the disruption of the *wastewater system* when the disruption is necessary for the repair or maintenance of the *wastewater system*;

- (d) the disruption of the *wastewater system* in the event of an *emergency*.

Requirements of Written Approvals or Agreements

10. (1) A written approval or *permit* given by the *Director, Water Resources* or the *Director, Water Services* pursuant to this *Bylaw*, or an agreement entered into by the *Director, Water Resources* or the *Director, Water Services* pursuant to this *Bylaw*, must be available for inspection on the request of either of the *Directors* or on the request of an *Officer*.
- (2) A *person* is guilty of an offence pursuant to this *Bylaw* if the *person* does any one or more of the following:
- (a) contravenes a requirement of the *Director*,
- (b) contravenes a requirement or condition of a written approval or *permit* given by the *Director*,
- (c) contravenes a requirement or condition of an agreement entered into by the *Director* with the *person*.
- (3) Every *person* who relies on a written approval or *permit* issued pursuant to this *Bylaw* has the onus of proving that they were the holder of a valid and subsisting approval or *permit*.

(9M2015, 2015 February 09)

PART III: AUTHORITY OF DIRECTORS

Powers of Delegation

11. (1) The *Director, Water Resources* may delegate any or all of the powers granted to the *Director, Water Resources* under this *Bylaw*.
- (2) The *Director, Water Services* may delegate any or all of the powers granted to the *Director, Water Services* under this *Bylaw*.

(9M2015, 2015 February 09)

Disconnections

12. (1) The *Director, Water Services* may do either, or both, of the following:

- (a) take any action required to prevent a *release* from entering the *wastewater system*, including shutting off, disconnecting or sealing off the *wastewater* line at the *premises* from which the *release* is made;
 - (b) continue any action taken under subsection (a) until the *owner* of the *premises* produces sufficient evidence, as may be required by the *Director*, that a *release* having an *adverse effect* will not be made to the *wastewater system* from the *premises*.
- (2) An *owner* of *premises* from which a *release* having an *adverse effect* enters the *wastewater system* is responsible for all costs associated with the *Director's* actions taken pursuant to subsection (1).

(9M2015, 2015 February 09)

13. The *Director, Water Services* may shut off, disconnect or seal off the *wastewater* line at the property line of a *premises* and continue to refuse to provide *wastewater* services to the *premises* if any one or more of the following occurs:

- (a) the *owner* of the *premises* provides false information in an application for a *connection*;
- (b) the *owner* of a *premises* refuses to allow the installation of an *effluent meter*, or other equipment that the *Director* requires to be installed;
- (c) the *owner* of a *premises* fails to comply with a term or condition of a *wastewater agreement*, or other written approval issued pursuant to this *Bylaw*;
- (d) an unsafe condition exists.

(9M2015, 2015 February 09)

Recovery of Overdue Accounts

14. If a *person* defaults on payment of an account that is due and payable based on the rates as described in this *Bylaw* and set out in Schedules "D", "E", "F", "G" or "H" ~~or "I"~~ of this *Bylaw*, or on payment of an account due and payable for anything done by *The City* pursuant to this *Bylaw*, the *Director, Water Resources* may enforce the collection of an account that is overdue by 75 days or more by doing one or more of the following:

- (a) shutting off, disconnecting or sealing off the *wastewater* line to the *premises* to which *wastewater* services are provided;
- (b) bringing an action against the *person* in a court of competent jurisdiction;
- (c) entering the unpaid account on the assessment and tax roll of the *premises* if the *person* is the *owner* of the *premises* receiving *wastewater* services.

(9M2015, 2015 February 09)

PART IV: RATES AND FEES

Authority of Council

15. *Council* must set the rates and fees set out in Schedules “D”, “E”, “F”, “G” and “H” and “I” of this *Bylaw* for the following:
- (a) *wastewater charges* and usage rates;
 - (b) monthly flat rates.

Authority of Directors

16. Subject to section 15, the *Director, Water Services* may establish rates, charges or fees for all the products and services provided pursuant to this *Bylaw*, including any or all of the following:
- (a) fees for inspections, service *connections*, reconnections and disconnections;
 - (b) fees for equipment rentals, or replacement or relocation of equipment;
 - (c) service fees for site visits, maintenance, testing and repairs;
 - (d) fees for collection.
- (9M2015, 2015 February 09)
17. (1) The *Director, Water Resources* may establish a system for the billing and collection of any rates, charges and fees in connection with the *wastewater system*.
- (2) The *Director, Water Resources* may establish rates, charges or fees for any work done or service or material supplied for the construction, installation, connection, disconnection or replacement of any of the following:
- (a) any part of the *wastewater system*;
 - (b) any part of a *person’s* plumbing system located on private property.
- (9M2015, 2015 February 09)

PART V: DISPOSAL

Wastewater

18. (1) The *owner* of a *premises* must dispose of *wastewater* from the plumbing system in the *premises* into one of the following:
- (a) the *wastewater system*;
 - (b) a *private wastewater system*.
- (2) A *person* must not dispose of any *substance* into the plumbing system of a *premises* prior to *connection* of the plumbing system to either the *wastewater system* or a *private wastewater system*.

Clear Water Waste

19. A *person* must not *release*, or allow to be *released*, any *clear water waste* into the *wastewater system* unless:
- (a) the *person* obtains a *permit* from the *Director, Water Services* or the *Director, Water Resources* to *release clear water waste* into the *wastewater system*; or
 - (b) the *clear water waste* is *foundation drainage* that was connected to the *wastewater system* before 1973.

(9M2015, 2015 February 09)

Pool Water

- 19.1 (1) A *person* must not *release*, or allow to be *released*, any *water* from a swimming pool or hot tub, in an amount greater than 3 cubic metres, into the *wastewater system* unless the *person* obtains approval from the *Director, Water Services* or the *Director, Water Resources*.
- (2) In granting approval pursuant to subsection (1), the *Director* may impose any conditions that the *Director* deems necessary.

PART VI: GENERAL PROHIBITIONS

Access to Wastewater System

20. (1) A *person* must not, without prior approval from either the *Director, Water Resources* or the *Director, Water Services*, uncover, open into, break, alter, remove, damage, destroy, or tamper with, or allow the uncovering, opening into,

breaking, altering, removing, damaging, destroying or tampering with any of the following:

- (a) any part of the *wastewater system*;
 - (b) a *monitoring access point*;
 - (c) any permanent or temporary device installed in or on the *wastewater system* for the purposes of flow measuring, sampling, testing, or contamination prevention.
- (2) A *person* must not obstruct or prevent access to a *monitoring access point*, or act in a manner that obstructs or prevents access to a *monitoring access point*, including doing any of the following actions:
- (a) parking a vehicle of any kind over a *monitoring access point*;
 - (b) planting shrubbery, trees or other plants that obstruct or prevent access to a *monitoring access point*;
 - (c) constructing a fence or any other structure that obstructs or prevents access to a *monitoring access point*;
 - (d) piling snow, wood, or any other material on top of a *monitoring access point*;
 - (e) enclosing a *monitoring access point*.
- (3) A *person* must not enter into any chamber, structure, or *premises* associated with the *wastewater system* without prior approval from one of the *Directors*.
- (4) A *person* who contravenes the requirements of this *Bylaw*, and such contravention results in damage or harm to the *wastewater system*, must compensate *The City* for the cost of repair or replacement of any part, or parts, of the *wastewater system* that the *person* damaged or harmed.

(9M2015, 2015 February 09)

Wastewater Re-use

21. (1) *Wastewater* must not be re-used for any purpose without written approval from both:
- (a) the *Director, Water Resources* or the *Director, Water Services*; and
 - (b) the Chief Plumbing and Gas Inspector, Building Regulations, of *The City*.

- (2) The *Directors* or the Chief Plumbing and Gas Inspector, Building Regulations, may impose conditions on an approval granted for *wastewater* re-use, including any of the following:
 - (a) limits on the types of applications for which *wastewater* may be re-used;
 - (b) requirements for reporting on applications, risks, volumes, and any other information the *Directors* may require.
- (3) A *person* who fails to comply with a condition imposed by either the *Directors* or the Chief Plumbing and Gas Inspector, Building Regulations, pursuant to subsection (2), is guilty of an offence under this *Bylaw*.

(9M2015, 2015 February 09)

Reclaimed Water

- 21.1 (1) *The City* may enter into agreements for the supply and use of *reclaimed water*.
- (2) The charge for the supply and use of *reclaimed water* is set out in Schedule “K”.

(9M2015, 2015 February 09)

Release of Substances

- 22. (1) A *person* must not *release* or allow the *release* of any *wastewater* into the *wastewater system* that:
 - (a) contains a *substance* described in “Schedule ‘A’: Prohibited Substances”;
 - (b) contains a *substance* that is above the approved concentration limit as described in Column 2 of “Schedule ‘B’” or Column 2 of Schedule “C”; or,
 - (c) does not comply with the requirements of this *Bylaw*.
- (2) Despite subsection (1), the *Director, Water Resources* may grant written approval to allow *wastewater* that does not meet the requirements of subsection (1) to enter the *wastewater system* provided that the *wastewater* does not have an *adverse effect*.
- (2.1) In granting written approval pursuant to subsection (2), the *Director* may impose any conditions that the *Director* deems necessary, including any one or more of the following:
 - (a) that the *wastewater* is tested at regular intervals in accordance with the *Director’s* instructions;
 - (b) that in respect of *extra strength wastewater*, a *wastewater surcharge* calculated in accordance with Schedule “F” is paid;

- (c) that the *person* compensates *The City* for all costs arising as a result of the *wastewater* entering the *wastewater system*;
 - (d) that the *person* enters into a *wastewater agreement* with *The City* subject to any conditions required by the *Director*.
- (3) A *person* must not directly or indirectly dilute *wastewater* for the purpose of complying with the requirements of this *Bylaw* as set out in Schedules “A”, “B” and “C”.

(9M2015, 2015 February 09)

PART VII: WASTEWATER SYSTEM REQUIREMENTS

Connections

23. (1) A *person* making, altering, disconnecting or removing, or allowing the making, alteration, disconnection or removal of a *connection* to the *wastewater system* must:
- (a) obtain written approval from the *Director, Water Services*, on any terms and conditions the *Director* considers necessary, including compliance with all requirements of The City of Calgary Utility Site Servicing Bylaw 33M2005, before making, altering, disconnecting or removing the *connection*;
 - (b) not re-use a *connection* without obtaining prior written approval from the *Director, Water Services*.
- (2) The *owner* must pay to *The City* all costs of the installation, alteration, disconnection or removal of the *connection* as described in subsection (1) before proceeding with the work.

(9M2015, 2015 February 09)

Release Quality

24. (1) For the purpose of this section, “*alter or expand*” means the modification of an existing activity in or on *ICI premises* that may result in an increased *wastewater volume* or an increased amount of a *prohibited substance*, restricted *substance* or *extra strength wastewater substance* in the *wastewater*.
- (2) The *Director, Water Resources* may require a *wastewater information report* completed by a *qualified person* from any *person* that carries on, *alters or expands*, or proposes to carry on or *alter or expand* an activity on an *ICI*

premises that is connected or proposing to be connected to the *wastewater system*.

(9M2015, 2015 February 09)

Wastewater Agreement

25. A *person* required by the *Director, Water Resources* to submit a *wastewater information report* may be required to enter into a *wastewater agreement* with the *Director* prior to releasing any *wastewater* from the *premises* into the *wastewater system*.

(9M2015, 2015 February 09)

Pre-Treatment

General requirements

26. (1) The *Director, Water Resources* may require an *owner* to do any one or more of the following:
- (a) install, operate, monitor and properly maintain at all times a *wastewater pre-treatment system* that is located at a directly accessible location on the upstream side of a *monitoring access point* at the *owner's premises*;
 - (b) take steps to equalize either the composition or the flow rate of a *release*, or both the composition and flow rate of a *release*, from the *premises* into the *pre-treatment system* or the *wastewater system*;
 - (b.1) provide access to the *wastewater pre-treatment system* for inspection on the request of the *Director* or on the request of an *Officer*;
 - (c) enter into a *wastewater agreement*.
- (2) An *owner* who fails to install, operate, monitor, provide access to and properly maintain at all times a *wastewater pre-treatment system* as required by the *Director* pursuant to subsection (1)(a), (b) or (b.1) is guilty of an offence under this *Bylaw*.

Waste residue disposal

- (3) A *person* must not deposit, or allow to be deposited, any *waste residue* from a *pre-treatment system* into the *wastewater system* unless the *person* has obtained prior approval from the *Director*.

Records maintenance

- (4) An *owner* of *premises* with a *pre-treatment system* installed in or on a *premises* must do all of the following:

- (a) obtain and retain at the *premises* any manuals, instructions and specifications related to the installation, operation, maintenance and cleaning of the *pre-treatment system* installed at the *premises*;
- (b) maintain a maintenance schedule and record, **in a form a prescribed by the *Director***, of each maintenance for every *pre-treatment system* installed at the *premises* for a period of two years, including records for disposal of *waste residue*;
- (c) submit to the *Director, Water Resources*, any records requested by the *Director* described in (a) and (b) of this subsection.

(9M2015, 2015 February 09)

Sector Specific Pre-Treatment

Food service establishments

27. (1) An *owner* of a restaurant or other *premises* that is connected directly or indirectly to the *wastewater system*, and where food is cooked, processed, prepared, or where *FOG* is *released*, must do all of the following:
- (a) install a *FOG interceptor* at a directly accessible location on the upstream side of a *monitoring access point* in or on the *premises* that is designed and sized in accordance with *CAN/CSA B481*, and meets the requirements of the *National Plumbing Code of Canada* to prevent *FOG* from passing into the *wastewater system*;
 - (b) monitor, operate, properly maintain at all times, and clean each *FOG interceptor* installed in or on the *premises* in accordance with the requirements set by *CAN/CSA B481* **~~and in compliance with the manufacturer's instructions and specifications~~**;
 - (c) ensure that all *wastewater* does not exceed the concentration limits for *FOG*, as set out in Schedule "C" of this *Bylaw*.
 - (d) **maintain a record of *FOG interceptor* cleaning and maintenance, in a form as prescribed by the *Director*, and submit such record to the *Director* upon request.**

Vehicle and equipment washing, repair and maintenance

- (2) An *owner* of a vehicle or equipment service station, repair shop or garage, or of a *premises* where motor vehicles are repaired, lubricated, maintained or washed, must do all of the following:

- (a) install an *interceptor* at a directly accessible location on the upstream side of a *monitoring access point* in or on the *premises* that is properly designed and sized in accordance with the requirements of the *National Plumbing Code of Canada* to prevent *hydrocarbons*, *flammable liquids* and *TSS* from passing into the *wastewater system*;
- (b) monitor, operate, properly maintain at all times, and clean each *interceptor* installed in or on the *premises* ~~as required by the manufacturer's instructions and specifications~~;
- (c) ensure that all *wastewater* does not exceed the concentration limits for *hydrocarbons*, *flammable liquids* and *TSS*, as set out in Schedules "A", "B" and "C" of this *Bylaw*.

Dental facilities

- (3) An owner of *premises* from which dental amalgam may be *released* into the *wastewater system* must install a dental amalgam *separator* on all fixtures that may *release* dental amalgam waste containing mercury to the *wastewater system*, and the *separator* must be:
 - (a) *ISO 11143* certified, or meet the *ISO 11143* efficiency standard;
 - (b) located at a directly accessible location on the upstream side of a *monitoring access point* in or on the *premises*; and
 - (c) monitored, operated, properly maintained and cleaned as required by *ISO 11143* ~~and as required by the manufacturer's instructions and specifications~~.

Prohibition on bypassing interceptors

- (4) A *person* must not use emulsifiers, enzymes, bacteria, solvents, hot water ~~or~~ any other agent ~~or product directly into or upstream of an~~ *interceptor* to facilitate the passage of *FOG* or *hydrocarbons* through an *interceptor*.

(9M2015, 2015 February 09)

(4) A *person* must not use emulsifiers, enzymes, bacteria, solvents, hot water or any other agent to facilitate the passage of *FOG* or *hydrocarbons* through an *interceptor*.

PART VIII: TESTING AND MONITORING

Monitoring Access Points

28. An owner of *ICI premises*, or owner of an individual business operation within *ICI premises* must:
- (a) provide one or more *monitoring access points* for the monitoring of *wastewater*, designed and located in a manner satisfactory to the *Director, Water Resources*; and
 - (b) provide direct access to any *monitoring access point* located on the *premises*.
- (9M2015, 2015 February 09)

Monitoring

29. (1) The *Director, Water Resources* may order the monitoring of *wastewater released* from *premises* connected to the *wastewater system*.
- (2) If the *Director* determines that the characteristics and qualities of the *wastewater* released from a *premises* do not comply with the requirements of this *Bylaw*, the *Director* may require the owner of the *premises* from which the *wastewater* is produced to do all of the following:
- (a) monitor *wastewater* in compliance with any conditions specified by the *Director*;
 - (b) install and utilize any monitoring equipment that the *Director* decides is necessary
 - (c) provide the results of the monitoring to the *Director*.
- (9M2015, 2015 February 09)

Testing and Surcharges

30. (1) The *Director, Water Resources* may, for the purpose of determining compliance with this *Bylaw*, or for determining a *wastewater surcharge*, do one or more of the following:
- (a) enter upon *premises* from which *wastewater* is produced and conduct testing of *wastewater*;
 - (b) conduct testing of *wastewater* at any *monitoring access point* located in or on the *premises*;
 - (c) test discrete *wastewater* streams within a *premises*.
- (2) For the purpose of subsection (1), the *Director* may use an automated sampling device or follow a manual sampling protocol and do either, or both, of the following:

- (a) take samples of the effluent produced at a *premises* each day for a minimum of two days;
 - (b) take a minimum of four *grab samples* of equal volume at a *premises* at least one hour apart on each day.
- (3) The *Director* will conduct an analysis of the *wastewater* on a composite of the *grab samples* from each day, and the results will be averaged to determine the characteristics and concentration of the effluent being *released* into the *wastewater system* from the *premises*.
- (4) Despite subsections (2) and (3), the *Director* may rely on a single *grab sample* taken in or on a *premises* to determine if the *wastewater* produced at the *premises* meets the requirements of this *Bylaw*.
- ~~(5) If there is more than one monitoring access point servicing a site, the Director may estimate proportions of samples collected from each monitoring access point for the purpose of determining the wastewater surcharge.~~
- (5) If there is one or more *monitoring access points* servicing a site, the *Director* may use the results of testing performed on samples collected from a single or multiple *monitoring access points* to determine the *wastewater surcharge* as follows:
- (a) **Single Premises – Multiple Users**

Where the *wastewater* from a *premises* is released through two or more building sewers and where there is no accurate measurement of the individual flows being released from each building sewer, the *release* that would produce the highest *wastewater surcharge* will be used to determine the *wastewater surcharge* for the *premises*;
 - (b) **Multiple Premises – Single Water & Wastewater Service**

Wastewater released through a single building sewer from a *premises* with two or more separate businesses serviced by a single water service will be considered as being released by the *customer* for that *water meter* for the purposes of the *wastewater surcharge*;
 - (c) **Multiple Customers – Multiple Water Services & Single Wastewater Services**

Wastewater released through a single building sewer from a *premises* with two or more separate *customers*, each serviced by separately metered water services, will be considered as being released from each of the separate *customers*, in proportion to the water consumption from each *customer*.

~~(6) — The *Director* may use the results of testing performed on samples collected from a single monitoring access point to determine the wastewater surcharge applied to all premises connected to a common wastewater service if:~~

~~(a) — a common wastewater service pipe connects multiple premises, each served by a separate water meter, to the wastewater system; and~~

~~(b) — a single monitoring access point is maintained for all the premises.~~

- 30.1 All tests, measurements, analyses and examinations of *wastewater*, its characteristics or contents pursuant to this *Bylaw* shall be carried out in accordance with *Standard Methods* or a procedure approved by the *Director, Water Resources* and be performed by an *accredited laboratory* that is accredited for analysis of the particular *substance* using a method that is within the laboratory's scope of accreditation.

(9M2015, 2015 February 09)

PART IX: EXTRA STRENGTH WASTEWATER

Conditions of Acceptance

31. DELETED BY 9M2015, 2015 FEBRUARY 09.

PART X: HAULED WASTEWATER

Requirement for Permit

32. A *person releasing* or allowing the *release* of *hauled wastewater* at a facility operated by *The City* must:

- (a) obtain a *hauled wastewater permit* from the *Director, Water Resources*; and
- (b) pay any fees and charges related to the *permit* as specified in Schedule "G".

- 32.1 A *person* must not *release* or allow the *release* of *hauled wastewater* at a location that has not been approved by the *Director, Water Resources*.

(9M2015, 2015 February 09)

Director's Authority

33. (1) The *Director, Water Resources* may do any of the following:

- (a) place any condition on a *hauled wastewater permit* that the *Director* decides is necessary;
- (b) suspend a *hauled wastewater permit* for a maximum of 5 days, or revoke a *hauled wastewater permit*, or refuse to allow the *release* of the *hauled wastewater* if the *permit* holder does not comply with any one or more of the following:
 - (i) a condition of the *permit*;
 - (ii) any verbal, posted or written instructions for the *release* of *hauled wastewater* at a *hauled wastewater* facility;
 - (iii) the provisions of this *Bylaw*.
- (2) A revocation of a *hauled wastewater permit* may be appealed to the Licence and Community Standards Appeal Board in accordance with the Licence and Community Standards Appeal Board Bylaw 50M2011 by filing a notice of appeal with the City Clerk not later than 14 days after the day on which the *hauled wastewater permit* was revoked.

Permit Holder's Obligations

34. (1) A *person* in possession of a *hauled wastewater permit* must:
- (a) comply with all conditions set out in the *permit*;
 - (b) maintain the *permit* in the vehicle for which the *permit* was issued and surrender the *permit* to an employee of *The City* on demand;
 - (c) accompany every load of *hauled wastewater* with a *manifest* that:
 - (i) is in a form approved by the *Director*;
 - (ii) is accurately completed;
 - (iii) is signed by the *permit* holder or the *permit* holder's representative;
 - (iv) is deposited in an approved location at the time of the *release*; and
 - (v) contains the following information:
 - (A) the *permit* holder's name;
 - (B) the *permit* number;

- (C) the source of the load;
 - (D) the type of *substance* from each source;
 - (E) the volume or quantity of the *substance* from each source;
 - (F) the *persons* consigning, hauling and *releasing* the load to the *wastewater system*.
- (2) A *person* who fails to use a *hauled wastewater* facility for *hauled wastewater* in accordance with all verbal, posted or written instructions, and such failure results in soiling, damage or harm to any part of the facility, must compensate *The City* for the costs of clean-up, repair or replacement of that part, or parts, of the facility that the *person* soiled, damaged or harmed.

(9M2015, 2015 February 09)

Full Service Food Vehicles

- 34.1 (1) In this section, "*full service food vehicle*" means a business licensed pursuant to section 36.1 of the Business Licence Bylaw 32M98.
- (2) A *full service food vehicle* must dispose of *wastewater* at a location approved by the *Director, Water Resources*.
- (3) A *full service food vehicle* is not required to obtain a *hauled wastewater permit* pursuant to section 32.
- (4) The operator of a *full service food vehicle* must maintain a logbook that:
- (a) is in a form approved by the *Director, Water Resources*;
 - (b) is accurately completed;
 - (c) is signed by the operator of the *full service food vehicle*;
 - (d) contains the following information:
 - (i) the name of the *full service food vehicle* owner;
 - (ii) the name under which the *full service food vehicle* operates;
 - (iii) for each disposal of *wastewater*, the date, time, location, approximate volume and the name of the individual conducting the disposal.

- (5) The logbook referred to in subsection (4) must be produced to the *Director, Water Resources* or to an *Officer* upon request.

(38M2013, 2013 September 16)
(9M2015, 2015 February 09)

PART XI: UNLAWFUL, UNAUTHORIZED AND ACCIDENTAL RELEASES

Release Reporting

35. (1) Any *person* who *releases* or allows a *release* of a *substance* into the *wastewater system* in contravention of this *Bylaw* must take all reasonable measures to immediately notify:
- (a) the 9-1-1 emergency telephone number if there is any damage or immediate danger to any one or more of the following:
 - (i) human health or safety;
 - (ii) property;
 - (iii) the environment;
 - (iv) the *wastewater system*;
 - (b) *The City*, by calling the 24-hour 3-1-1 telephone number;
 - (c) the *owner* of the *premises* where the *release* occurred; and
 - (d) any other *person* that may be affected by the *release*.
- (2) A *person* reporting the *release* described in subsection (1) must supply the following information:
- (a) the name and contact information of the *person* reporting the *release*;
 - (b) the time of the *release*;
 - (c) the location of the *release*;
 - (d) the type of material *released* and any known associated hazards;
 - (e) the volume of material *released*; and
 - (f) any corrective action being taken, or proposed to be taken, to control the *release*.

- (3) The *Director, Water Resources* or the *Director, Water Services* may require the *owner*, or the *person* responsible for the *release* described in subsection (1), to do either, or both, of the following:
- (a) compensate *The City* for all costs incurred by *The City* with respect to the *release*, including containment, sampling, testing, removal, cleanup, disposal and any other activity related to the *release*;
 - (b) submit to the *Director* a written report describing the cause of the *release* and the steps or procedures to be taken to prevent or eliminate similar future *releases*.
- (4) An *owner* or *person* who fails to submit a written report required by either the *Director, Water Resources* or the *Director, Water Services* pursuant to subsection (3)(b) is guilty of an offence under this *Bylaw*.
- (5) A *person* who *releases* or allows a *release* of a *substance* into the *wastewater system* in contravention of this *Bylaw* must immediately take all reasonable measures to mitigate the *release*.

(9M2015, 2015 February 09)

PART XII: WASTEWATER CHARGES AND SURCHARGES

Wastewater Charge

36. (1) The *owner* of *premises* connected to *The City's wastewater system* must pay to *The City* a *wastewater charge*.
- (2) The *wastewater charge* for a *premises* that obtains its water solely from *The City's* water supply is set out in sections 1 through 4 of Schedule "D".
- (3) DELETED BY 9M2015, 2015 FEBRUARY 09.
- (4) *Premises* served in part with water from a source other than *The City's* water supply:
- (a) must pay to *The City*, in addition to the *wastewater charge* due under subsection (1), the charge set out in section 5 of Schedule "D";
 - (b) must install either an *effluent meter* or a *water meter*, or both an *effluent meter* and *water meter*, as may be required by the *Director, Water Services*, to allow for determination of the *wastewater charge* for the *premises*;

- (c) may have the volume of *released wastewater* estimated by the *Director, Water Resources* to determine the *wastewater charge* for the *premises* if the *premises* is not equipped with either an *effluent meter* or a *water meter*, or with both an *effluent meter* and *water meter*, as may be required by the *Director* under subsection (b).
- (5) Where the *wastewater charge* for a *premises* is determined by measuring with a *water meter* the volume of water consumed at that *premises*, the *wastewater charge* shall be calculated by applying the *return factor* as set out in Schedule "H" to the volume of water consumed, and multiplying the adjusted volume by the usage rate as set out in Schedule "D".

(56M2018, 2019 January 01)
- (6) If the *wastewater charge* for a *premises* is determined by measuring the volume of water with an *effluent meter*, the *wastewater charge* for the *premises* is set out in section 6 of Schedule "D".
- (7) A Customer located outside the boundaries of *The City* must pay to *The City* a charge determined as follows:
 - (a) If the Customer obtains water solely from *The City's* water supply, a *wastewater charge* in accordance with Schedule "E";
 - (b) If the Customer obtains water, in whole or in part, from a source other than *The City's* water supply, the *owner* must install either an *effluent meter* or a *water meter*, or both an *effluent meter* and *water meter*, as may be required by the *Director, Water Services*, to measure the volume of *wastewater* being *released*, and must pay a *wastewater charge* in accordance with Schedule "E".
- (8) In the event that information upon which a *wastewater charge* is based proves to be in error, the *Director, Water Resources* may estimate the *wastewater charge* for the period during which the error occurred.
- (9) A reduction in the monthly *wastewater charge* will not be made as a result of an interruption or failure of the *wastewater system*, however caused.

(9M2015, 2015 February 09)

Wastewater Surcharge

37. (1) DELETED BY 9M2015, 2015 FEBRUARY 09.

Billing of Wastewater Surcharges

38. (1) A surcharge rate established pursuant to section 22 must remain in effect for a minimum period of 3 months.

- (2) Where the concentration of contaminants in the *extra strength wastewater* is determined from *wastewater* sampled from a *monitoring access point* that serves more than one *premises*, and each of the *premises* is individually metered, the surcharge rate will be applied to the utility bill of each of the *premises*.
- (3) Where a *wastewater surcharge* is applied, the *wastewater surcharge* is shown as a separate item on the utility bill, forms part of the utility bill, and is due and payable to *The City* at the same time as the utility bill.
- (4) Despite subsection (1), the *Director, Water Resources* may do either, or both, of the following:
 - (a) adjust the *wastewater surcharge* if an abnormally high surcharge rate, relative to the statistical average surcharge rate, has been applied to a *person's* utility bill and if the *person* corrects the cause of the abnormally high surcharge rate to the satisfaction of the *Director*;
 - (b) prior to the expiration of the minimum 3 month period required under subsection (1), order the establishment of a new surcharge rate if the *Director* has been provided with information, satisfactory to the *Director*, that a permanent change in *wastewater* strength has occurred that justifies a new surcharge rate.

(9M2015, 2015 February 09)

Exemptions

Irrigation

- 39. A water line used exclusively for irrigation purposes and metered in a manner satisfactory to the *Director, Water Resources* is exempted from all *wastewater charges* and *wastewater surcharges*.

Effluent meters

- 40. (1) The *Director, Water Resources* may exempt from *wastewater charges* and *wastewater surcharges* the amount of water not *released* to the *wastewater system* from a *premises* if:
 - (i) metered water is supplied to the *premises* and all of that water is not *released* to the *wastewater system*; and
 - (ii) the amount of water not *released* to the *wastewater system* can be measured to the satisfaction of the *Director*.

- (2) An exemption granted pursuant to this section by the *Director* will be determined using only metering equipment and methods of calculation approved by the *Director*.

(9M2015, 2015 February 09)

PART XIII: ENFORCEMENT

Inspections

41. (1) The *Director, Water Resources* or the *Director, Water Services* may enter into, or on a *premises* with the consent of the *owner* at a reasonable time for any one or more of the following purposes:
- (a) to carry out an inspection, enforcement or action authorized by this *Bylaw*, including:
 - (i) to inspect or repair any equipment connected to, or part of, the *wastewater system*;
 - (ii) to make observations, or to take tests, samples or photographs of equipment or *wastewater*;
 - (iii) to disconnect or to shut off the supply of water to the *premises*;
 - (b) to require the production, for inspection purposes, of any document or any thing relevant to the inspection;
 - (c) to remove any document or any thing relevant to the inspection for the purpose of making copies;
 - (d) to determine whether this *Bylaw* is being complied with.
- (2) Before entering in or on *premises* pursuant to subsection (1), the *Director* or the *Director's* designate must provide both reasonable notice and identification to the *owner* of the *premises*.
- (3) Despite subsections (1) and (2), the *Director* may enter into, or on a *premises* if the *Director* has obtained an order pursuant to the *Municipal Government Act*.
- (4) Despite subsections (1) and (2), in an *emergency*, or in extraordinary circumstances, the *Director* need not enter at a reasonable hour or give reasonable notice before entering a *premises*, and may carry out any of the purposes described in subsection (1) without obtaining the consent of the *owner*.

(9M2015, 2015 February 09)

Obstructing an Inspection

42. (1) A *person* must not obstruct, or attempt to obstruct, in any manner, an *Officer*, or the *Director, Water Resources* or the *Director, Water Services*, or their designates, contractors, servants or agents, in the exercise of their powers or duties as authorized or required by this *Bylaw*.
- (2) For the purposes of subsection (1), “obstruct” means to hinder, delay, interfere with, or prevent, or attempt to prevent the execution of a power or duty, and includes any of the following:
- (a) providing false or misleading information or making a false claim or statement to a *Director* or an *Officer*,
 - (b) preventing, barring or delaying, or attempting to prevent, bar or delay entry or inspection by a *Director* or an *Officer* in accordance with this *Bylaw*,
 - (c) failing to provide, on the request of a *Director* or an *Officer*, any information, documents or things relevant to an inspection, including any documents specifically required to be kept or provided under this *Bylaw*.
- (9M2015, 2015 February 09)

Remedial Orders

43. (1) A *Remedial Order* issued with respect to subsection subsections 45(1)(a) or 45(1.1) of this *Bylaw* must:
- (a) indicate the *person* to whom it is directed;
 - (b) identify the *premises* to which the *Remedial Order* relates either by municipal address or legal description;
 - (c) identify the date on which it is issued;
 - (d) identify the specific provisions of this *Bylaw* that have been contravened;
 - (e) identify the nature of the remedial action required to be taken to remedy the contravention of this *Bylaw*;
 - (f) identify the time period within which the remedial action must be completed;

- (g) indicate that if the required remedial action is not completed within the time specified in the *Remedial Order*, *The City* may take whatever action or measures are necessary to remedy the contravention;
 - (h) indicate that the expenses and costs of any action or measures taken by *The City* under this section are an amount owing to *The City* by the *person* to whom the *Remedial Order* is directed;
 - (i) indicate that the expenses and costs referred to in this section may be attached to the tax roll of the property if such costs are not paid by a specific time;
 - (j) indicate that an appeal lies from the *Remedial Order* to the Licence and Community Standards Appeal Board, if a notice of appeal is filed in writing with the City Clerk not later than 14 days after the day the *Remedial Order* was issued.
- (2) A *Remedial Order* issued pursuant to this *Bylaw* may be served:
- (a) in the case of an individual, by any of the following methods:
 - (i) by delivering it personally to the individual;
 - (ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age;
 - (iii) by delivering it by registered mail to the individual at their apparent place of residence;
 - (iv) by delivering it by registered mail to the last address of the individual who is to be served as shown on the records of the Registrar of Motor Vehicle Services in Alberta;
- or;
- (b) in the case of a corporation, by any of the following methods:
 - (i) by delivering it personally to a director or officer of the corporation;
 - (ii) by delivering it personally to any *person* apparently in charge of an office of the corporation at the address held out by the corporation to be its address;
 - (iii) by registered mail addressed to the registered office of the corporation.

- (3) A *Remedial Order* issued pursuant to this *Bylaw* may be appealed to the Licence and Community Standards Appeal Board in accordance with the Licence and Community Standards Appeal Board Bylaw 50M2011 by filing a notice of appeal with the City Clerk not later than 14 days after the day on which the *Remedial Order* was issued.
- (4) The *Director, Water Resources* may shut off *wastewater* services to a *premises* if a *Remedial Order* has been issued to the *owner* of that *premises* pursuant to this *Bylaw* and either of the following applies:
 - (a) the *owner* of the *premises* fails to comply with the requirements of the *Remedial Order*, or
 - (b) the *owner* of the *premises* fails to comply with the requirements of the *Remedial Order* within the time period set out in the *Remedial Order*.
- (5) The *Director, Water Resources* may do any thing, or carry out any work required by a *Remedial Order* issued pursuant to subsection 45(1)(a), and the costs associated with doing that thing, or carrying out the work, are an amount owing to *The City* and may be added to the tax roll of the *premises* if a *Remedial Order* has been issued to the *owner* of that *premises* pursuant to this *Bylaw* and:
 - (a) the *owner* of the *premises* fails to comply with the requirements of the *Remedial Order*, or
 - (b) the *owner* of the *premises* fails to comply with the requirements of the *Remedial Order* within the time period set out in the *Remedial Order*.
- (6) A *person* who fails to comply with the requirements of a *Remedial Order* issued pursuant to this *Bylaw* within the time period set out in the *Remedial Order* commits an offence.

(9M2015, 2015 February 09)

Offences

- 44. Any *person* who contravenes any provision of this *Bylaw* by doing any act or thing which the *person* is prohibited from doing, or by failing to do any act or thing the *person* is required to do, is guilty of an offence pursuant to this *Bylaw*.

Penalties

- 45. (1) Where an *Officer* believes a *person* has contravened any provision of this *Bylaw*, the *Officer* may do one of the following:
 - (a) issue to the *person* a *Remedial Order* pursuant to section 545 of the *Municipal Government Act* to remedy the infraction;

- (b) issue to the *person* a violation ticket in accordance with the Provincial Offences Procedure Act;
 - (c) both (a) and (b).
- 45 (1.1) Where the *Director, Water Resources* or the *Director, Water Services* believes a *person* has contravened any provision of this *Bylaw*, the *Director, Water Resources* or the *Director, Water Services* may issue to the *person* a *Remedial Order* pursuant to section 545 of the Municipal Government Act to remedy the infraction.

(9M2015, 2015 February 09)
- (2) Every *person* who is convicted of an offence pursuant to this *Bylaw* is subject to one of the following penalties:
 - (a) a fine amount of not more than \$10,000.00;
 - (b) imprisonment for not more than 1 year;
 - (c) both (a) and (b).
- (3) The specified penalty on conviction of an offence pursuant to this *Bylaw* is the fine amount set out in Schedule “J” in respect of the offence.
- (4) The minimum penalty on conviction of an offence pursuant to this *Bylaw* is the fine amount set out in Schedule “J” in respect of the offence.
- (5) Despite subsection (3) and subsection (4), a *person* who is convicted for a second offence of the same provision within a 12 month period is liable on conviction:
 - (a) for twice the fine amount of the specified penalty set out in Schedule “J”;
or
 - (b) for twice the fine amount of the minimum penalty set out in Schedule “J”.
- (6) Despite subsection (3) and subsection (4), a *person* who is convicted for a third offence of the same provision within a 12 month period is liable on conviction:
 - (a) for three times the fine amount of the specified penalty set out in Schedule “J”; or
 - (b) for three times the fine amount of the minimum penalty set out in Schedule “J”.

- (7) On conviction of an offence that is of a continuing nature, the penalty is the fine amount set out in Schedule “J” of this *Bylaw* in respect of the offence for each day, or part of a day, that the offence continues.

Mandatory Court or Information

46. 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.

Owner of Motor Vehicle Liable

For the purposes of this section, “*owner*”, “*driving*” and “*motor vehicle*” have the same meaning as set out in the *Traffic Safety Act*, R.S.A. 2000, c. T-6:

47. (1) If a *motor vehicle* is involved in an offence described in this *Bylaw*, the *owner* of the *motor vehicle* is guilty of the offence.
- (2) Subsection (1) does not apply if the *owner* of the *motor vehicle* satisfies the Court that:
- (a) the *owner* was not *driving* the *motor vehicle* at the time of the offence; and
 - (b) the *person driving* the *motor vehicle* at the time of the offence did not have the *owner's* express or implied consent to be *driving* the *motor vehicle*.
- (3) Despite subsection (1), if the *owner* was not *driving* the *motor vehicle* at the time of the offence, the *owner* is not liable to imprisonment.

Liability for Fees

48. 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.

PART XIV: CONSEQUENTIAL AMENDMENTS

49. In the second Preamble of Bylaw 41M2006, delete the words “Sewer Service Bylaw” and substitute the following:
- “Wastewater Bylaw”

50. In subsection 9(1)(b) of Bylaw 41M2006, delete the number “24M96” and substitute the following:

“14M2012”
51. In section 10(1) of Bylaw 41M2006, delete the number “24M96” and substitute the following:

“14M2012”
52. In Bylaw 33M2005, repeal subsection 7(3).
53. In Bylaw 37M2005, repeal subsection 21(2).
54. In Bylaw 37M2005, repeal subsection 21(3).

PART XV: REPEAL AND COMING INTO FORCE

Repeal

55. Bylaw 24M96, the Sewer Service Bylaw, is hereby repealed.

Coming Into Force

56. This *Bylaw* comes into force on the day it is passed.

READ A FIRST TIME THIS 12TH DAY OF MARCH, 2012.

READ A SECOND TIME THIS 12TH DAY OF MARCH, 2012.

READ A THIRD TIME THIS 12TH DAY OF MARCH, 2012.

(Sgd) N. Nenshi
MAYOR

(Sgd) S. Gray
CITY CLERK

SCHEDULE "A"

PROHIBITED SUBSTANCES

The following must not be *released* into the *wastewater system*:

- (a) a *substance* that causes or will cause an *adverse effect*;
- (b) a *substance* that will interfere, or does interfere, with the operation of the *wastewater system*;
- (c) a *substance* that will cause a violation or non-compliance event with respect to *The City's wastewater operating approval*;
- (d) a *substance* that will interfere with the disposal of *biosolids* resulting from municipal *wastewater treatment*;
- (e) an explosive *substance*, including solvents or petroleum derivatives such as gasoline, diesel fuel, naphtha or fuel oil, of a quantity such that:
 - (i) *wastewater* from the *premises* will exhibit the characteristics of a *flammable liquid*, or
 - (ii) the explosive *substance* could cause or contribute to an explosion or support combustion in the *wastewater system*, by itself or in combination with other *wastewater*;
- (f) a *substance*, including ~~hydrogen sulphide~~, carbon disulphide or other reduced sulphur compounds, but not including *domestic wastewater*, which by itself or in combination with other *substances* is capable of creating:
 - (i) odours;
 - (ii) a health and safety hazard to the public; or
 - (iii) a health or safety hazard to a worker operating, maintaining, repairing or otherwise working on the *wastewater system*;
- (f.1) ~~hydrogen sulphide~~;
- (g) a solid or viscous *substance* in a quantity, or of such size, as to be capable of causing obstruction to the flow in a *wastewater system*, including ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animals or animal parts, animal feces and blood;

- (h) *wastewater* containing a *substance* that on its own, or in combination with another *substance*, creates a taste or an odour in the drinking water supply and makes drinking water unpalatable after conventional water purification treatment;
- (i) *wastewater* containing a *substance* that on its own, or in combination with another *substance*, becomes highly coloured and passes through the *wastewater system*, discoloring the effluent;
- (j) *wastewater* that is *released* in layers or forms layers upon interaction with other *wastewater*;
- (k) *wastewater* having a pH of less than 5.5 or greater than 10;
- (l) *wastewater* having a temperature in excess of 75 degree Celsius;
- (m) *radioactive materials*;
- (n) corrosive or toxic *wastewater* that causes or will cause an *adverse effect*;
- (o) *biological substances*;
- (p) unused or waste *pharmaceuticals*;
- (q) unused or waste chemical *substances*;
- (r) *hazardous substances*;
- (s) *pesticides*;
- (t) grit removed from *ICI premises*, including grit removed from car wash establishments, automobile garages and restaurant *sumps* or from *interceptors*.

SCHEDULE "B"

RESTRICTED SUBSTANCES

Wastewater containing the following materials in excess of the following concentrations is restricted:

<u>Column 1</u> Substance	<u>Column 2</u> Concentration Limit (mg/L)
Aluminum, total	50
Antimony, total	5
Arsenic, total	1
Benzene	0.5
Beryllium, total	1
Bismuth, total	5
Boron, total	5
<i>BTEX</i>	1
Cadmium, total	0.7
Chloride	1500
Chlorine	5
Chloroform	0.05
Chromium, total	3
Cobalt, total	5
Copper, total	2
Cyanide	1.2
Dichlorobenzene (1,2-)	1
Dichlorobenzene (1,4)	1
Ethylbenzene	0.5
Fluoride	10
Hexachlorobenzene	0.06
<i>Hydrocarbons</i>	50
Iron, total	50
Lead, total	0.7
Manganese, total	5
Mercury, total	0.01
Methylene chloride (dichloromethane)	0.09
Molybdenum, total	5
Nickel, total	2
<i>PCBs</i> (chlorobiphenyls)	0.004
Phenolic Compounds	1
Selenium, total	1
Silver, total	0.5
Sulphate	1500
Sulphides	1

Tetrachloroethane (1,1,2,2-)	0.06
Tetrachloroethylene	0.06
Thallium, total	0.5
Tin, total	5
Titanium, total	5
Toluene	0.5
Total Nitrogen	50
Trichloroethylene	0.054
Vanadium, total	5
Xylenes, total	0.5
Zinc, total	2

(9M2015, 2015 February 09)

SCHEDULE “C”
SURCHARGE SUBSTANCES

<u>Column 1</u> Substance	<u>Column 2</u> Concentration Limit (mg/L)
<i>BOD</i>	300
<i>COD</i>	600
<i>TSS</i>	300
<i>FOG</i>	100
<i>TP</i>	10
<i>TKN</i>	50

(9M2015, 2015 February 09)

**SCHEDULE “D”
MONTHLY WASTEWATER CHARGE**

The rates or charges described in this Schedule are shown for the years 2019, 2020, 2021, and 2022, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

Monthly rates or charges described in this Schedule are based on a thirty (30) day period. The amount billed must be established by dividing the applicable monthly rate or charge by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

1. For residential flat rate customers served with water from *The City’s* water supply, the *wastewater* charge is calculated as a percentage of the water charge according to the following:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Percentage of water charge (%)	144.46	144.46	144.46	144.46

2. For *residential metered* rate customers served with water from *The City’s* water supply, a charge equal to the service charge and the usage rate according to the following:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Service charge (\$ per 30 days)	\$26.59	\$27.84	\$28.05	\$28.79
Usage rate (\$ per cubic metre)	\$1.6278	\$1.6311	\$1.5830	\$1.5606

3. For *multi-family residential metered* customers served with water from *The City’s* water supply, a charge equal to the service charge and the usage rate according to the following:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Service charge (\$ per 30 days)	\$26.59	\$27.84	\$28.05	\$28.79
Usage rate (\$ per cubic metre)	\$1.8604	\$2.0379	\$2.1512	\$2.2966

4. For non-residential customers served with water from *The City's* water supply, a charge equal to the service charge and the usage rate according to the following:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Service charge (\$ per 30 days)	\$26.59	\$27.84	\$28.05	\$28.79
Usage rate (\$ per cubic metre)	\$1.7677	\$1.8745	\$1.9222	\$1.9995

5. For non-residential customers served in part with water from any other source than *The City*, in addition to any charge under paragraph 4, a charge equal to the service charge and the usage rate according to the following table for the equivalent amount of water with which the property is served from other sources.

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Service charge (\$ per 30 days)	\$26.59	\$27.84	\$28.05	\$28.79
Usage rate (\$ per cubic metre)	\$1.7677	\$1.8745	\$1.9222	\$1.9995

6. For customers served with an *effluent meter*, a charge equal to the service charge and the usage rate according to the following:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Service charge (\$ per 30 days)	\$26.59	\$27.84	\$28.05	\$28.79
Usage rate (\$ per cubic metre of measured <i>wastewater</i> <i>released</i>)	\$1.7677	\$1.8745	\$1.9222	\$1.9995

(61M2014, 2015 January 01)
(45M2016, 2017 January 01)
(56M2018, 2019 January 01)
(42M2019, 2019 November 29)

SCHEDULE “E”

MONTHLY WASTEWATER CHARGE FOR CUSTOMERS OUTSIDE THE CITY LIMITS

The rates or charges described in this Schedule are shown for the years 2019, 2020, 2021, and 2022, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

1. The Fixed Component Rate plus Volume Component Rate shown below shall apply to the following customers:
 - a) City of Airdrie
 - b) City of Chestermere
 - c) Town of Cochrane
 - d) Tsuut’ina Nation

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Fixed Component Rate (\$ per contracted average day cubic metre)	\$0.4784	\$0.5211	\$0.5751	\$0.6255
Volume Component Rate (\$ per cubic metre measured <i>wastewater</i>)	\$0.6684	\$0.6767	\$0.6893	\$0.6984

The Fixed Component charge will be calculated by taking the Fixed Component Rate and multiplying it by the contracted Maximum Annual Flow in cubic metres in each customer’s Master Servicing Agreement, divided by the number of days in the year, and multiplied by the number of days in the billing period.

The Volume Component charge will be calculated by taking the Volume Component Rate and multiplying it by the volume of wastewater discharged to Calgary during the billing period.

2. For all other customers located outside City limits not identified in Section 1, a charge equal to the service charge and the usage rate according to the following:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Service charge (\$ per 30 days)	\$26.59	\$27.84	\$28.05	\$28.79

Usage rate (\$ per cubic metre of measured wastewater released)	\$1.7677	\$1.8745	\$1.9222	\$1.9995
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(61M2014, 2015 January 01)
(45M2016, 2017 January 01)
(56M2018, 2019 January 01)
(42M2019, 2019 November 29)

SCHEDULE "F"

MONTHLY WASTEWATER SURCHARGE

The rates or charges described in this Schedule are shown for the years 2019 and 2020, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

Monthly rates or charges described in this Schedule are based on a thirty (30) day period. The amount billed must be established by dividing the applicable monthly rate or charge by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

The formula for determining the surcharge to be levied for **2019** is:

$$R = 0.1443 B + 0.1147 S + 0.1947G$$

The formula for determining the surcharge to be levied for **2020** is:

$$R = 0.1443 B + 0.1147 S + 0.1947G$$

where "R" means rate in cents per cubic metre; and,

"B" means the amount in milligrams per litre by which the *BOD* of the *wastewater* tested exceeds three hundred milligrams per litre;

"S" means the amount in milligrams per litre by which the *TSS* of the *wastewater* exceeds three hundred milligrams per litre;

"G" means the amount expressed in milligrams per litre by which the *FOG* content of the *wastewater* tested exceeds one hundred milligrams per litre.

(61M2014, 2015 January 01)
(45M2016, 2017 January 01)
(56M2018, 2019 January 01)

SCHEDULE “G”

**CHARGES FOR ACCEPTANCE OF
HAULED WASTEWATER IN THE CITY**

The rates or charges described in this Schedule are shown for the years 2019, 2020, 2021, and 2022, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

1. Customers that have a *permit* to dispose of *hauled wastewater* into a *hauled wastewater* facility operated by *The City* must apply for an account allowing for disposal of *hauled wastewater* to the facility. The customer must pay a fee of \$25.00 for each access card (fee refundable on return of card), in addition to payment of a service charge and volume charge, as described below.

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Service charge (\$ per 30 days)	\$26.59	\$27.84	\$28.05	\$28.79
Volume charge (\$ per cubic metre)	\$24.3597	\$26.6914	\$28.1826	\$30.0940

2. A *hauled wastewater manifest* shall be completed for each delivery or *release* to a *hauled wastewater* facility of *The City*. The *manifest* must include the information set out in section 34(1)(v) of this *Bylaw*.

(61M2014, 2015 January 01)
(9M2015, 2015 February 09)
(45M2016, 2017 January 01)
(56M2018, 2019 January 01)
(42M2019, 2019 November 29)

3. The amount a customer must pay to *release* *hauled wastewater* into a *hauled wastewater* facility operated by *The City* is calculated by multiplying the Volume charge by the tank capacity of the vehicle as set out in the *permit*.

SCHEDULE “H”
RETURN FACTORS

Customer Class	<i>Return Factor</i>
<i>residential metered</i>	0.90
<i>multi-family residential metered</i>	0.97
general service metered	0.92

(61M2014, 2015 January 01)
(56M2018, 2019 January 01)

SCHEDULE "I"

DRAINAGE SERVICE CHARGE

DELETED BY 9M2015, 2015 February 09

SCHEDULE "J"

OFFENCES AND PENALTIES

For the purposes of this Schedule "J":

"SCA" means the Safety Codes Act

"EPEA" means the Environmental Protection and Enhancement Act

Section	Description of Offence	Minimum Penalty	Specified Penalty
6(1)(a)	Installing or operating a <i>wastewater treatment facility</i> without written approval	\$2500	\$5000
6(1)(b)	Failing to comply with all conditions or requirements for the installation or operation of a <i>wastewater treatment facility</i>	\$ 500	\$1500
7(1)(c)	Failing to ensure that the <i>connection</i> and <i>owner's</i> plumbing system comply with SCA	\$ 500	\$1000
7(1)(d)	Failing to ensure that any required permits, inspections or other approvals required by the SCA or EPEA or by other bylaws or legislation are valid and subsisting prior to <i>connection</i> to the <i>wastewater system</i>	\$ 500	\$1000
10(1)	Failing to have a written approval, <i>permit</i> or agreement available for inspection on request	\$ 100	\$ 200
10(2)(a)	Failing to comply with a requirement of the <i>Director</i>	\$ 500	\$ 1500
10(2)(b)	Failing to comply with a requirement or condition of a written approval or <i>permit</i>	\$ 500	\$ 1500
10(2)(c)	Failing to comply with a requirement or condition of an agreement	\$ 500	\$ 1500
18(1)	Failing to dispose of <i>wastewater</i> from a <i>premises</i> into either the <i>wastewater system</i> or a <i>private wastewater system</i>	\$ 500	\$1000
18(2)	Disposing of a <i>substance</i> into the <i>wastewater system</i> prior to <i>connection</i> of the plumbing system to the <i>wastewater system</i>	\$ 500	\$1000
19	Directing, or allowing <i>clear water waste</i> to be directed, into the <i>wastewater system</i>	\$ 500	\$1500
19.1	<i>Releasing pool water into the wastewater system without approval</i>	\$ 500	\$1500"
20(1)(a)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with any part of the <i>wastewater system</i> , or allowing same	\$ 500	\$1500
20(1)(b)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with a <i>monitoring access point</i> , or allowing same	\$ 500	\$1500

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Version 9
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20(1)(c)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with any device installed in or on the <i>wastewater system</i> for flow measuring, sampling testing or contamination prevention, or allowing same	\$ 500	\$1500
20(2)	Obstructing or preventing access to a <i>monitoring access point</i> or acting in a manner that obstructs or prevents access to a <i>monitoring access point</i>	\$ 250	\$ 500
20(3)	Entering into a chamber, structure or <i>premises</i> associated with the <i>wastewater system</i> without approval	\$ 500	\$1500
21(1)	Re-using <i>wastewater</i> without written approval from both the <i>Director</i> and the Chief Plumbing and Gas Inspector	\$ 500	\$1500
21(3)	Failing to comply with a condition in an approval for <i>wastewater</i> re-use	\$ 500	\$1500
22(1)(a)	<i>Releasing</i> , or allowing the <i>release</i> of <i>wastewater</i> that contains a <i>prohibited substance</i> into the <i>wastewater system</i>	\$1000	\$3000
22(1)(b)	<i>Releasing</i> , or allowing the <i>release</i> of <i>wastewater</i> into the <i>wastewater system</i> that contains a <i>substance</i> that is over the concentration limit as described in Column 2 of Schedule "B" or Column 2 of Schedule "C"	\$1000	\$3000
22(1)(c)	<i>Releasing</i> , or allowing the <i>release</i> , of <i>wastewater</i> that does not comply with all other requirements of the <i>Bylaw</i> into the <i>wastewater system</i>	\$1000	\$3000
22(2)	Failing to comply with a condition in a written approval for allowing <i>wastewater</i> to enter the <i>wastewater system</i>	\$ 500	\$1500
22(3)	Diluting <i>wastewater</i> for the purpose of complying with the requirements of the <i>Bylaw</i>	\$ 500	\$1000
23(1)(a)	Failing to obtain approval before making, altering, disconnecting or removing a <i>connection</i> to the <i>wastewater system</i>	\$ 500	\$1500
23(1)(b)	Failing to obtain written approval before re-using a <i>connection</i>	\$ 500	\$1500
26(2)	Failing to install, operate, monitor, provide access to and properly maintain a <i>wastewater pre-treatment system</i>	\$ 500	\$2000
26(3)	Depositing, or allowing to be deposited, <i>waste residue</i> from a <i>pre-treatment system</i> into the <i>wastewater system</i> without approval	\$ 500	\$1500
26(4)(a)	Failing to obtain and retain manuals, instructions and specifications related to the installation, operation, maintenance and cleaning of the <i>pre-treatment system</i> installed at a <i>premises</i>	\$ 100	\$ 200
26(4)(b)	Failing to maintain a maintenance schedule and record of each maintenance for the <i>pre-treatment system</i> installed at a <i>premises</i> for a period of two years, including records for disposal of <i>waste residue</i>	\$ 100	\$ 500

26(4)(c)	Failing to submit records requested by the <i>Director</i>	\$ 100	\$ 500
27(1)(a)	Failing to install an <i>FOG interceptor</i> as required by subsection 27(1)(a)	\$ 500	\$2000
27(1)(b)	Failing to monitor, operate, properly maintain and clean each <i>FOG interceptor</i> as required by subsection 27(1)(b)	\$ 500	\$1500
27(1)(c)	Failing to ensure that <i>wastewater</i> does not exceed the maximum allowable concentration limits for <i>FOG</i> set out in Schedule C of the <i>Bylaw</i>	\$1000	\$3000
27(1)(d)	Failing to submit <i>interceptor maintenance records</i> requested by the <i>Director</i>	\$ 100	\$ 500
27(2)(a)	Failing to install an <i>interceptor</i> as required by subsection 27(2)(a)	\$ 500	\$2000
27(2)(b)	Failing to monitor, operate, properly maintain and clean each <i>interceptor</i> as required by subsection 27(2)(b)	\$ 500	\$1500
27(2)(c)	Failing to ensure that all <i>wastewater</i> does not exceed the maximum allowable concentration limits for <i>hydrocarbons</i> , <i>flammable liquids</i> and <i>TSS</i> as set out in Schedule B and C of the <i>Bylaw</i>	\$1000	\$3000
27(3)(a)	Failing to install a dental amalgam <i>separator</i> on a fixture that may <i>release</i> dental amalgam waste containing mercury into the <i>wastewater system</i> as required by subsection 27(3)(a)	\$ 500	\$2000
27(3)(b)	Failing to install a dental amalgam <i>separator</i> on a fixture that may <i>release</i> dental amalgam waste containing mercury into the <i>wastewater system</i> that is directly accessible as required by subsection 27(3)(b)	\$ 500	\$2000
27(3)(c)	Failing to monitor, operate, maintain and clean a dental amalgam <i>separator</i> as required by subsection 27(3)(c)	\$ 500	\$1500
27(4)	Using emulsifiers, enzymes, bacteria, solvents, hot water or other agent <i>or product</i> to facilitate the passage of <i>FOG</i> or <i>hydrocarbons</i> through an <i>interceptor</i>	\$ 500	\$1000
28(a)	Failing to provide one or more <i>monitoring access points</i> for the monitoring of <i>wastewater</i> in compliance with subsection 26(1)(a)	\$ 500	\$2000
28(b)	Failing to provide direct access to any <i>monitoring access point</i> located on the <i>premises</i>	\$ 500	\$1000
32(a)	Failing to obtain a <i>hauled wastewater permit</i> for the release of <i>hauled wastewater</i>	\$ 500	\$1500
32(b)	Failing to pay any fees and charges related to a <i>hauled wastewater permit</i> as set out in Schedule "G"	\$ 100	\$ 200
32.1	<i>Releasing hauled wastewater</i> at an unapproved location	\$1000	\$3000
34(1)(a)	Failing to comply with the conditions of a <i>hauled wastewater permit</i>	\$ 500	\$1500
34(1)(b)	Failing to maintain a <i>hauled wastewater permit</i> in the vehicle for which the <i>permit</i> was issued and surrender it to an employee of <i>The City</i> as required	\$ 100	\$ 200

34(1)(c)	Failing to accompany a load of <i>hauled wastewater</i> with a <i>manifest</i> that meets the requirements of subsection 34(1)(c)	\$ 100	\$ 500
34.1(2)	<i>Full service food vehicle</i> failing to dispose of <i>wastewater</i> at a designated location	\$1000	\$3000
34.1(4)	Failing to maintain logbook	\$100	\$500
34.1(5)	Failing to provide logbook upon request	\$100	\$200
35(1)	Failing to immediately notify the proper authorities in accordance with subsection 35(1) where a <i>substance</i> is <i>released</i> into the <i>wastewater system</i> in contravention of the <i>Bylaw</i>	\$ 500	\$1000
35(4)	Failing to submit a written report about a <i>release</i> pursuant to subsection 35(3)(b)	\$500	\$1500
35(5)	Failing to take all reasonable measures to mitigate the <i>release of a substance</i> in contravention of the <i>Bylaw</i>	\$1000	\$3000
42(1)	<i>Obstructing</i> an <i>Officer</i> or the <i>Directors</i> or their designates in the exercise of their powers or duties	\$ 500	\$1000
43(6)	Failing to comply with a <i>Remedial Order</i>	N/A	\$1000

(38M2013, 2013 October 31)
(9M2015, 2015 February 09)

SCHEDULE "K"

RECLAIMED WATER RATE

<i>Reclaimed Water rate</i>	\$0.6217 per cubic meter delivered
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(9M2015, 2015 February 09)

DISCUSSION DOCUMENT

Draft Water Utility Bylaw 40M2006 showing proposed changes in red text.

Note: this is not the amending bylaw.

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BYLAW NUMBER 40M2006

**BEING A BYLAW OF THE CITY OF CALGARY
RESPECTING THE WATER UTILITY SYSTEM**

WHEREAS The City of Calgary is a Municipal Corporation in the Province of Alberta and the Municipal Government Act (R.S.A. 2000, c. M-26) authorizes a municipality to operate a water system as a public utility for the purpose of supplying and distributing water to residents, industrial and commercial users, for fire protection, and to all other Customers in the City of Calgary, and subject to Council approval, to Customers outside the City boundaries;

AND WHEREAS the Municipal Government Act authorizes a municipality to pass a bylaw respecting public utilities and services provided by the municipality;

**NOW THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS
FOLLOWS:**

PART I: GENERAL MATTERS

SHORT TITLE

1. This Bylaw may be cited as, "The Water Utility Bylaw".

PURPOSE

1.1 The purposes of this Bylaw are:

- (a) to protect the Water System and Water Supply from damage, obstruction, interference, unauthorized use, illegal connection or operation or loss of efficiency;
- (b) to protect the City's employees and the public from exposure to dangerous conditions;
- (c) to protect, control and monitor the water quality, pressure and distribution of the Water System, Water Supply, Glenmore Area and Reservoir and local water sources;
- (d) to provide a system of rates, fees and charges for various types of use of the Water System and Water Supply; and

- (e) to provide a system of permits or other permissions that facilitate the imposing of conditions on the use of the Water System.

INTERPRETATION AND DEFINITIONS

2. (1) In this Bylaw:

- (a.01) "Apartment Building" means a single building comprised of five or more dwelling units with shared entrance facilities;
(57M2018, 2019 January 01)
- (a) "Backflow" means the flowing back or reversal of the normal direction of flow in either the Water System or a Customer's Plumbing system;
- (b) "Child Care 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 and baby-sitting programs;
- (c) "City" means the municipal corporation of the City of Calgary, or where the context requires means the area contained within the boundaries of the City of Calgary;
- (d) "City Manager" means the person designated by Council as the chief administrative officer of the municipality, or that Person's designate;
- (e) "City Water Main" means a water pipe in the street, public thoroughfare or easement area granted to the City, which forms part of the Water System and delivers the Water Supply to Water Service Connections;
- (f) "Combined Water Service" means a water service which supplies water for both domestic use and for a fire protection system in the same premises;
- (g) "Council" means the Council of the City of Calgary;
- (h) "Cross Connection" means any temporary, permanent or potential water connection that allows or may allow Backflow to occur;
- (i) "Cross Connection Control Device" means a Backflow prevention device approved by the Director, Water Resources that prevents Backflow;

- (j) “Customer” means any Person, any other municipal corporation, the Government of Alberta or the Government of Canada whose property is connected to the Water System or any lessee or Occupant of such property, or any Person who requests water services or has applied for an account or is otherwise responsible for paying such account for water services;
- (k) "Customer's Plumbing System" means the system of pipes, fittings, valves and appurtenances that conveys potable water between the Water Service Connection and the Water Supply outlets;
- (l) “Director, Water Resources” means the City Manager or the City Manager’s designate;
- (m) “Director, Water Services” means the City Manager or the City Manager’s designate;
- (n) “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”;
- (o) “Glenmore Area” means all of the land obtained by the City for the purposes of establishing the Glenmore Reservoir and Water System and includes all the land within the boundaries of Glenmore Park as set out in the shaded area on the map attached to this Bylaw in Schedule “F”;
- (p) “Glenmore Reservoir” means the contiguous body of water within the Glenmore Area west of the Glenmore dam, which supplies water to the Glenmore water treatment plant;
- (q) "Gross Building Area" means the sum of the total floor areas of the dwelling unit including basement, main and upper floors, but excluding garage floor areas, swimming pool areas and greenhouse areas;
- (r) “Hydrant Connection Unit” means the locked box supplied by the City to a Hydrant User which is used to withdraw water from a fire hydrant and which contains a Water Meter, valves, pipes and fittings, and which may or may not contain a Cross Connection Control Device for the prevention of Backflow;
- (s) “Hydrant User” means any Person authorized by the Director, Water Resources to obtain water from a fire hydrant for a purpose other than emergency fire protection;

- (t) "Integrated Pest Management Test Site" means a site identified by the Calgary Parks business unit as undergoing trials of integrated pest management practices for information and evaluation purposes;
(7M2016, 2016 February 18)
- (u) "Master Control Valve" means the water valve within a building on a Customer's parcel, usually located near the Water Meter or point of entry of the Water Service Connection, which, when closed, does not allow the flow of water in the building;
- (v) "Monthly Rate" means a charge for services based on a thirty (30) day period, the billing of which is established by dividing the applicable monthly rate or charge by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period;
- (w) "Multi-Family Residential Metered" means:
 - (i) a premises used for residential purposes containing five or more dwelling units that are not individually metered by The City; or
 - (ii) an Apartment Building regardless of how the Apartment Building is metered;
(57M2018, 2019 January 01)
- (x) "Occupant" includes an Owner of a premises where that Owner resides or carries on a business within a premises, and includes any Person or corporation residing or carrying on a business, or both, within a premises either as a lessee or pursuant to a licence of occupation, where that premises is connected to the Water System;
- (y) "Officer" includes a member of the Calgary Police Service and a bylaw enforcement officer appointed pursuant to Bylaw 60M86;
- (z) "On-site Water Main" means an underground water pipe which forms part of the Customers water distribution network;
- (aa) "Owner" includes the Person or Persons listed on the title of a parcel of land as registered at the Land Titles Office;
- (bb) "Person" means any of the following:
 - (i) an individual;

- (ii) a legal entity or business entity, including a firm, association partnership, society or corporation;
 - (iii) a trustee, executor, administrator, agent or employee of either (i) or (ii);
- (cc) "Potable Water" means water which originates from a source or tap connected to a City Water Main;
- (dd) "Premises-isolating" means a Cross Connection Control Device installed on the incoming water service prior to any water use;
- (ee) "Remedial Order" means an order issued pursuant to section 545 of the Municipal Government Act, and in accordance with the provisions of Section 2 of Bylaw 5M2004, The Community Standards Bylaw;
- (ee.1) "Residential Metered" means a premises used for residential purposes:
 - (i) containing one or more dwelling units that are individually metered by The City; or
 - (ii) containing less than five dwelling units regardless of how each dwelling unit is metered by The City;but does not include an Apartment Building;

(57M2018, 2019 January 01)
- (ff) "Single-Family Residence" means a single detached residential building where no commercial activity or business is carried on;
- (gg) "Tier One Water Managed System" means a site for which watering is applied through a system approved by the Director, Water Resources as a Tier One Water Managed site;
- (hh) "Tier Two Water Managed System" means a site for which watering is applied through a system approved by the Director, Water Resources as a Tier Two Water Managed Site;
- (ii) "Two-Family Residence" means a single detached residential building containing two separate and distinct dwelling units, one above the other or the one immediately adjacent to the other, but each having a separate entrance but does not include any dwelling unit forming part of a multiple unit residential development or which forms part of a building in which any commercial activity or business is carried on;

- (jj) "Water Meter" means any device approved by the Director, Water Resources which is designed to measure the quantity of water used by a Customer, and which may or may not incorporate a remote-reading device;
 - (kk) "Water Resources" means The City's business unit responsible for providing asset management, engineering, planning and support functions for water, wastewater and ~~drainage~~ ~~stormwater~~ systems.
 - (ll) "Water Services" means The City's business unit responsible for the operational functions of the water, wastewater and ~~storm~~ ~~drainage~~ ~~stormwater~~ systems.
 - (mm) "Water Service Connection" means a water pipe which connects a Customer's parcel or premises to a City Water Main;
 - (nn) "Water Service Valve" means the City-owned water valve located on the Water Service Connection which enables the City to turn on or off the Water Supply to a Customer's premises;
 - (oo) "Water Supply" means the supply of potable water delivered to Customer's parcel or premises through the Water System;
 - (pp) "Water System" means the entire infrastructure owned by the City for the purpose of the collection and treatment of source water and delivery of Potable Water to Customers;
- (2) All schedules, forms, tables and diagrams attached to this Bylaw shall form part of this Bylaw.
 - (3) Any headings, sub-headings, or table of contents in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
 - (4) Any contract between The City and a Customer with respect to the supply of water shall be subject to this Bylaw.
 - (5) Where this Bylaw cites or refers to any other Act, bylaw, regulation, agency, organization or publication, the citation or reference is to the Act, bylaw, regulation, agency, organization or publication as amended, whether amended before or after the commencement of this Bylaw, and includes reference to any Act, bylaw, regulation, agency, organization or publication that may be substituted in its place.

- (6) Every 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.
- (7) A word or expression and grammatical forms of the same word or expression have corresponding meanings.

(8M2015, 2015 February 09)

- 2.1 Nothing in this Bylaw relieves a Person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.

(8M2015, 2015 February 09)

PART II: CONTINUATION OF THE WATER SYSTEM

- 3. The City having constructed, operated and maintained a water system as a public utility shall continue, insofar as there is sufficient plant capacity and supply of water, to supply water, upon such terms as Council considers advisable, to any resident or industry or other Customer within the municipality situated along any water main:
 - (a) where a service currently exists; and
 - (b) upon a written request by the Owner, Occupant or other Person in charge of a residence, industry or building.

PART III: RESPONSIBILITIES OF THE CITY AND CUSTOMERS

- 4.
 - (1) Where a water service is continued or initiated pursuant to this Bylaw, The City shall supply water to a Customer's Plumbing System at the property line of the parcel of land to be serviced, adjacent to a street or lane, or at the boundary of an easement granted to the City for its Water System
 - (2) Where a water service is continued or initiated pursuant to this Bylaw, the Customer shall be responsible for:
 - (a) providing the Water Service Connection from the property line or boundary of an easement granted to the City for its Water System to the Customer's Plumbing System;
 - (b) ensuring that the connection referred to in subsection (a) is in compliance with the provisions of this Bylaw;

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- (c) ensuring that the connection referred to in subsection (a) and the remainder of the Customer'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, 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 connection to the Water System; and
 - (e) ensure that such connection does not interfere with the operation of the Water System.
- (3) In making an application pursuant to this Bylaw no Person shall give false information.
- (4) The City shall not be liable for damages or loss suffered by anyone due to the operation of the Water System, unless shown to be directly due to the negligence of The City or its employees, and without limiting the generality of the foregoing, shall not be liable for damages or loss:
 - (a) for the settlement of any excavation or trench made for the installation or repair of any part of the Water System, or any damage or loss resulting from such settlement;
 - (b) caused by the break of any water main, Water Service Connection or other pipe;
 - (c) caused by the disruption of any supply of water from the Water System when such disruption is necessary in connection with the repair or maintenance of the Water System;
 - (d) caused by the disruption or cutting off of the Water Supply in the event of an emergency.
- (5) Every Person who relies on a written approval issued pursuant to this Bylaw has the onus of proving that they were the holder of a valid and subsisting approval.
- (6) A Person must report to the City any connection or equipment located on a Premises that does not comply with the requirements of this Bylaw.

(8M2015, 2015 February 09)

PART IV: GENERAL AUTHORITY OF THE DIRECTORS

5. (1) The Director, Water Services may:
- (a) delegate any or all of the powers granted to the Director pursuant to this Bylaw;
 - (b) establish standards and guidelines for the maintenance and physical operations of the Water System;
 - (c) enter into contracts for the installation of equipment for the provision of water services, including the installation of Water Meters,
 - (d) subject to any provisions of this Bylaw, discontinue water service and continue to refuse to provide water service until such time as the deficiency is corrected, if a Customer or Owner fails or refuses to repair, maintain or replace any leak or leaks between a private property line and a Water Meter.
- (2) The Director, Water Resources may:
- (a) delegate any or all of the powers granted to the Director pursuant to this Bylaw;
 - (b) establish standards, guidelines and specifications for the design, construction, and management of the Water System;
 - (c) enter into contracts for the provision of services, including contracts to provide for the reading of Water Meters, billing for water services, and similar services;
 - (d) subject to any provisions of this Bylaw, enter into contracts on behalf of The City with any Customers within The City for the provision of water services and may, as a condition of service, impose any conditions to the supply of water services in such contracts that the Director considers reasonable and appropriate in the circumstances, including provision that if a Customer fails to comply with the requirements of this Bylaw or the terms of the contract, that water service may be discontinued;
 - (e) subject to any provisions of this Bylaw, require any Customer to enter into a contract with The City for the provision of water services, prior to such services being provided;
 - (f) subject to any provisions of this Bylaw, refuse to supply, discontinue water service, and continue to refuse to provide water service until such time as the deficiency is corrected, if a Customer or Owner has:

- (i) provided false information in an application for service;
 - (ii) failed to keep an account in good standing;
 - (iii) refused to allow the installation of a Water Meter;
 - (iv) failed to comply with a term of a contract for the provision of water service; or
 - (v) failed to comply with a condition of water service;
- (g) subject to the approval of Council, enter into an agreement to supply water to a Customer or Customers outside the City limits.
- (3) In the event of a conflict regarding the Glenmore Area, the authority of a Director pursuant to this Bylaw and the protection of the Water Supply shall take precedence over Bylaw ~~11M2019 20M2003~~, The Parks and Pathways Bylaw and Bylaw 9018, The Glenmore Park Bylaw.

PART V: RATES AND FEES

- 6.
 - (1) Council shall set rates and fees for all Customers for the following:
 - (a) monthly service charges and water usage rates;
 - (b) monthly flat rates; and
 - (c) collection and cut-off fees.
 - (2) Subject to subsection (1), the Director, Water Services may establish rates and fees for products and services provided pursuant to this Bylaw, including the following:
 - (a) fees for inspections, service connections, reconnections and disconnections;
 - (b) fees for meter, hydrant and other equipment rentals, replacement and relocations; and
 - (c) service fees for site visits, maintenance, testing and repairs.
 - (3) Rates and fees set by Council pursuant to subsection (1) shall be set out in Schedule "A" to this Bylaw.

- (4) No reduction in rates will be made in the monthly charge for water supplied to or made available for use by any Customer because of any interruption due to any cause whatsoever of the Water Supply.

RESIDENTIAL METERED

- 7. Where water is supplied to a Residential Metered Customer, the Customer shall pay to the City a monthly charge of the aggregate of:
 - (a) the monthly service charge as set out in Table 1 of Schedule "A" to this Bylaw; and
 - (b) the amount determined by the volume of water shown by the Water Meter as supplied for the applicable month at the usage rate specified, as set out in Table 2 of Schedule "A" to this Bylaw.

(57M2018, 2019 January 01)

RESIDENTIAL FLAT & TEMPORARY

- 8. (1) Where water is supplied to a Customer in a Single-Family Residence or a Two-Family Residence through a single Water Service Connection on which no Water Meter is used for billing purposes, the Customer shall pay for the water at a monthly charge of the greater of:
 - (a) the minimum monthly rate per service connection as set out in Table 1 of Schedule "A" to this Bylaw;
 - (b) the aggregate monthly rate of:
 - (i) the actual lot area multiplied by the rate per thousand square feet of actual lot area; plus
 - (ii) the Gross Building Area multiplied by the rate per thousand square feet of Gross Building Area, both as set out in Table 3 of Schedule "A" of this Bylaw;
 - (c) in the case of a Two-Family Residence registered under one Certificate of Title, fifty percent (50.0%) of the actual lot area multiplied by the rate per thousand square feet of actual lot area plus fifty percent (50%) of the Gross Building Area multiplied by the rate per thousand square feet of Gross Building Area, both as set out in Table 3 of Schedule "A" of this Bylaw; or
 - (d) where the information in subsections (b) or (c) is not available, a minimum monthly charge as set out in Table 3 of Schedule "A" to this Bylaw;

- (2) Where the Director, Water Resources determines that adequate information is not available for billing pursuant to subsection (1), the Director, Water Resources may authorize use of a temporary water rate and the Customer shall pay for the water at a monthly charge as set out in Table 4 of Schedule "A" to this Bylaw.

MULTI-FAMILY RESIDENTIAL METERED

- 8.1 Where water is supplied to a Multi-Family Residential Metered Customer, the Customer shall pay to the City a monthly charge of the aggregate of:
 - (a) the monthly service charge as set out in Table 1 of Schedule "A" to this Bylaw;
and
 - (b) the amount determined by the volume of water shown by the Water Meter as supplied for the applicable month at the usage rate specified as set out in Table 2 of Schedule "A" to this Bylaw.

(57M2018, 2019 January 01)

IRRIGATION WATER

9. Where water is supplied by the City through a Water Meter, for irrigation purposes, the Customer shall pay to the City a monthly charge of the aggregate of:
 - (a) the monthly service charge as set out in Table 1 of Schedule "A" to this Bylaw;
and
 - (b) the amount determined by the volume of water shown by the Water Meter as supplied for the applicable month at the usage rate specified, as set out in Table 2 of Schedule "A" to this Bylaw.

GENERAL SERVICE

10. Where water is supplied by the City through a Water Meter to a Customer other than under Sections 7, 8, 8.1 or 9, the Customer shall pay to the City a monthly charge of the aggregate of:
 - (a) the monthly service charge as set out in Table 1 of Schedule "A" to this Bylaw,
and
 - (b) the amount determined by the volume of water shown by the Water Meter as supplied for the applicable month at the usage rate specified, as set out in Table 2 of Schedule "A" of this Bylaw.

(57M2018, 2019 January 01)

OUTSIDE CITY

11. Where water is supplied to any Customer outside the City of Calgary, that Customer shall pay to the City the rates approved by Council as set out in Schedule "H" of this Bylaw.

(8M2015, 2015 February 09)

BULK WATER STATIONS

12. Anyone who wishes to obtain water from the public bulk water stations in the City shall apply for an account allowing them to obtain water from that source and they shall pay for that water the amount as set out in Table 5 of Schedule "A" to this Bylaw.

(57M2018, 2019 January 01)

BUILDING CONSTRUCTION

13. Charges for water to be used in construction activities will be in accordance with the rates as shown in Table 6 of Schedule "A" to this Bylaw, and are payable with the application for a Building Permit.

(57M2018, 2019 January 01)

FIRE HYDRANTS

14. Where the drawing of water from fire hydrants is authorized, charges for such water will be in accordance with the rates as shown in Table 7 of Schedule "A" to this Bylaw.

(57M2018, 2019 January 01)

PART VI: PAYMENTS

15. (1) The Director, Water Resources may establish a system for the billing and collecting of the rates, charges, fees and rents in connection with the Water System including but not limited to charges for any work done or service or material supplied for the construction, installation, connection, disconnection or replacement of any part of the Water System, or any part of the Customer's Plumbing System located on private property.
- (2) In default of payment of the rates set out in any of the Schedules to this Bylaw or any amount due and payable to the City for anything done, or any amounts payable, pursuant to this Bylaw, the Director, Water Resources may enforce the collection of such rates or payments by shutting off the water being supplied to the Customer, or by action in any Court of competent jurisdiction, or both.
- (3) Where the Occupant is the Owner or purchaser under an agreement for sale in possession of the parcel or premises to which water is supplied or is available for the use of the Occupant, all sums payable by the Occupant pursuant to this

Bylaw including the rates set out in any of the Schedules to this Bylaw, are a debt due and owing to the City and shall constitute a preferential lien and charge on the parcel or premises and the personal property of the Occupant and may be levied and collected in a like manner as Municipal rates and taxes are recoverable.

- (4) Where the Occupant is other than the Owner or the purchaser under an agreement for sale all sums payable by the Occupant pursuant to this Bylaw including the rates set out in any of the Schedules to this Bylaw, are a debt due and owing to the City and shall constitute a Preferential Lien and charge on the Occupant's personal property and may be levied and collected with costs by distress.

(8M2015, 2015 February 09)

PART VII: WATER CONSERVATION

LOW WATER USE FIXTURES

16. (1) For the purposes of this Section, Low Flow Plumbing Fixtures means:
- (a) toilets having a total water usage of no greater than ~~6.0~~ 4.8 litres ~~or 4.6 US-gallons~~ per flush, including the contents of both the tank and bowl of the toilet;
 - (b) urinals having a total water usage of no greater than ~~3.8~~ 1.9 litres ~~or 4.0 US-gallons~~ per flush, but does not include urinals which flush automatically after a period of elapsed time, regardless of the amount of water usage per flush;
 - (c) showerheads having a rate of water flow no greater than ~~9.5~~ 7.6 litres ~~or 2.5 US-gallons~~ per minute;
 - ~~(d) lavatory basin and kitchen sink faucets having a rate of water flow no greater than 8.3 litres or 2.2 US-gallons per minute; and~~
 - (d) faucet aerators having a rate of water flow no greater than 5.7 litres per minute;
 - (e) public restroom faucets having a total water flow of no greater than 1.9 litres ~~or 0.5 US-gallons~~ per minute; and
 - (f) commercial pre-rinse spray valves having a rate of water flow no greater than 6 litres per minute.

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- (2) Subsection (1)(c) shall not be interpreted to prevent the installation of more than one valve in a shower stall or bathroom.
- (3) Every Person responsible for the construction of:
 - (a) new residential construction, regardless of the number of dwelling units contained in a structure;
 - (b) new industrial, commercial and institutional construction; and
 - (c) any renovation project regarding a residential, industrial, commercial or institutional structure that requires a plumbing permit;must ensure that all plumbing fixtures installed in that construction or renovation are Low Flow Plumbing Fixtures.
- (4) Notwithstanding the obligations and prohibitions in this Section, the Director, Water Resources may, in writing, allow the installation of plumbing fixtures other than Low Flow Plumbing Fixtures having regard to any factor the Director, Water Resources considers appropriate.

(8M2015, 2015 February 09)

ONCE-THROUGH COOLING

- 17. (1) For the purpose of this Section, "Once-Through Cooling Equipment" means cooling, air conditioning or refrigeration systems in buildings, building systems and equipment, which rely upon the temperature of the water for cooling purposes and deliver water to a drain or other discharge facility without having recycled that water, but does not include emergency or back-up once-through cooling systems.
- (2) No Person shall install or allow the installation of any Once-Through Cooling Equipment connected to The City of Calgary's Water Supply, in any residential, industrial, commercial or institutional construction, development, retrofitting or restoration project.
- (3) Notwithstanding the obligations and prohibitions in this Section, the Director, Water Resources may, in writing, allow the use of Once-Through Cooling Equipment having regard to any factor the Director, Water Resources considers appropriate.

WATER WASTAGE

- 18. (1) No Owner or Occupant of a parcel shall allow Potable Water to run off the parcel such that there is:

- (a) a stream of water running into a street or swale for a distance of 30 metres or more from the edge of the parcel;
 - (b) a stream of water running into a street or swale and directly into a catch basin; or
 - (c) a stream or spray of water running into or falling onto a street or sidewalk or adjacent parcel.
- (2) Notwithstanding the prohibitions in this Section, the Director, Water Resources may authorize in writing the discharge of Potable Water onto a street or sidewalk for the purposes of:
 - (a) health and safety;
 - (b) the installation and maintenance of infrastructure, including the flushing of water mains, hydrant leads and water service connections;
 - (c) preventing the freezing of water mains, hydrant leads 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 of Calgary; or
 - (g) other purposes as deemed necessary by the Director, Water Resources from time to time.

(8M2015, 2015 February 09)

PART VIII: EMERGENCIES AND OUTDOOR WATER USE RESTRICTIONS

EMERGENCIES

19. The Director, Water Resources or the Director, Water Services, may discontinue water service without prior notice to a Customer, a group of Customers, or a geographical area in order to prevent or mitigate the impairment of or damage to:
- (a) the Water System;
 - (b) the Wastewater System, as defined in Bylaw 14M2012;

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- (c) the ~~Storm Drainage~~ Stormwater System, as defined in Bylaw 37M2005;
- (d) human health or safety;
- (e) property;
- (f) the environment.

(8M2015, 2015 February 09)

OUTDOOR WATER USE RESTRICTIONS

20. (1) In the event that the Director, Water Resources believes there is a reason to require reduced water usage, the Director, Water Resources may declare an outdoor water use restriction.
- (2) The declaration of an outdoor water use restriction by the Director, Water Resources 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 Director, Water Resources;.
- (3) In the event there is reason to declare an outdoor water use restriction, the Director, Water Resources may declare such restriction effective immediately.
- (4) In the event of a declaration of an outdoor water use restriction made pursuant to this Section, the Director, Water Resources:
- (a) shall determine that the outdoor water use restriction is a Stage One, Stage Two, Stage Three or Stage Four outdoor water use restriction, and the permitted activities shall be those referenced in Schedule "E" to this Bylaw;
 - (b) shall cause public notice indicating the stage of outdoor water use restriction and the date such restrictions came or will come into effect to be given in any one or more of the following manners:
 - (i) City of Calgary press release;
 - (ii) notice on The City of Calgary web-site;
 - (iii) advertising in one or both major daily newspapers in circulation in the City;

- (iv) circulation of flyers; or
 - (v) signage;
 - (c) may declare different stages of Outdoor Water Use Restrictions in different areas;
 - (d) shall, if changing the areas of application or stages of restrictions in any area or lifting a declaration of Outdoor Water Use Restrictions, cause a public notice to be given in the manner described in subsection (b); and
 - (e) shall, after determining that the reason or reasons to require reduced water usage has sufficiently abated, declare an end to an Outdoor Water Use Restriction and shall cause public notice of such declaration to be given in the manner described in subsection (b).
- (5) When an Outdoor Water Use Restriction is in effect, no Owner or Occupier of a Parcel or Premises shall allow the use of water supplied through the Water System for any activity or application prohibited in the following stage of restrictions in Schedule "E" to this Bylaw:
- (a) Stage 1;
 - (b) Stage 2;
 - (c) Stage 3; or
 - (d) Stage 4.
- (6) Without limiting the generality of section 20, the activities permitted in Schedule "E" shall only apply to core business operations and shall not apply to landscaping activities which are not a core function of a specific business or enterprise.

PART IX: PROTECTION OF INFRASTRUCTURE AND WATER SUPPLY

WATER SYSTEM TAKES PRECEDENCE

21. (1) In the event of a conflict, this Bylaw and the operation and maintenance of the Water System shall take precedence over any other City bylaw as it relates to the Glenmore Area and the Water System.

- (2) Notwithstanding any recreational use or approval in the Glenmore Area, the Director, Water Services may restrict access and order the suspension of any activities in the Glenmore Area for the protection of the Water Supply or expansion of the Water System.
- (3) The Director, Water Services may cause the water level within the Glenmore Reservoir to be raised or lowered as the exigencies of the Water System require, notwithstanding any adverse effect that a raising or lowering may have on any structure or approved activity.

GENERAL PROHIBITIONS

- 22. (1) No Person shall enter any fenced area which forms part of the Water System or is controlled by Water Services, without the permission of the Director, Water Services.
- (2) No Person shall climb upon any structure which forms part of the Water System.

RESTRICTED AREAS AND PROHIBITED ACTIVITIES IN GLENMORE AREA

- 23. (1) The Director, Water Services may, at the Director's discretion, for the protection of the Water System or Water Supply:
 - (a) restrict or close public access to any portion of the Glenmore Area;
 - (b) erect temporary or permanent barriers, barricades, fences or other structures and erect signs to give effect to such restrictions or closures.
- (2) No Person other than an employee of Water Services acting in the course of their duties may:
 - (a) access or climb upon any portion of the Glenmore dam wall or face;
 - (b) access along or across the top of the Glenmore dam except on the roadway and pedestrian and bicycle pathways;
 - (c) enter or remain in the water of the Elbow River within 50 metres of the most easterly portion of the concrete spillway beneath the face of the Glenmore dam;or permit or cause any of the above to occur.
- (3) No Person shall, without the permission of the Director, Water Services:
 - (a) disobey a sign or cross a barrier in the Glenmore Area;

- (b) enter or remain in or upon the water or the ice of the Glenmore Reservoir for any purpose except as specified in the Glenmore Park Bylaw 9018;
- (c) place any object or thing in the water or upon the ice of the Glenmore Reservoir or any stream flowing into the Glenmore Reservoir except as specified in the Glenmore Park Bylaw 9018;
- (d) do anything or place or throw any thing which may pollute or contaminate the water of the Glenmore Reservoir;
- (e) climb upon, tamper with or damage, or allow to be tampered with or damaged, any works, pipes or structure within the Glenmore Area;
- (f) allow any drain to be connected to any structure or device which drains into the Glenmore Reservoir or any water lying West of the dam at the East end of Glenmore Reservoir;

or permit or cause any of the above to occur.

(8M2015, 2015 February 09)

PART X: INTERFERENCE WITH WATER SYSTEM

24. (1) No Person shall:
- (a) damage, destroy, remove or interfere in any way with any pipe, pipe connection, valve, or other appurtenance forming part of the Water System;
 - (b) interfere in any way with or cause any interference with the use of the Water System by another Customer, and without limiting the generality of the foregoing, shall not attach any device to any water pipe which may create noise, a pressure surge, back-flow or contamination of the Water System;
 - (c) use any boosting device on any Water Service Connection, on the upstream side of a Water Meter or Master Control Valve for the purpose of increasing water pressure;
 - (d) install branch supply lines, outlets or fixtures on the upstream side of a Water Meter or Master control valve, except for fire protection purposes as approved by the Director, Water Resources;

- (e) install branch supply lines, outlets or fixtures on the upstream side of a Premises-isolating Cross Connection Control Device;
- (f) tamper with, break or remove any seal, lock-out device or lock-out tag installed by the City on any valves or flanged outlets on Water Service Connections or Water Metering facilities; and
- (g) attach or connect any pipe to any pipe or main of the Water System or in any other way obtain or use any water thereof without consent of the Director, Water Resources;

or permit or cause any of the above to occur.

(8M2015, 2015 February 09)

PART XI: ACCESS TO PROPERTY FOR THE PURPOSES OF WATER SERVICE

ACCESS FOR AUTHORIZED PURPOSES

25. (1) As a condition of water service and as operational needs dictate, employees of the City shall have free access to all parts of a property, building or other premises in which water is delivered and consumed, at reasonable hours of the day and upon reasonable notice for the purpose of:
- (a) installation, maintenance, repair, and removal of the Water System and Water Service Connections;
 - (b) installation, testing, repair and removal of Water Meters or other parts of the Water System;
 - (c) inspection of Cross-Connection Control Devices or other equipment and works associated with the Water System and the Customer Plumbing System;
 - (d) reading of Water Meters; and
 - (e) inspections for compliance with this Bylaw.
- (2) No Person shall hinder, interrupt or cause to be hindered any employee of the City or its contractors, servants and agents or workers, in the exercise of any of the powers or duties relating to the Water System as authorized or required in this Bylaw.
- (3) Upon termination of Water Service, any employee of the City employed for that purpose may, at all reasonable times enter the parcel or premises which was

supplied with Water Service for the purpose of removing from the parcel or premises any fittings, machines, apparatus, meters, pipes or any other things that are the property of the City, and may remove these things.

- (4) Employees of the City may at any time specify the required position or require the relocation, at a property owner's expense, of any Water Meter, Cross Connection Control Device, pipe, valve or fitting forming part of the Water System.

SERVICE FEES FOR SUBSEQUENT SITE VISITS

- 26. A fee may be charged, as set by the Director, Water Services from time to time, where a City employee or agent is required to make an additional visit or visits at a parcel or premises for any of the following reasons:
 - (a) where a Customer refuses access to a parcel or premises for a City employee or agent to install, repair, replace, inspect, test or read a Water Meter or any other equipment in relation to the Water System;
 - (b) where a City employee or agent attends at a parcel or premises for a scheduled appointment to perform any of the functions set out in subsection (a), and the Customer is not present at the scheduled time to provide access to the parcel or premises; or
 - (c) where a City employee or agent attends at a parcel or premises to perform any of the functions set out in subsection (a) and is unable to proceed based on unsafe conditions or the inadequacy of access to the parcel or premises.

PART XII: WATER METERS

RESIDENTIAL

- 27.
 - (1) Unless otherwise authorized by the Director, Water Resources, all Single-Family Residences and Two-Family Residences must be metered by December 31, 2014.
 - (2) It shall be a condition of approving an application for utility service for supplying water to a single family and two family residence that the Owner of the residence agree to the installation of a Water Meter.
 - (3) DELETED BY 53M2009, 2009 NOVEMBER 16.
 - (4) Where the Owner of a Single-Family Residence or Two-Family Residence that is supplied water service on which no Water Meter is used has not applied to the

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Director, Water Resources for the use of a Water Meter for billing purposes by January 1, 2010, the Director, Water Resources may set a date for the installation of a Water Meter in that residence and the Director, Water Resources shall notify the Owner of that residence of such installation date, and the fees for subsequent site visits set out in Section 26 shall apply to such installation.

(53M2009, 2009 November 16)

- (5) If the Owner of a Single-Family Residence or Two-Family Residence refuses to have a Water Meter installed in such premises after December 31, 2014, the Director, Water Resources may cut off the water service to the premises.
- (6) The Director, Water Services may determine if it is impractical to install a Water Meter and if such installation is impractical, the Director, Water Resources shall determine what rate shall be charged for water service.

MULTI-FAMILY RESIDENTIAL METERED

- 27.1 It shall be a condition of water service that all Multi-Family Residential Metered premises shall be connected to a Water Meter.

(57M2018, 2019 January 01)

GENERAL SERVICE

28. (1) DELETED BY 57M2018, 2019 JANUARY 01.
- (2) Subject to subsection (3), it shall be a condition of water service that all non-residential Water Service Connections, including Combined Water Service, temporary water service, and seasonal water service, shall be connected to a Water Meter.
- (3) The following water services shall not require connection to a Water Meter:
- (a) fire service connections which are not used for any other purpose; and
 - (b) such other connections where, in the opinion of the Director, Water Services, it is impractical to install a Water Meter.

COSTS ASSOCIATED WITH WATER METERS

29. (1) The City may charge for and recover from the Owner of a premises the cost of supplying, installing, altering, repairing, relocating or replacing a Water Meter.
- (2) If a Water Meter is removed or stolen, the Owner of the premises shall pay the cost of replacing the Water Meter including installation.

- (3) Notwithstanding the payment of any costs, all Water Meters shall remain the property of the City.

LOCATION, INSTALLATION AND MAINTENANCE OF WATER METERS & METERING
FACILITIES – OBLIGATIONS & AUTHORITY OF THE DIRECTOR

30. (1) As a condition of service, the Director, Water Resources may:
- (a) determine the size, type and number of Water Meters to be supplied and installed in a premises;
 - (b) determine the location that a Water Meter or Water Meters are to be installed;
 - (c) in the case of installation of two or more Water Meters, require their installation adjacent to each other and as close as possible to the Master Control Valve or place where the Water Service Connection enters the building;
 - (d) require a Water Meter to be either tested on site or removed for testing by a Water Services employee or Person authorized by the Director, Water Services, at any specific time or on a periodic basis;
 - (e) require a Water Meter to be relocated:
 - (i) if the building to which it was initially installed, has been altered; or
 - (ii) to a location near the point of entry of the Water service Connection;
- (2) As a condition of service, the Director, Water Services may:
- (a) inspect a parcel or premises prior to supplying water service to determine if a site is suitable for the installation, reading, maintenance and repair of a Water Meter and related works;
 - (b) inspect an installation to ensure it meets approved or modified drawings and require an Owner to remedy any deficiencies;
- (3) The Director, Water Resources shall:
- (a) where a Customer has submitted an application to relocate a Water Meter or install additional metering, piping or valving, review such application and provide a decision to the Customer which:

- (i) approves such application;
 - (ii) notifies the Customer of required changes to such application; or
 - (iii) denies such application;
- (b) determine the size, type and number of Water Meters to be supplied and installed by the City.

LOCATION, INSTALLATION AND MAINTENANCE OF WATER METERS & METERING
FACILITIES – OBLIGATIONS & RIGHTS OF THE CUSTOMER

31. (1) Every Customer shall:
- (a) for water meter installation within a building, provide a suitable site for such installation near the master control valve, to the satisfaction of the Director, Water Resources and in accordance with The City of Calgary Water Resources Standard Specifications Waterworks Construction, as amended from time to time;
 - (b) for Water Meter installation outside of a building, provide at the Owner's expense and to the satisfaction of the Director, Water Resources a meter building or a meter vault on the owner's property and near the property line, in accordance with The City of Calgary Water Resources Standard Specifications Waterworks Construction, as amended from time to time;
 - (c) provide for the maintenance and repair of such building or vault referred to in subsection (b), and upon failure to do so the Director, Water Services may have such work performed by City employees or agents at the owner's expense;
 - (d) ensure that employees or agents of Water Services have clear access to meter areas and Water Meters for meter testing and reading purposes;
 - (e) notify the Director, Water Services immediately whenever a Water Meter is not operating or if any part of a Water Meter becomes damaged or broken;
 - (f) be responsible for the safe-keeping of any Water Meter and any remote reading device that is installed on the Customer's premises;
 - (g) protect any Water Meter, valves and pipes located on his parcel or premises from freezing, excessive heat, overheating of water, external or internal damage of any kind, or any other thing which may affect the operation of the Water Meter or Meters;

- (h) pay the cost of repairing or replacing any Water Meter or metering facilities supplied and installed by the City that may be damaged from any causes set out in subsection (g) or any other cause within the control of the Customer;
 - (i) notify the Director, Water Services within twenty four (24) hours if the seal on a by-pass valve or a Water Meter is broken for emergency purposes or any other purpose;
- (2) Every Customer may:
 - (a) request that a Water Meter be tested for accuracy, and the cost of any such test shall be at the expense of The City if the Water Meter is found to be inaccurate in excess of two percent of actual flow and such test shall be at the Customer's expense if the Water Meter is found to be accurate within two percent of actual flow;
 - (b) request that a Water Meter or metering facilities be relocated by submitting plans and specifications to the Director, Water Resources in a form approved by the Director, Water Resources, and upon approval by the Director, Water Resources may relocate, alter or change any existing Water Meter or metering facilities, the costs of any such alteration or relocation including costs incurred by the City being the responsibility of the Customer.
- (3) No Person shall:
 - (a) interfere with or tamper with the operation of any Water Meter or remote reading device; or
 - (b) open a by-pass valve on a Water Meter or metering installation except in the case of an emergency,

(8M2015, 2015 February 09)

METER READINGS

32. (1) The Director, Water Resources may:
- (a) require a Water Meter to be read;
 - (b) determine the frequency at which Water Meters shall be read;

- (c) shut-off the Water Supply to a Customer who refuses to provide a Water Meter reading within six months of a request to provide such Water Meter reading;
 - (d) subject to subsection (3), estimate a Water Meter reading;
- (2) Every Customer shall:
 - (a) provide readings of a Water Meter or Water Meters on premises under his control, when requested by the Director, Water Resources; and
 - (b) in circumstances where a Water Meter was estimated:
 - (i) pay the cost of the estimated consumption; and
 - (ii) if the actual consumption is greater than the estimated consumption when the Water Meter is read, pay the cost of the actual consumption;
- (3) A Water Meter reading may be estimated by the Director, Water Resources based on either previous consumption patterns or a daily average consumption for the premises, if:
 - (a) the City is unable to obtain a Water Meter reading;
 - (b) a Water Meter fails to properly register the amount of water consumed; or
 - (c) water supplied through a Water Meter has not, for any reason whatsoever, registered on the Water Meter.
- (4) If a Customer experiences abnormal water consumption, the Director, Water Resources may adjust the Customer's bill taking into consideration any or all of the following factors:
 - (a) whether the Customer is a residential or general service Customer;
 - (b) the cause or nature of the abnormal water consumption;
 - (c) any evidence of action taken by the Customer to abate the abnormal consumption;
 - (d) any other factor or factors that the Director, Water Resources considers relevant.

PART XIII: WATER SERVICE CONNECTIONS

OBLIGATIONS AND OWNERSHIP

33. (1) The City shall install that portion of the Water Service Connection which is on City property and which runs from the City Water Main to a property line of the parcel of land to be serviced, adjacent to a street or lane, or at the boundary of an easement granted to the City for its Water System.
- (2) The City shall remain the owner of the Water Service Connection after installation, and the City shall remain responsible for the control, maintenance, repair, and replacement of that portion of the Water Service Connection, thereafter.
- (3) Any Water Service Connection, pipe line or water system on private property through which the supply of water is conveyed from the portion of the City Water System which is located at the property line of the street or lane, or boundary of an easement area granted to the City for its Water System, to the water outlets or fixtures on the private property shall be installed, maintained, repaired and replaced by the Owner at the Owner's expense, and without limiting the generality of the foregoing, as a condition of receiving water service from the City, the Owner shall:
- (a) install such Water Service Connections in compliance with the provisions of Bylaw 33M2005, The City of Calgary Utility Site Servicing Bylaw; and
- (b) maintain such Water Service Connections in a state of good repair, with sufficient protection from freezing, free from leakage, or other water loss to the satisfaction of the Director, Water Services.

CHANGES TO EXISTING WATER SERVICE CONNECTIONS

- ~~34. (1) Any Owner wishing to relocate, replace, alter or disconnect an existing Water Service Connection must make application and receive approval of the Director, Water Resources prior to commencing such work.~~
- ~~(2) Where a change referred to in subsection (1) is approved by the Director, Water Resources that Owner may have the work performed on the City owned portion of the Water Service Connection by either an indemnified contractor or The City.~~
- ~~(3) If the Owner of the parcel or premises chooses to have the work on the City owned portion of the Water Service Connection performed by The City pursuant to subsection (2), that Owner shall pay in advance an amount determined by the Director, Water Services, being equal to the estimated cost of the Water Service~~

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~~Connection, subject to a refund or further payment depending on the actual cost when the work is completed.~~

34. (1) Pursuant to section 35(3) of the *Municipal Government Act*, as a term of providing water service to a parcel adjacent to a road or easement, the Owner of the parcel is responsible for the costs of maintenance and repair of the portion of the Water Service Connections from the City Water Main to the boundary of the road or easement. Despite section 33 of this Bylaw, the Owner of a parcel is responsible for any construction of the portion of the Water Service Connections from the City Water Main to the boundary of the road or easement subsequent to the initial connection.
- (2) Any Owner wishing to relocate, replace, alter or temporarily disconnect an existing Water Service Connection must make application to and receive approval of the Director, Water Resources prior to commencing such work.
- (3) A Person must not relocate, replace, alter or disconnect an existing Water Service Connection without receiving approval of the Director, Water Resources.
- (4) Where a relocation, replacement, alteration or disconnection referred to in subsection (2) is approved by the Director, Water Resources the work on the City owned portion of the Water Service Connection must be performed by:
- (a) The City; or
- (b) a contractor who has been pre-approved by Director to work on City Water Service Connections;
- at the election of the Director, Water Services.
- (5) The relocation, replacement, alteration or disconnection must be performed to the satisfaction of the Director, Water Services.
- (6) Where work is performed pursuant to this section, the Owner is responsible for the costs of such work.
- (7) The Director, Water Services may require the Owner to pay in advance a deposit in an amount determined by the Director. The deposit may be refunded on demand when the work is completed, less any amount owing for the work.

SHUT-OFF VALVES

35. (1) All Water Service Connections must be provided with a Master Control Valve and such valve:

- (a) shall be placed immediately inside the outer wall of the premises and on the inlet side of the Water Meter;
 - (b) is intended to enable a Customer to shut off the supply of water in case of an emergency, for the repair or protection of the building, pipes or fixtures, or to prevent flooding of the parcel or premises or in the event the premises are permanently or temporarily vacated.
- (2) Every Owner shall ensure:
 - (a) that all shut-off valves on their premises are maintained in good mechanical condition;
 - (b) that all shut-off valves are easily accessible at all times to ensure that such valves are operable in case of emergency.

TURNING WATER SERVICE ON OR OFF

- 36.
 - (1) No Person shall turn a Water Service Valve on or off except as authorized by the Director, Water Services.
 - (2) No Owner or Occupant of a parcel or premises shall allow a Water Service Valve to be turned on or off except as authorized by the Director, Water Services.
 - (3) Any Customer may request that their water service be shut-off temporarily.

PART XIV: CROSS CONNECTIONS AND TESTING

CONTROLLING CROSS CONNECTIONS

- 37.
 - (1) No person shall connect, cause to be connected or permit to remain connected to the water system a Cross Connection that has not been approved by the Director, Water Resources.
 - (2) Where the Director, Water Resources believes that a Cross Connection exists in contravention of subsection (1), the Director, Water Services may carry out an inspection:
 - (a) upon reasonable notice to the Customer, or
 - (b) without notice where the Director, Water Resources believes that an immediate threat of contamination to the Water System exists.

- (3) Upon inspection, where the Director, Water Resources continues to believe that a Cross Connection exists in contravention of subsection (1) the Director, Water Resources may cut off the water service to that parcel or premises with reasonable notice, and where the Director, Water Resources believes that such Cross Connection poses an immediate threat of contamination of the Water System, the Director, Water Services may cut off water service without notice.

(8M2015, 2015 February 09)

PREMISES-ISOLATING CROSS CONNECTION CONTROL DEVICES

38. (1) Every newly constructed, reconstructed or renovated premises, with the exception of dwelling units separately serviced from a City Water Main or On-site Water Main, shall have a Premises-isolating Cross Connection Control Device installed on the Customer's Plumbing System where the service enters the building, or in a location approved by the Director, Water Resources.
- (2) Where it is proposed to use water from the Water 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 Director, Water Resources;
- (3) Notwithstanding subsection (1), the Director, Water Services may require the installation of a Premises-isolating Cross Connection Control Device on any existing Customer's Plumbing System, at a location approved by the Director, Water Resources.

CUSTOMER MUST TEST AND MAINTAIN CROSS CONNECTION CONTROL DEVICES

39. (1) For the purposes of this Section, Testable Cross Connection Control Devices means Double Check Valve Assemblies (DCVA), Reduced Pressure Principle Assemblies (RP), Pressure Vacuum Breaker Assemblies (PVB/SRPVB) and Air Gaps approved by the Director, Water Services, as those terms are defined in Canadian Standards Association document B64.10-11/B64.10.1-11, "Selection and installation of backflow preventers/Maintenance and field testing of backflow preventers.
- (2) For the purposes of this Bylaw, Testable Cross Connection Control Devices shall only be tested by Persons approved by the Director, Water Resources.
- (3) Every Customer shall, at their 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 Director, Water Resources;
 - (c) at the time that a Testable Cross Connection 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.
- (4) Every Customer shall retain test report records on-site and available to the Director, Water Resources upon request.
- (5) An approved tester must submit a test report with respect to each test referred to in subsection (3) to the Director, Water Resources on a form approved by the Director, Water Resources within ~~30 days~~ 5 days of each test of a Testable Cross Connection Control Device where the tester:
 - (a) discovers that the Testable Cross Connection Control Device is in good working order; or
 - (b) discovers that the Testable Cross Connection Control Device is not in good working order but repairs or replaces and re-tests the Testable Cross Connection Control Device immediately.
- (6) An approved tester must submit a report in writing to the Director, Water Resources on a form approved by the Director, Water Resources within two (2) business days of every test of a Testable Cross Connection Control Device where the tester discovers that a Testable Cross Connection Control Device is not in good working order and where the tester does not repair or replace that Testable Cross Connection Control Device immediately.
- (7) Where a Testable Cross Connection Control Device fails a test referred to in subsection (3) and the Customer does not have it replaced immediately by the authorized tester, the Customer shall have the Testable Cross Connection Control Device repaired or replaced and re-tested within five (5) business days.
- (8) As a condition of service, the Director, Water Resources may issue an order to a Customer requiring the installation, testing or repair of a Cross Connection Control Device and that order may specify a date and time by which the Customer must comply with the terms of the order.
- (9) Where a Customer fails to comply with an order issued by the Director, Water Resources pursuant to subsection (8), the Director, Water Resources may shut off the water service or water services until the situation has been remedied.

PART XV: FIRE HYDRANTS AND HYDRANT CONNECTION UNITS

FIRE HYDRANTS

40. (1) Unless authorized by the Director, Water Services, no Person shall:
- (a) open or close any hydrant or hydrant valve;
 - (b) connect any device of any kind to a fire hydrant, including a pipe, hose, fixture, or appliance; or
 - (c) use water from a fire hydrant, regardless of whether that hydrant is located on private or public property, for any purpose other than fire protection.
- (2) Notwithstanding subsection (1), where a Water Service Connection branches off from a water line that provides water to a hydrant, water may be used for purposes other than fire protection as long as the branch line providing water for purposes other than fire protection is equipped with a Water Meter.
- (3) All fire hydrants, except fire hydrants situated on private property, shall remain the property of the City.
- (4) Any Person who wishes to have a City owned fire hydrant relocated may request in writing to the Director, Water Resources that the hydrant be relocated. If approved, the Person making the request shall pay in advance the estimated cost determined by the Director, Water Services, subject to a refund or additional payment, depending upon the actual cost when the work has been completed.
- (5) The City may require that a fire hydrant be installed on private property at the expense of the Owner of the property. Fire hydrants located on private property must be approved, installed, used and maintained in accordance with the Alberta Fire Code and all municipal bylaws including this Bylaw and Bylaw 37M2005, The ~~Drainage~~ Stormwater Bylaw.
- (6) No Owner or Occupant of a parcel or premises on which a private fire hydrant is situated shall paint such hydrant or allow such hydrant to be painted any colour except the approved colour as set out in The City of Calgary Water Resources Standard Specifications Waterworks Construction, as amended from time to time.

OBSTRUCTION OF HYDRANTS

41. (1) No Owner or Occupant of a parcel or premises shall allow the access to a fire hydrant located on or adjacent to that parcel or premises to be obstructed in any manner, including the building or erection of any thing or the accumulation of any building material, rubbish or other obstruction.
- (2) No Owner or Occupant of a parcel or premises shall allow anything on the parcel or premises to interfere with the operation of a fire hydrant located on or adjacent to that parcel or premises.
- (3) All persons who own property on which a fire hydrant is located or own property which is adjacent to City owned property on which a fire hydrant is located:
- (a) shall maintain a two (2) metre clearance on each side of a fire hydrant and a one (1) metre clearance on the side of a fire hydrant farthest from the nearest adjacent street, as set out in Schedule "G" to this Bylaw;
 - (a.1) shall maintain a six (6) metre clearance above the fire hydrant;
 - (b) shall not permit anything to be constructed, erected, or placed within the clearance provided in ~~paragraph (a) of this subsection~~ subsections (a) and (a.1); and
 - (c) shall not permit anything except grass to be planted within the clearance area set out in subsection (a).

PERMISSION TO USE WATER FROM FIRE HYDRANTS

42. (1) The Director, Water Resources may authorize the use of fire hydrants and the use of water from fire hydrants on a temporary basis where no other supply of water can be conveniently obtained.
- (2) The Director, Water Resources may, as a condition for the use of fire hydrants and the use of water from fire hydrants, require that the water pass through a Water Meter and Cross Connection Control Device prior to use.

HYDRANT CONNECTION UNITS

43. (1) The Director, Water Resources may require that any Person authorized to use a fire hydrant or draw water from a fire hydrant pursuant to Section 42 shall:
- (a) enter into a Hydrant Connection Unit Rental Agreement with The City;

- (b) have any vehicle to which a Hydrant Connection Unit is attached and its equipment inspected and approved by The City, where required pursuant to the agreement, prior to withdrawing water from a fire hydrant;
 - (c) use the Hydrant Connection Unit in the manner required pursuant to the rental agreement at all times while drawing water from a fire hydrant or while connected to a fire hydrant, and ensure that no Backflow, wastewater or other substance can enter the Water System;
 - (d) ensure that a copy of the Hydrant Connection Unit Rental Agreement, and the Rental Agreement receipt is kept in the vehicle at all times that the Hydrant Connection Unit is attached to such vehicle; and
 - (e) produce the Hydrant Connection Unit Rental Agreement and the Rental Agreement receipt to an Officer or any employee of Water Services for inspection, upon demand.
- (2) No Person authorized to use a fire hydrant or draw water from a fire hydrant pursuant to Section 42 shall break or allow to be broken a seal placed on a Hydrant Connection Unit.
- (3) Any Person who fails to comply with the requirements of this Section commits an offence.

CITY OF CALGARY EXEMPTION

44. This Part shall not apply to members of the Calgary Fire Department acting in the course of their employment or any Calgary Fire Department or Water Services activities associated with the flushing of water mains and the maintenance of fire hydrants.

PART XVI: ALTERNATE SOURCES OF WATER

45. (1) No person shall use any source of water to supply water to any residential, commercial, industrial or institutional premises through a plumbing system, other than the Water System without the written consent of the Director, Water Resources.
- (2) The Director, Water Resources may authorize the use of an alternate source of water subject to such terms and conditions as the Director deems necessary, and notwithstanding the generality of the foregoing the Director may set a limit on the period of time for which an alternate supply of water may be used.
- (3) No person who has been granted permission by the Director, Water Resources to use an alternate source of water shall allow that alternate source of water, or

any pipes or devices connected to such alternate water source, to be connected to the Water System.

- (4) Water Services shall not be responsible for the quality of water obtained from any alternate source of water.
- (5) Unless authorized by the Director, Water Resources in writing, no Person shall provide or supply water from one premises, by pipe or hose or other means either with or without charge, to any other premises which could be supplied with water through its own Water Service Connection.

(8M2015, 2015 February 09)

PART XVII: REMEDIAL ORDERS

46. (1) Where:

- (a) the Director, Water Resources;
- (b) the Director, Water Services; or
- (c) an Officer;

believes a Person has contravened any provision of this Bylaw, he or she may issue to the Person a Remedial Order, pursuant to section 545 of the Municipal Government Act and in accordance with Part 2 of The City of Calgary Community Standards Bylaw Number 5M2004, to remedy the infraction.

(8M2015, 2015 February 09)

- (2) Any Remedial Order issued with respect to compliance with this Bylaw must be issued in accordance with the provisions of Section 2 of Bylaw 5M2004, *The Community Standards Bylaw*.
- (3) A Remedial Order issued pursuant to the provisions of this Bylaw may be appealed to the Licence and Community Standards Appeal Board in accordance with the provisions of Section 4 of Bylaw 5M2004, *The Community Standards Bylaw*.
- (4) Where a Remedial Order is issued to either an Owner or an Occupant of a premises pursuant to this Bylaw and if the Person to whom the Remedial Order is issued fails to comply with the Remedial Order or fails to comply with the order within the time specified in the Remedial Order, the Director, Water Resources may cut off water service to the premises.

(50M2011, 2011 September 19)

- (5) Where a Remedial Order is issued to the Owner of a parcel or premises and if that Person to whom the Remedial Order is issued pursuant to this Section fails to comply with the Remedial Order within the time specified, employees of the City may do any thing required by the Remedial Order and the costs of doing so are an amount owing to the municipality and may be added to the tax roll of the parcel.
- (6) A Person to whom a Remedial Order is issued pursuant to this Bylaw who fails to comply with such Remedial Order or fails to comply within the time set out for compliance within that Remedial Order commits an offense.

RECOVERY OF COSTS

46.1 An Owner is responsible for all costs associated with any of the following:

- (a) the implementation of any measures taken, or required to be taken, by either the Owner or The City to meet the requirements of this Bylaw;
- (b) damage or harm to the Water System resulting from the Owner's contravention of the requirements of this Bylaw.

(8M2015, 2015 February 09)

PART XVIII: ENFORCEMENT AND PENALTY PROVISIONS

GENERAL PENALTY PROVISION

47. (1) Any Person who contravenes any provision of this Bylaw by:
- (a) doing any act or thing which the Person is prohibited from doing, or;
 - (b) failing to do any act or thing which the Person is required to do, including:
 - (i) failing to comply with a requirement imposed by the Director, Water Resources or the Director, Water Services;
 - (ii) failing to comply with a requirement or condition of a written approval or permit given by the Director, Water Resources or the Director, Water Services; or

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- (iii) failing to comply with a requirement or condition of an agreement entered into by the Director, Water Resources or the Director, Water Services with the Person;

is guilty of an offence.

(8M2015, 2015 February 09)

- (2) Any Person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00 and in default of payment of any fine imposed, to a period of imprisonment not exceeding six (6) months.

VIOLATION TICKETS AND PENALTIES

- 48. (1) Where an Officer believes that a Person has contravened any provision of this Bylaw, the Officer may commence proceedings against the Person by issuing a violation ticket pursuant to the Provincial Offences Procedures Act, R.S.A. 2000 C. P-24.
- (2) Where there is a specified penalty listed for an offence in Schedule "B" to this Bylaw, that amount is the specified penalty for the offence.
- (3) Notwithstanding the specified penalties set out in Schedule "B" to this Bylaw:
 - (a) if a Person is convicted twice of the same provision of this bylaw within a twenty four (24) month period,
 - (i) the specified penalty for the second conviction shall be twice the amount of the specified penalty as set out in Schedule "B"; and
 - (ii) the minimum penalty for the second conviction shall be the amount of the specified penalty for a first offence as set out in Schedule "B"; and
 - (b) if a Person is convicted three or more times of the same provision of this Bylaw within a twenty four (24) month period,
 - (i) the specified penalty for the third and subsequent convictions shall be three times the amount of the specified penalty as set out in Schedule "B"; and
 - (ii) the minimum penalty for the third and subsequent convictions shall be double the amount of the specified penalty for a first offence as set out in Schedule "B".

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- (4) Offences listed in Schedule "C" shall require a court appearance of the defendant.
 - (5) 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 Procedures Act, R.S.A. 2000 C. P-24, or from laying an information in lieu of issuing a violation ticket.
 - (6) 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.
 - (7) Notwithstanding the provisions of this Section, any Person who contravenes any provision of this Bylaw may forfeit the right to be supplied with water from the Water System.
- 48.1 (1) For the purposes of this section, "Owner", "Driving" and "Motor Vehicle" have the same meaning as set out in the Traffic Safety Act, R.S.A. 2000, c. T-6;
- (2) If a Motor Vehicle is involved in an offence described in this Bylaw, the Owner of the Motor Vehicle is guilty of the offence;
 - (3) Subsection (2) does not apply if the Owner of the Motor Vehicle satisfies the Court that:
 - (a) the Owner was not driving the Motor Vehicle at the time of the offence; and
 - (b) the person driving the Motor Vehicle at the time of the offence did not have the Owner's express or implied consent to have care and control of the Motor Vehicle.
 - (4) Despite subsection (2), if the Owner was not driving the Motor Vehicle at the time of the offence, the Owner is not liable for imprisonment.

(8M2015, 2015 February 09)

PART XIX: TRANSITION AND COMING INTO FORCE

49. (1) Upon the coming into force of this Bylaw, Bylaw 9018, the Glenmore Park Bylaw, as amended, is hereby further amended as follows:
- (a) Section 22 is deleted and the following substituted therefor:

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“22. The Director, Water Services shall have responsibility for the water and the waterworks system within the Glenmore Park. Subject to subsections 2(2), 11.1(a), and 11.1(b), Section 11.3, 12.3 and 12.5, and subsection 16(3), The Director, Recreation, shall have the responsibility for all activities including the issuance of permits on the Glenmore Reservoir. The Director, Parks shall have the responsibility for Glenmore Park excluding the Glenmore Reservoir.”

(b) The following subsections are hereby deleted:

- a. 2(1)(h)
- b. 6(1), 6(2), and 6(3)
- c. 7(1),7(2),7(3),and 7(4)

(c) Schedule “D” is amended by deleting the following provisions under the headings indicated:

<u>SPECIFIED PENALTIES</u>	<u>OFFENCE</u>	<u>AMOUNT</u>
<u>OFFENCE UNDER</u>		

Section 7	Pollution/crossing ice	\$100.00
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(2) Upon the coming into force of this Bylaw, the following Bylaws are repealed:

- (a) Bylaw 22M82, The Water Utility Bylaw; and
- (b) Bylaw 6039, The Glenmore Dam Bylaw.

50. This Bylaw comes into force on the date that it is signed.

READ A FIRST TIME THIS 24TH DAY OF JULY, 2006.

READ A SECOND TIME, AS AMENDED, THIS 24TH DAY OF JULY, 2006.

READ A THIRD TIME, AS AMENDED, THIS 24TH DAY OF JULY, 2006.

USC2021-0603
Attachment 9

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(Sgd.) D. Bronconnier
MAYOR

Signed this 4th day of August, 2006.

(Sgd.) D. Garner
CITY CLERK

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PART XX: SCHEDULES

SCHEDULE "A" - WATER RATES

The rates or charges described in this Schedule are shown for the years 2019, 2020, 2021 and 2022, and shall apply in the calendar year indicated (from January 1 to December 31, inclusive).

Monthly rates or charges described in this Schedule are based on a thirty (30) day period. The amount billed shall be established by dividing the applicable monthly rate or charge by thirty (30) to derive a daily rate and multiplying the daily rate by the actual number of days in the billing period.

TABLE 1 - SERVICE CHARGES - CUSTOMERS INSIDE CITY LIMITS

Service Charge (\$ per 30 days - based on size of meter)	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
15mm*	\$15.36	\$15.16	\$15.07	\$14.96
20mm**	\$29.95	\$29.13	\$28.64	\$28.00
25mm	\$37.02	\$36.48	\$36.40	\$36.10
40mm	\$63.74	\$63.23	\$63.62	\$63.59
50mm	\$87.59	\$87.74	\$89.18	\$90.00
75mm	\$174.62	\$173.98	\$176.01	\$176.73
100mm	\$246.81	\$248.89	\$254.87	\$258.91
150mm	\$419.24	\$428.73	\$445.03	\$457.94
200mm	\$673.78	\$688.65	\$714.49	\$734.87
250mm	\$1,078.53	\$1,091.67	\$1,122.29	\$1,144.20

*All Residential Metered will be charged the 15mm charge.

**All irrigation services will be charged the 20mm charge.

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TABLE 2 - USAGE RATES - CUSTOMERS INSIDE CITY LIMITS

Usage Rate - based on Customer Class	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Residential Metered (\$ per cubic metre)	\$1.5997	\$1.5220	\$1.4688	\$1.4033
Multi-Family Residential Metered (\$ per cubic metre)	\$1.5405	\$1.4595	\$1.4020	\$1.3327
Irrigation Services (\$ per cubic metre)	\$2.6640	\$2.7151	\$2.8099	\$2.8828
General Service Metered (\$ per cubic metre, based on size of meter)				
- less than 75 mm	\$1.4091	\$1.3970	\$1.4075	\$1.4067
- equal to or greater than 75 mm	\$1.3143	\$1.3203	\$1.3474	\$1.3640
Bulk Water	\$1.7205	\$1.7177	\$1.7428	\$1.7540

TABLE 3 - RESIDENTIAL FLAT RATE

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Minimum Monthly Rate (\$ per 30 days)	\$46.17	\$46.17	\$46.17	\$46.17
\$ per thousand square feet of actual lot area	\$6.1240	\$6.1240	\$6.1240	\$6.1240
\$ per thousand square feet of Gross Building Area	\$19.0978	\$19.0978	\$19.0978	\$19.0978

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TABLE 4 - TEMPORARY WATER RATE

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Temporary Water Rate (\$ per 30 days)	\$72.98	\$72.61	\$73.42	\$73.64

TABLE 5 - WATER RATES FOR BULK WATER STATION

Customers that draw water from the bulk water stations located at public bulk water stations in the City shall apply for an account allowing them to obtain water from that source. The customer will pay a \$25 fee for each access card (fee refundable on return of card), a monthly service charge described below plus a consumption charge equivalent to the Bulk Water rate as set out in Table 2.

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Service Charge (\$ per 30 days)	\$29.95	\$29.13	\$28.64	\$28.00

TABLE 6 - WATER RATES FOR BUILDING WATER

- a) Where it is proposed to use water from the water system for constructing, altering or repairing a building, the applicant for a Building Permit shall pay to the City at the time the Permit is issued a charge of:

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Permit Charge	\$26.23	\$26.10	\$26.39	\$26.47

- b) Where the estimated cost of constructing the approved building or alteration or repair thereof exceeds Twenty-Five Thousand Dollars (\$25,000.00), the Director, Water Resources may require that a water meter be installed and the applicant will pay for the installation and removal of the water meter and for the water supplied at the General Service Metered Water Rate as set out in Table 1 and Table 2 of Schedule "A" to this Bylaw.

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TABLE 7 - WATER DISPENSED THROUGH HYDRANTS WITH A HCU UNIT

As a condition of renting a Hydrant Connection Unit, the hydrant user is responsible to pay to the City a monthly service charge equivalent to the monthly service charge for the Bulk Water Stations as set out in Table 5 of Schedule "A" to this Bylaw plus a consumption charge equivalent to the Bulk Water Rate as set out in Table 2 of Schedule "A" to this Bylaw.

(69M2008, 2008 December 09)
(62M2009, 2009 November 30)
(67M2011, 2011 November 29)
(62M2014, 2014 November 25)
(8M2015, 2015 February 09)
(46M2016, 2017 January 01)
(57M2018, 2019 January 01)
(40M2019, 2019 November 29)

SCHEDULE "B" – OFFENCES: SPECIFIED PENALTIES

<u>SECTION NUMBER</u>		<u>SPECIFIED PENALTY</u>
4(3)	Provide false information	\$1000
16(3)	Fail to install Low Flow Plumbing Fixtures	\$500
18(1)(a)	Allow Potable Water to run off parcel for 30 metres or more	\$200
18(1)(b)	Allow Potable Water to run off parcel directly to catch basin	\$200
18(1)(c)	Allow spray or stream of Potable Water to run into street or sidewalk or parcel	\$200
20(5)(a)	Outdoor use of water contrary to stage 1 restrictions	\$400
20(5)(b)	Outdoor use of water contrary to stage 2 restrictions	\$600
20(5)(c)	Outdoor use of water contrary to stage 3 restrictions	\$1500
20(5)(d)	Outdoor use of water contrary to stage 4 restrictions	\$3000
22(1)	Enter fenced area of Water System without permission	\$1500
22(2)	Climb structure of Water System	\$1500
23(2)(a)	Access or climb on Glenmore Dam	\$1500
23(2)(b)	Leave roadway or pathway on top of Glenmore Dam	\$1500
23(2)(c)	Enter or remain in water in spillway of Glenmore Dam	\$1500
23(3)(a)	Disobey sign or cross barrier in Glenmore area	\$1500
23(3)(b)	Enter or remain in or on water of Glenmore reservoir	\$1500
23(3)(c)	Place thing in water or on ice of Glenmore reservoir or stream entering reservoir	\$1500
23(3)(d)	Activity which may pollute Glenmore reservoir	\$3000
23(3)(e)	Climb, damage or tamper with Water System	\$1500
24(1)(a)	Damage, destroy, remove, interfere with Water System	\$1500

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24(1)(b)	Interfere with another Customer's use of Water System	\$1500
24(1)(c)	Use of boosting device to increase water pressure	\$1500
24(1)(d)	Prohibited installation upstream of Water Meter	\$1500
24(1)(e)	Prohibited installation upstream of Premises-isolating Cross Connection Control Device	\$1500
24(1)(f)	Tamper, break or remove seal on Water Service Connection or Water Meter	\$1500
24(1)(g)	Prohibited connection to Water System	\$1500
25(2)	Hindrance of City Employee or agent	\$1000
31(1)(e)	Failure to notify of damaged Water Meter	\$1000
31(1)(i)	Failure to notify of broken seal on bypass valve or Water Meter with 24 hours	\$1000
31(3)(a)	Interfere or tamper with Water Meter or reading device	\$1000
31(3)(b)	Prohibited opening of bypass valve or metering installation	\$1000
32(2)(a)	Failure to provide meter reading	\$500
34(3)	Relocate, replace, alter or disconnect an existing Water Service Connection without approval	\$1500
35(2)(a)	Failure to maintain shut-off valve	\$1500
36(1)	Unauthorized operation of Water Service Valve	\$1500
36(2)	Allow unauthorized operation of Water Service Valve	\$1500
37(1)	Unauthorized Cross Connection	\$1500
38(1)	Failure to install Cross Connection Control Device	\$2000
39(3)	Failure to test Cross Connection Control Device	\$1500
39(4)	Fail to retain test records on-site	\$500
39(5)	Fail to file passed Testable Cross Connection Control Device test report within thirty days	\$500
39(6)	Fail to file failed Testable Cross Connection Control Device test report within two days	\$500

39(7)	Fail to replace Testable Cross Connection Control Device within five days	\$1500
40(1)(a)	Unauthorized opening or closing of hydrant or hydrant valve	\$1500
40(1)(b)	Unauthorized connection to fire hydrant	\$1500
40(1)(c)	Unauthorized use of water from fire hydrant	\$1500
40(6)	Paint or allow to be painted a fire hydrant unauthorized colour	\$100
41(1)	Allow obstruction of fire hydrant	\$150 \$1500
41(2)	Allow thing to interfere with operation of fire hydrant	\$1500
43(3)	Failure to comply with hydrant connection unit requirements	\$1500
45(1)	Unauthorized use of alternate source of water	\$1500
45(3)	Unauthorized connection of alternate water source to Water System	\$1500
45(5)	Prohibited sharing of Water Supply from one premises to other eligible premises	\$1500
46(6)	Failure to comply with Remedial Order	\$1000
47(1)(b)(i)	Failing to comply with a requirement of the Director, Water Resources or Director, Water Services	\$1500
47(1)(b)(ii)	Failing to comply with a requirement or condition of a written approval or permit	\$1500
47(1)(b)(iii)	Failing to comply with a requirement or condition of an agreement	\$1500

(8M2015, 2015 February 09)

SCHEDULE "C" – OFFENCES: MANDATORY COURT APPEARANCE

Offences listed in Schedule "C" are subject upon conviction in a court of competent jurisdiction to a fine not exceeding \$10,000.00 and in default of payment of any fine imposed, to a period of imprisonment not exceeding six (6) months.

**SECTION
NUMBER**

- | | |
|----------|---|
| 17(2) | Install or allow the installation of Once-Through Cooling Equipment |
| 23(3)(f) | Allow connection to drain which flows into Glenmore reservoir |

SCHEDULE "D" – COLLECTION AND CUT-OFF FEES

The fees required by this Schedule are not refundable and are charged in all circumstances. They apply whether the service connection is related to supply of water at a metered rate or at a flat rate.

(1) **Collection Fee:**

A fee for collection call by Water Services crews after a service order for cut-off-non-payment has been issued but service left connected.

\$42.00 per call

(2) **Cut-Off for Non-Payment Fee:**

A fee applied to an account which has been cut-off for non-payment.

\$85.00 per service

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SCHEDULE “E” – OUTDOOR WATER USE RESTRICTIONS

Activity	Application Method	Application By	Stage One	Stage Two	Stage Three	Stage Four
Watering of lawns, gardens, trees and shrubs	Irrigation with hose connected sprinkler	All Customers except	One day per week to a maximum of 2 hours per day within the hours of 0400h to 0700h, 0900h to 1100h or 1900h to 2200h (based on a Schedule as determined the Director , Water Resources)	One day per week to a maximum of 1 hour per day within the hours of 0400h to 0700h, 0900h to 1100h or 1900h to 2200h (based on a Schedule as determined the Director, Water Resources)	Not Allowed	Not Allowed
		The City of Calgary Operations	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	Irrigation through Tier One Water Managed System	All Customers	Allowed with certificate from City. Must reduce watering programs by 10%	Allowed with certificate from City. Must reduce watering programs by 20%	Allowed with certificate from City. Must reduce watering programs by 30%	Not Allowed
	Irrigation through Tier Two Water Managed System	All Customers	Allowed with certificate from City. Must reduce watering programs by 15%	Allowed with certificate from City. Must reduce watering programs by 25%	Allowed with certificate from City. Must reduce watering programs by 35%	Not Allowed

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Watering of gardens, trees and shrubs (lawns excluded)	Spring-loaded type nozzles with automatic shut-off connected to hose	All Customers	Allowed	Allowed	Not Allowed	Not Allowed
	Hand-held container (ie: watering can, bucket)	All Customers	Allowed	Allowed	Allowed	Not Allowed
Watering of New Grass Plantings (sod or seed) with reasonable evidence of recent installation: <i>sod within 21 days</i> <i>seed within 45 days</i>	Any	All Customers	Allowed	Allowed	Allowed	Not Allowed
Watering of plants for commercial sale	Any	Nurseries, garden centers, turf tree farms and market gardens and community gardens	Allowed	Allowed	Allowed	Allowed
Pesticide or fertilizer application that requires the use of potable water	Any	All Customers	Not Allowed except with permission from the Director, Water Resources	Not Allowed except with permission from the Director, Water Resources	Not Allowed	Not Allowed
Testing of Irrigation systems	Not Applicable	All Customers	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Water use on Integrated pest	Any	City of Calgary Operations at Pest	Allowed	Allowed	Not Allowed	Not Allowed

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management test sites		Management Test Sites				
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Wash down sidewalks, walkways, driveways, exterior building surfaces or other outdoor surfaces	Any	All Customers except:	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	Any	Child care facilities Food and Beverage establishments Kennels or animal care facilities where required by health and safety regulations	Allowed	Allowed	Allowed	Allowed
Manual, exterior window washing	Any	All Customers except:	Not Allowed	Not Allowed	Not Allowed	Not Allowed
		Licensed Cleaning Services	Allowed	Allowed	Allowed	Allowed
Washing of vehicles outdoors, subject to Drainage Stormwater Bylaw 37M2005	Any	All Customers except	Not Allowed	Not Allowed	Not Allowed	Not Allowed
	Any	Vehicles subject to health and safety regulations	Allowed	Allowed	Allowed	Allowed
Filling of Fountains and other Decorative Features	Any	All Customers	Not Allowed	Not Allowed	Not Allowed	Not Allowed

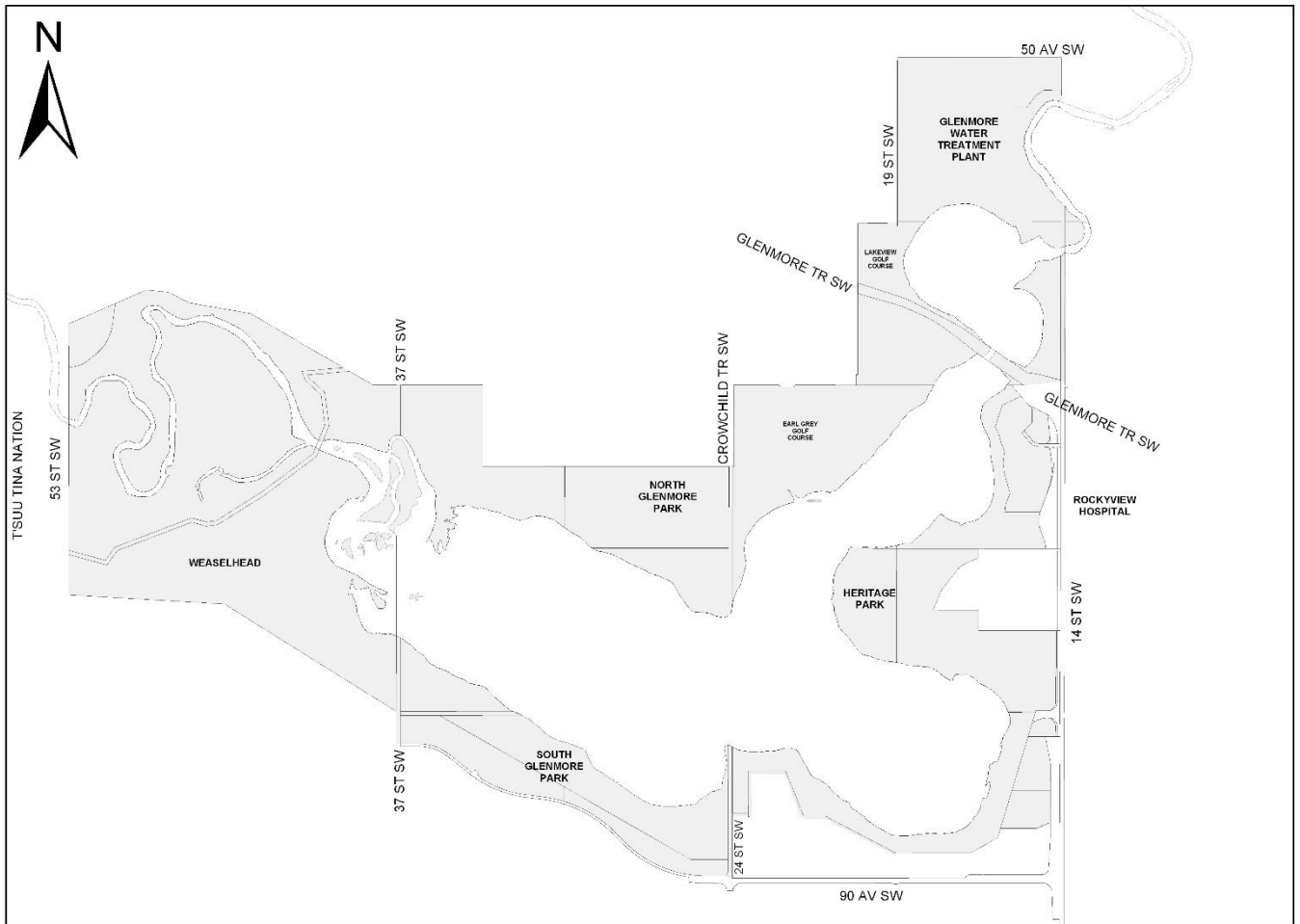
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Filing of outdoor hot tubs, swimming and wading pools	Any	All Customers	Allowed	Allowed	Not Allowed except with permission from Director, Water Resources	Not Allowed, except with permission from Director, Water Resources
Water use for construction purposes including grading, compaction and dust control	Any	All Customers	Allowed	Allowed	Allowed	Not Allowed
Outdoor snow or ice making	Any	All Customers	Allowed	Allowed	Not Allowed, except with permission from Director, Water Resources	Not Allowed, except with permission from Director, Water Resources
Watering of livestock	Any	Farm Operations	Allowed	Allowed	Allowed	Allowed
Essential hydrant and main flushing	Not Applicable	The City of Calgary Operations	Allowed	Allowed	Allowed	Allowed
Essential street cleaning and bridge washing	Any	The City of Calgary Operations	Allowed	Allowed	Allowed	Allowed

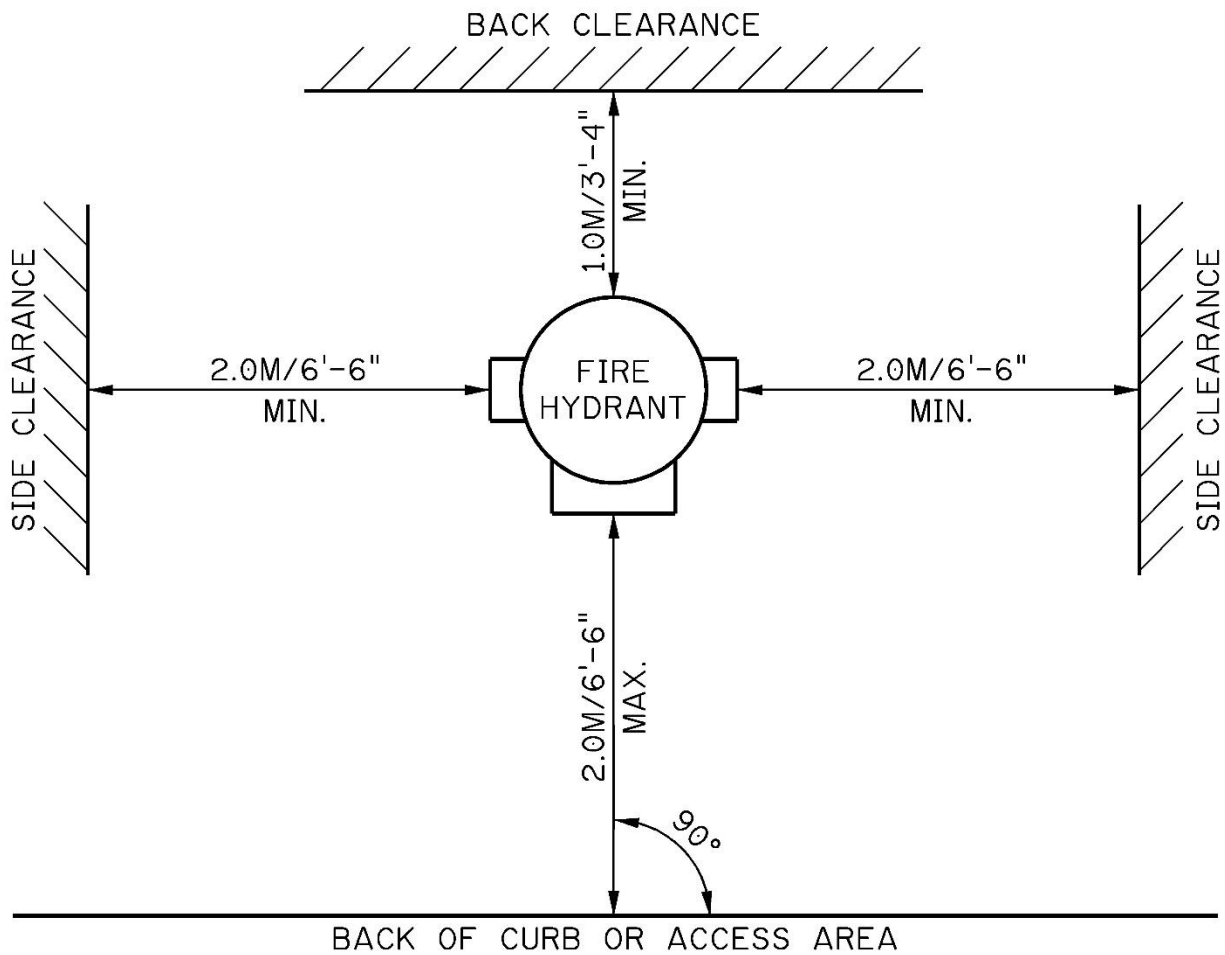
April 15, 2021
Version 5
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SCHEDULE "F" – GLENMORE AREA

CITY PROPERTY SURROUNDING GLENMORE RESERVOIR



**SCHEDULE "G" – REGULATIONS RESPECTING
THE OBSTRUCTION OF FIRE HYDRANTS**



N.T.S.

**SCHEDULE "H"– POTABLE WATER CHARGES
FOR CUSTOMERS OUTSIDE THE CITY LIMITS**

The rates or charges described in this Schedule are shown for the years 2019, 2020, 2021 and 2022, and shall apply in the calendar year indicated (from January 1 to December 31, inclusive).

1. The Fixed Component Rate plus Volume Component Rate shown below shall apply to the following customers:
 - a) City of Airdrie
 - b) City of Chestermere
 - c) Town of Strathmore
 - d) Tsuut'ina Nation

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>
Fixed Component Rate (\$ per contracted max day cubic metre)	\$82.8654	\$83.2313	\$86.7951	\$89.0717
Volume Component Rate (\$ per cubic metre water use)	\$0.3494	\$0.3500	\$0.3504	\$0.3520

The Fixed Component charge will be calculated by taking the Fixed Component Rate and multiplying it by the contracted Maximum Daily Flow in cubic metres in each customer's Master Servicing agreement, divided by the number of days in the year, and multiplied by the number of days in the billing period.

The Volume Component charge will be calculated by taking the Volume Component Rate and multiplying it by the volume of water shown on the Water Meter during the billing period.

2. For all other customers located outside City limits, a charge equal to the applicable Service Charge from Table 1 of Schedule "A" plus the applicable Usage Rate from Table 2 of Schedule "A".

(8M2015, 2015 February 09)
(57M2018, 2019 January 01)

DISCUSSION DOCUMENT

Draft Glenmore Park Bylaw 9018 showing proposed changes in **red text**.

Note: this is not the amending bylaw.

BYLAW NUMBER 9018

BEING A BYLAW OF THE CITY OF CALGARY TO ESTABLISH A PORTION OF THE GLENMORE RESERVOIR AREA AS A PARK

(Amended by 36/76, 135/77, 22M81, 19M83, 47M84, 38M87, 19M88, 8M88, 28M90, 32M90, 21M91, 20M99, 52M99, 1M2000, 22M2003, 38M2003, 42M2004, 15M2006, 40M2006, 7M2016)

WHEREAS the City of Calgary acquired the ownership or the right to occupy and use certain lands in the North halves of Sections 19 and 20, Sections 29 and 30, the East half and a portion of the Southwest Quarter of Section 32, all in Township 23, Range 1, West of the Fifth Meridian and certain lands in the Sarcee Indian Reserve located in Range 2, West of the Fifth Meridian, for use by the City in connection with the establishment and operation of a water reservoir to supply water for the use of the inhabitants of the City, the details of the lands so acquired and the titles thereto being set out in Schedule "A" to this Bylaw;

AND WHEREAS portions of the lands so acquired have been used for recreational purposes as well as in connection with the Water Services system and the water reservoir and the designation of part of the area as a park required the passage of Bylaw Number 6039, which Bylaw revised and replaced Bylaw Number 3488, as amended, to provide for the control of the water reservoir and the water supply without duplication of or conflict with the provisions in this Bylaw;

AND WHEREAS the City has leased certain portions of the lands acquired in connection with the Glenmore Reservoir for long terms to Dr. Ludwig Stewart Mackid and to Earl Grey Golf Club Limited for the times, on the terms and subject to the conditions contained in the leases to the said parties, which said leases are listed in Schedule "C" to this Bylaw and it is necessary to exclude the areas so leased from the bylaw designating a portion of the Glenmore Area as a park until such time as the said leases expire;

AND WHEREAS certain portions of the lands required in connection with the Glenmore Reservoir have been set aside for use for sites for an auxiliary hospital and a general hospital and such lands cannot be included in the portion of the land to be designated as a park pursuant to this Bylaw;

AND WHEREAS it is necessary to make provisions for the protection and continuation of those operations in the Glenmore Area by which the City is assured of a supply of pure and potable water adequate for its present needs and for its anticipated

future expansion and for this purpose to exclude certain portions of the Glenmore Area from the proposed park;

AND WHEREAS certain easements of rights of way are held by Calgary Power Ltd. over portions of the lands in the Glenmore Area and Canadian Western Natural Gas Company Limited by agreement with the City of Calgary has made certain installations and transmission lines in, over or upon the said lands;

AND WHEREAS the leasing of lands, the construction of highways and the installation of utilities in an area set aside as a park are subject by the provisions of Section 128 of the Municipal Government Act to the limitation that such leasing, highways, and utilities must not adversely affect the interest of the public in the park and it is therefore necessary to make provision for the easements and leases previously granted, the maintenance and extension of highways and utilities presently in existence and of those utilities and highways required in the future other than for the benefit of the users of the park;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

SHORT TITLE

1. This Bylaw may be cited as the "Glenmore Park Bylaw".

INTERPRETATION

2. (1) In this Bylaw including the preamble hereto and this Section unless the context otherwise requires:
 - (a) "*Animal*" means a dog, cat, fowl, cattle, horse or any other domestic animal;
 - (a.01) "*Boat*" means a vessel or device of any sort in or by which a person or thing may be transported on or through water whether powered by muscle power, wind, machine or motor and without restricting the generality of the forgoing includes: sailboats, surf-boards, canoes, rowing sculls, paddle vessels powered by foot or hand, sail-boards, motorboats, dragon boats, kayaks, dinghies, punts, rafts, zodiacs or other inflatables;
 - (a.02) "*City Manager*" means the person designated by Council as its chief administrative officer, or his designate;
(42M2004, 2004 June 21)
 - (a.1) "*City*" means the corporation of the City of Calgary or the area contained within the boundaries thereof as the context requires;
 - (b) REPEALED BY 52M99, 1999 OCTOBER 04;

- (c) REPEALED BY 1M2000, 2000 JANUARY 24;
- (d) "*Council*" means the municipal council of the City of Calgary;
- (e) "*Director, Calgary Recreation*" means the City Manager or his designate;
(42M2004, 2004 June 21)
(7M2016, 2016 February 18)
- (e.01) "*Director, Calgary Parks*" means the City Manager or his designate;
(42M2004, 2004 June 21)
(7M2016, 2016 February 18)
- (e.1) "*Director, Water Services*" means the City Manager or his designate;
(42M2004, 2004 June 21)
- (f) "*Glenmore Area*" means all the lands acquired by the City for use in connection with the maintenance and operation of its Glenmore Reservoir and of its Water Services system as listed in Schedule "A" to this Bylaw;
- (g) "*Glenmore Causeway*" means the Causeway constructed or being constructed across Glenmore Reservoir in the South East Quarter of Section 29, Township 23, Range 1, West of the Fifth Meridian to furnish a crossing for the extension of 66th Avenue South West to enable the said highway to connect with the public thoroughfares on the North West side of Glenmore Reservoir aforesaid;
- (h) REPEALED BY 40M2006, 2006 JULY 24.
- (i) "*Glenmore Reservoir*" means that portion of the Glenmore Area which is covered by water and which lies to the West of the dam constructed in the South East Quarter of Section 32, Township 23, Range 1, West of the Fifth Meridian;
- (j) "*Glenmore Park*" means:
 - (i) the park established by this Bylaw, or
 - (ii) the area dedicated as a park by Section 3 of this Bylaw, as the context requires;
- (k) "*Heritage Park Project*" means the historical park for which provision is made in Section 26 of this Bylaw and 'Heritage Park' means the area to be set aside for the Heritage Park Project;
- (l) "*Calgary Health Services*" means the Local Board of Health of the City;

- (m) "*Parks Bylaw*" means Bylaw Number 20M2003, The Parks and Pathways Bylaw, and includes every Bylaw passed in amendment or substitution therefore;
 - (n) REPEALED BY 1M2000, 2000 JANUARY 24;
 - (o) "*Provincial Board*" means the Provincial Board of Health of the Province of Alberta;
 - (p) "*Water Services*" means the business unit which has control of and responsibility for the operation of the Water Services system of the City;
 - (q) REPEALED BY 1M2000, 2000 JANUARY 24;
 - (r) "*Water Services system*" means the water supply of the City and all structures, equipment and materials connected therewith whether or not the same are located in Glenmore Park, and if the context so requires includes land and rights in land connected with the water supply;
 - (s) REPEALED BY 20M99, 1999 APRIL 26;
- (2) All provisions of this Bylaw shall be interpreted, administered and applied so as to give effect to the intention hereby declared that nothing is permitted, allowed or required by this Bylaw which may adversely affect the supply of pure, wholesome and potable water to the residents of the City.
- (22M81, 1981 November 30)
(47M84, 1984 October 01)
(21M91, 1991 September 03)
(20M99, 1999 April 26)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(15M2006, 2006 January 24)
(40M2006, 2006 July 24)

ESTABLISHMENT OF GLENMORE PARK

3. Subject to:

- (a) all encumbrances, liens, interests, limitations and reservations notified by memorandum underwritten or endorsed on the certificates of title relating to the said lands or entered in the Land Titles Office for the South Alberta Land Registration District with respect thereto;
- (b) all easements, leases, licenses and interests granted by and any agreements entered into by the City with respect to any of the said lands or any portion thereof, whether or not the same are entered in the Land Titles Office;

- (c) all limitations or overriding interests expressed in or created by this Bylaw or any other Bylaw of the City or arising from or set out in any provision of legislation of the Province of Alberta and legislation of Canada or any regulations made thereunder, which relate directly or indirectly to the said lands or the activities carried out or allowed thereon or therein

all of those portions of land in the Glenmore Area which are shown enclosed in broken lines on the plan attached hereto as Schedule "B" hereby made part of this Bylaw are subject to the provisions of Section 6 hereof set aside, designated and established as and for a natural recreational park for the uses as set out in and subject to the limitations of this Bylaw.

4. REPEALED BY 36/76, 1976 APRIL 26.

PUBLIC THOROUGHFARES IN OR ACROSS GLENMORE PARK

5. (1) Subject to the provisions of the Municipal Government Act in respect thereof but notwithstanding any provisions of this Bylaw the City may:

- (a) construct any new public thoroughfare over, through, across or bordering on the area contained in Glenmore Park;
- (b) broaden, improve or extend any existing public thoroughfare in the park;
or
- (c) agree with the right of or allow by license or otherwise the Province of Alberta to establish or extend any public thoroughfare over or across Glenmore Park

without any further action being taken in respect thereof and without any amendments to this Bylaw.

- (2) Any public thoroughfare which:

- (a) extends over, across or borders on Glenmore Park;
- (b) is an extension of a public thoroughfare of the City; and
- (c) is primarily designed for the continuation of or joining with a public thoroughfare outside Glenmore Park shall be subject to the provisions of the Calgary Traffic Bylaw, the Street Bylaw and the Truck Routes Bylaw and provisions of this Bylaw with respect to such public thoroughfare shall be deemed to be subject thereto.

- (3) REPEALED BY 22M2003, 2004 JANUARY 12.

(135/77, 1977 August 22)
(22M2003, 2004 January 12)

PROTECTION OF WATER SUPPLY

6. (1) REPEALED BY 40M2006, 2006 JULY 24.
- (2) REPEALED BY 40M2006, 2006 JULY 24.
- (3) Notwithstanding any structure that is allowed to be placed or any activity that is allowed to be carried out in or upon any portion of Glenmore Park, the City through the Director, Water Services may cause the water level of Glenmore Reservoir to be raised or lowered as the exigencies of the Water Services system require whether or not such change in water level adversely affects any activity or structure located in, on, adjacent to or in the vicinity of Glenmore Reservoir or inundates any portion of land contained in the Glenmore Area and the City shall have no liability of any nature whatsoever to any persons in respect thereof.

(47M84, 1984 October 01)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(15M2006, 2006 January 24)
(40M2006, 2006 July 24)

7. (1) REPEALED BY 40M2006, 2006 JULY 24.
- (2) REPEALED BY 40M2006, 2006 JULY 24.
- (3) REPEALED BY 40M2006, 2006 JULY 24.
- (4) REPEALED BY 40M2006, 2006 JULY 24.

(47M84, 1984 October 01)
(52M99, 1999 October 04)
(1M2000, 2000 January 24)
(22M2003, 2004 January 12)
(38M2003, 2003 October 06)
(15M2006, 2006 January 24)
(40M2006, 2006 July 24)

SADDLE HORSES IN GLENMORE PARK

8. (1) REPEALED BY 22M2003, 2004 JANUARY 12.
- (2) REPEALED BY 22M2003, 2004 JANUARY 12.
- (3) REPEALED BY 22M2003, 2004 JANUARY 12.

(47M84, 1984 October 01)
(20M99, 1999 April 26)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(22M2003, 2004 January 12)

9. REPEALED BY 47M84, 1984 OCTOBER 01.

(47M84, 1984 October 01)

OTHER ANIMALS IN GLENMORE PARK

10. (1) REPEALED BY 22M2003, 2004 JANUARY 12.
(2) REPEALED BY 22M2003, 2004 JANUARY 12.
(2.1) REPEALED BY 22M2003, 2004 JANUARY 12.
(3) REPEALED BY 22M2003, 2004 JANUARY 12.
(4) REPEALED BY 22M2003, 2004 JANUARY 12.

(47M84, 1984 October 01)
(8M88, 1989 May 01)
(28M90, 1990 May 07)
(22M2003, 2004 January 12)

- 10.1 (1) REPEALED BY 20M99, 1999 APRIL 26.

(47M84, 1984 October 01)
(20M99, 1999 April 26)

BOATING ON GLENMORE RESERVOIR

- 11.0 Except as specifically allowed by Section 11.1 of this Bylaw, no person shall place and/or use a Boat in or on the waters of Glenmore Reservoir.

(47M84, 1984 October 01)
(20M99, 1999 April 26)

- 11.1 (1) Notwithstanding Section 11.0, the following Boats may be placed and used on the waters of Glenmore Reservoir:

- (a) the motor driven paddle wheeler Boat operated by the Heritage Park Society provided that its use and operation is firstly approved by the Director, Calgary Recreation and the Director, Water Services;
(7M2016, 2016 February 18)
- (b) a boat powered by motor or otherwise and used for rescue or maintenance by City employees, Calgary Police Service, or the Royal Canadian Mounted Police first approved by the Director, Calgary Recreation and the Director, Water Services;
(7M2016, 2016 February 18)
- (c) a canoe, kayak, dinghy, punt, sailboat or rowing scull used by a person for short term, occasional, casual recreational purposes only. Any such canoe, kayak, dinghy, punt, sailboat or rowing scull so used shall not be inflatable and shall not be powered by a motor of any sort.

(38M2003, 2003 October 06)
(22M2003, 2004 January 12)

(15M2006, 2006 January 24)

- (2) If a Boat referred to in subsection 11.1(b) and (c) has been used in a body of water other than the Glenmore Reservoir, the user of the Boat must ensure that it is cleaned, drained, dried and inspected for aquatic invasive species before being used in the Reservoir.

11.2 No person shall place or remove a Boat in or from the waters of Glenmore Reservoir from any place along its shore which is not specifically designated and marked for such a use.

11.3 No Boat used on the Glenmore Reservoir including those listed in Section 11.1 shall be equipped with a pump-out sanitary system of any kind unless such pump-out sanitary system is sealed to the satisfaction of the Director, Calgary Recreation and the Director, Water Services.

(20M99, 1999 April 26)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(15M2006, 2006 January 24)
(7M2016, 2016 February 18)

12.0 Despite section 12 of the Parks and Pathways Bylaw 11M2019 and except for those persons specifically allowed by Section 11.1 of this Bylaw to place and/or use a Boat in the waters of the Glenmore Reservoir any person, group, society or organization wishing to place and use a Boat or Boats in the waters of the Glenmore Reservoir shall, prior to such use, apply to the Director, Calgary Recreation for permission to use.

(38M2003, 2003 October 06)
(7M2016, 2016 February 18)

12.1 An application made pursuant to Section 12 is required annually, shall be in writing and shall contain all the information required by the Director, Calgary Recreation, including the following:

- type of use
- type of Boat
- frequency of activity
- number of participants
- number of Boats
- dates and times of activities
- area of the Glenmore Reservoir to be used
- number and type of powerboats to be used

- safety provisions to be undertaken
- environmental impact mitigation measure

and each such applicant shall submit to the Director, Calgary Recreation, a year end summary of the activities approved.

(38M2003, 2003 October 06)
(7M2016, 2016 February 18)

- 12.2 The Director, Calgary Recreation may, in his sole discretion, approve or disapprove of any application made pursuant to Section 12.0.

(38M2003, 2003 October 06)
(7M2016, 2016 February 18)

- 12.3 When an application is approved pursuant to Section 12.0, the Director, Calgary Recreation and the Director, Water Services may place such conditions and regulations as they deem necessary for the safety of the participants and to protect the water quality of the water in the Glenmore Reservoir.

(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(15M2006, 2006 January 24)
(7M2016, 2016 February 18)

- 12.4 In any event the Director, Calgary Recreation shall, when approving applications made pursuant to Section 12.0, restrict wherever possible, the number of powerboats in use on the Glenmore Reservoir at any one time. The Director, Calgary Recreation shall not in any one year, approve any more than three (3) regattas or races requiring more than two (2) powerboats. At all other times only one (1) powerboat for coaching and/or supervision purposes will be approved. In exceptional circumstances when safety of participants may be compromised because of the level of activity, a second powerboat to be used for safety purposed may be authorized by the Director, Calgary Recreation at his/her sole discretion.

(38M2003, 2003 October 06)
(7M2016, 2016 February 18)

- 12.5 Notwithstanding Section 12.4, where special circumstances warrant, the Director, Calgary Recreation, with the prior written approval of the Director, Water Services may approve a 4th regatta or race requiring more than two (2) powerboats in any given year.

(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(15M2006, 2006 January 24)
(7M2016, 2016 February 18)

- 12.6 In approving regattas or races requiring more than two (2) powerboats pursuant to Section 12.4 and 12.5, the Director, Calgary Recreation will give priority to one application annually to a regatta or race sponsored by the Calgary Canoe Club, the Calgary Rowing Club and the Alberta Dragon Boat Foundation provided that they have complied with all provisions of this bylaw and any rules or regulations made thereunder.

(38M2003, 2003 October 06)

(7M2016, 2016 February 18)

- 12.7 The Director, Calgary Recreation may make regulations for the inspection and use of Boats on the Glenmore Reservoir and may notwithstanding clause 11.1 (c) require permits for all casual boats on the reservoir.

(47M84, 1984 October 01)
(38M87, 1987 July 13)
(19M88, 1988 June 27)
(20M99, 1999 April 26)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(7M2016, 2016 February 18)

- 13.0 No person shall fish from any docks on the Glenmore Reservoir or from any ramps or areas which provide Boat access to the waters of the Glenmore Reservoir and which have been designated by the Director, Calgary Recreation as areas where fishing is prohibited.

(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(7M2016, 2016 February 18)

- 13.1 No person shall moor a Boat at any place on the shores of the Glenmore Reservoir or in its waters except in those locations specifically designated for moorage by the Director, Calgary Recreation.

(38M2003, 2003 October 06)
(7M2016, 2016 February 18)

- 13.2 No person shall operate a Boat in the area of the Glenmore Reservoir located to the north of the Glenmore Trail Causeway except for rescue, maintenance or bylaw enforcement purposes, or unless otherwise authorized by the Director, Water Services.

(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(15M2006, 2006 January 24)

- 13.3 No person shall allow any animal to enter the Glenmore Reservoir or to be in a Boat on the Glenmore Reservoir.

- 13.4 No person shall use a Boat except for rescue or maintenance purposes on the Glenmore Reservoir before May 1st or after October 31st in any year.

- 13.5 No person shall use a Boat, except for rescue or maintenance purposes on the Glenmore Reservoir before sunrise or after sunset in any day.

- 13.6 Other than those boats specified in clause 11.1(a) and (b) or used in an event approved under clause 12.0 no Boat greater in length than eight (8) meters shall be placed and/or used in or on the waters of the Glenmore Reservoir.

- 13.7 Except as otherwise specified by the Director, Calgary Recreation, no Boat shall be allowed in the water of Glenmore Reservoir and no person shall enter into or use such Boat unless it is equipped with:
- (a) a bailer;
 - (b) a painter for mooring the Boat; and
 - (c) one life jacket per person of a type bearing the approval stamp of the Department of Transport of Canada, to be worn at all times while the Boat is on the water.
- (38M2003, 2003 October 06)
(7M2016, 2016 February 18)

- 13.8 No person shall place and/or use a Boat, except for rescue boats, in the waters of the Glenmore Reservoir:
- (a) when the weather conditions make such use dangerous (such as during low flow, high flow or boat advisory periods); or
 - (b) which may cause pollution to or fouling of the water in the Glenmore Reservoir.
- (47M84, 1984 October 01)
(20M99, 1999 April 26)

REGULATIONS FOR USE OF CRAFT ON GLENMORE RESERVOIR

14. REPEALED BY 20M99, 1999 SEPTEMBER 03.
- (47M84, 1984 October 01)

OTHER SPORTS IN GLENMORE PARK

15. (1) REPEALED BY 22M2003, 2004 JANUARY 12.
- (2) REPEALED BY 22M2003, 2004 JANUARY 12.
- (3) REPEALED BY 22M2003, 2004 JANUARY 12.
- (22M2003, 2004 January 12)
16. (1) No person shall enter the waters of the Glenmore Reservoir for any purpose whatsoever.
- (2) If a swimming pool is constructed at Glenmore Park it shall drain into a City sewer main either to the North or to the South of the Glenmore Area.
- (3) No person shall scuba dive in the waters of the Glenmore Reservoir without first having received the permission in writing of both the Director, Calgary Recreation and the Director, Water Services. In granting such permission the Director, Calgary Recreation and the Director, Water Services may place such conditions or regulations on their approval as they consider necessary for safety and to

preserve the quality of the water in the Glenmore Reservoir.

(47M84, 1984 October 01)
(20M99, 1999 April 26)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(15M2006, 2006 January 24)
(7M2016, 2016 February 18)

NO DRAINAGE INTO GLENMORE RESERVOIR

17. No drain connected to any structure erected in Glenmore Park shall drain into Glenmore Reservoir or to any water lying West of the dam at the East end of Glenmore Reservoir.
(47M84, 1984 October 01)

LIMITATIONS ON ACCESS IN GLENMORE PARK

18. (1) REPEALED BY 22M2003, 2004 JANUARY 12.
(2) REPEALED BY 22M2003, 2004 JANUARY 12.

(135/77, 1977 August 22)
(20M99, 1999 April 26)
(1M2000, 2000 January 24)
(22M2003, 2004 January 12)

HOURS WHEN THE PARK IS OPEN TO THE PUBLIC

19. (1) REPEALED BY 22M2003, 2004 JANUARY 12.
(2) REPEALED BY 20M99, 1999 APRIL 26.
(3) REPEALED BY 22M2003, 2004 JANUARY 12.

(20M99, 1999 April 26)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(22M2003, 2004 January 12)

RESTRICTIONS ON ENTRY TO LEASED PREMISES

20. No person shall enter any portion of the Glenmore Area which is under lease to any person, whether natural or body corporate, unless he is a licensee or invitee of the lessee.

PROTECTION OF SIGNS IN GLENMORE PARK

21. REPEALED BY 22M2003, 2004 JANUARY 12.

(22M2003, 2004 January 12)

CONTROL OF GLENMORE PARK

22. The Director, Water Services shall have responsibility for the water and the waterworks system within the Glenmore Park. Subject to subsections 2(2), 11.1(a), and 11.1(b), Section 11.3, 12.3 and 12.5, and subsection 16(3), The Director, Calgary Recreation, shall have the responsibility for all activities including the issuance of permits on the Glenmore Reservoir. The Director, Calgary Parks shall have the responsibility for Glenmore Park excluding the Glenmore Reservoir.
- (47M84, 1984 October 01)
(20M99, 1999 April 26)
(1M2000, 2000 January 24)
(38M2003, 2003 October 06)
(22M2003, 2004 January 12)
(15M2006, 2006 January 24)
(7M2016, 2016 February 18)
23. (1) REPEALED BY 22M2003, 2004 JANUARY 12.
- (2) REPEALED BY 22M2003, 2004 JANUARY 12.
- (22M2003, 2004 January 12)
24. (1) REPEALED BY 22M2003, 2004 JANUARY 12.
- (2) REPEALED BY 22M2003, 2004 JANUARY 12.
- (3) REPEALED BY 52M99, 1999 OCTOBER 4.
- (47M84, 1984 October 01)
(52M99, 1999 October 04)
(22M2003, 2004 January 12)
25. (1) REPEALED BY 22M2003, 2004 JANUARY 12.
- (2) REPEALED BY 22M2003, 2004 JANUARY 12.
- (3) REPEALED BY 22M2003, 2004 JANUARY 12.
- (22M2003, 2004 January 12)
26. (1) Council may set aside for such time as seems expedient to it an area within that portion of Section Twenty-nine (29) which is within the boundaries of Glenmore Park to be used as a display area for buildings and other exhibits depicting the history of earlier times in the Western Provinces of Canada, especially the history of the Province of Alberta and to cause or allow to be placed therein such buildings, structures, objects, displays and things as are compatible with such a display or showing the historical heritage of the Western Provinces.
- (2) The project carried on in the area set aside may be known as the 'Heritage Park Project' and the area may be separately designated as 'Heritage Park'.

- (3) Council may enter into an agreement with a society incorporated with the objects among other things of establishing, developing, maintaining and managing public parks depicting or simulating the heritage of Western Canada, which agreement may:
 - (a) allow the society to furnish, place and arrange buildings, objects and displays for the accomplishing of its objects on the area set aside pursuant to Subsection (1); and
 - (b) provide for the operation of the Heritage Park Project by the Society.
 - (4) Notwithstanding the provisions of Section 19 Council may by the provisions of an agreement entered into pursuant to Subsection (3)
 - (a) allow the society operating the Heritage Park Project to charge fees for entering its buildings or viewing its displays or for participating in its rides and other activities furnished in connection with the Heritage Park Project; and
 - (b) allow Heritage Park to be opened at different times than the balance of Glenmore Park.
 - (5) Notwithstanding the provisions of Subsection (4) for allowing the society to charge fees in connection with its operations conducted pursuant to this Section the City shall retain the sole control as to whether or not a fee is to be charged for entrance into Heritage Park and the amount and disposition of such entrance fee, if any is imposed.
 - (6) Subject to the provisions of the Municipal Government Act relating to leasing, licensing or use of public parks Council may grant a lease or license to a society formed for the purpose set out in Subsection (3) to occupy either exclusively or in common with others the area set aside in Subsection (2).
 - (7) Council may make such special rules and regulations with respect to the use and activities conducted in or about the Heritage Park Project as it deems fit and as are compatible with the purpose of the Project and application of such rules and regulations shall be limited to the Heritage Park Area and shall override and control any other provision of this Bylaw with which they conflict.
- 26.1 (1) The provisions of this Bylaw shall prevail over the provisions of the Parks Bylaw Number 36/76 in the event of actual or apparent conflict.
- (2) The provisions of this Bylaw shall prevail over the provisions of the Water Safety Bylaw Number 9084 in the event of actual or apparent conflict.

(47M84, 1984 October 01)

PENALTIES

27. (a) Where a Bylaw Enforcement Officer or a Constable of the City believes that a person has contravened any provision of this Bylaw, or Regulation made pursuant to the authority granted in this bylaw, he may commence proceedings by issuing a summons by means of a violation ticket in accordance with Part 2 of the Provincial Offences Procedure Act, S.A. 1988, Chapter P-21.5.
- (b) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "D" of this Bylaw in respect of that provision.
- (c) Notwithstanding Section 27(b):
- (i) where any person contravenes the same provision of this Bylaw twice within one twelve month period, the specified penalty payable in respect of the second contravention is double the amount shown in Schedule "D" of this Bylaw in respect of that provision, and
 - (ii) where any person contravenes the same provision of this Bylaw three or more times within one twelve month period, the specified penalty in respect of third or subsequent contravention is triple the amount shown in Schedule "D" of this Bylaw in respect of the provision.

(20M99, 1999 April 26)

SUMMARY CONVICTION

28. (a) Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable on summary conviction to a fine of not more than TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500.00) and in default of payment is liable to imprisonment for a term not exceeding six (6) months.
- (b) The minimum fines on summary conviction in respect to a contravention of this Bylaw shall be the amounts as shown in Schedule "D".
- (c) 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 from which he is liable under the provisions of this Bylaw.

(20M99, 1999 April 26)

29. Bylaw Number 6040 and all amendments thereto is hereby repealed.

READ A FIRST TIME THIS 27TH DAY OF MAY, 1974.

READ A SECOND TIME THIS 27TH DAY OF MAY, 1974.

READ A THIRD TIME THIS 27TH DAY OF MAY, 1974.

(Sgd.) R. Sykes

UCS2021-0603
Attachment 10

January 12, 2021
Version 4
1767323

MAYOR

(Sgd.) H.S. Sales
CITY CLERK

SCHEDULE "A"

GLENMORE RESERVOIR AREA

<u>DCT</u>	<u>LAND DESCRIPTION</u>	<u>HECTARES</u>
43-U-177	Portions North Half Sec. 19, Tsp. 23, Rge. 1 West 5 th Mer., Plan 3954 E.H.	56.5
50-V-92	Portion Road Allowance, North Bdy. Sec. 19, Tsp. 23, Rge.1, West 5 th Mer., Plan 3964 E.H.	2.9
50-V-93	Portion Road Allowance, East Bdy., Sec. 19, Tsp. 23, Rge. 1, West 5 th Mer., Plan R.W. 354	.96
45-B-138	Portions North Half Sec. 20, Tsp. 23, Rge. 1, West 5 th Mer., Plan R.W. 354	76.08
45-B-139	Portion Road Allowance, North Bdy. Sec. 20, Tsp. 23, Rge. 1, West 5 th Mer., Plan R.W. 354	2.98
47-P-100	North East Quarter, Sec. 29, Tsp. 23, Rge. 1, West 5 th Mer., West of Elbow River	10.84
43-S-121	Legal Subdivision 1 & 2, Sec. 29, Tsp. 23, Rge. 1, West 5 th Mer.	32.37
43-R-199	Portion Legal Subdivision 7, Sec. 29, Tsp. 23, Rge. 1, West 5 th Mer., ex. Transfer 5567 A.D.	11.81
42-M-114	Portions West Half and South East Quarter Sec. 29, Tsp. 23, Rge. 1, West 5 th Mer.	53.6
42-M-115	Portions North East Quarter, Sec. 29, Tsp. 23, Rge. 1, West 5 th Mer., East of Right Bank Elbow River	48.15
128-Q-56	Portion South West Quarter, Sec. 29, Tsp. 23, Rge. 1, West 5 th Mer., West of Elbow River Formerly Provincial	19.83
42-L-242	License No. 13, South Half and Legal Subdivision 9, 10, 11, 12, 13, Sec. 30, Tsp. 23, Rge. 1 West 5 th Mer.	210.44

50-V-94	Portion Road Allowance, East Bdy. of South East Quarter and of Legal Subdivision 9, Sec. 30, Tsp. 23, Rge. 1, West 5 th Mer.	2.42
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SCHEDULE "A" Continued

GLENMORE RESERVOIR AREA

<u>DCI</u>	<u>LAND DESCRIPTION</u>	<u>HECTARES</u>
50-V-95	Portion Road Allowance, East Bdy. of South East Quarter and of Legal Subdivision 9, Sec. 30, Tsp. 23, Rge. 1, West 5 th Mer.	3.23
420-L-243	South East Quarter and East Halves Legal Subdivision 3 & 6, Sec. 32, Tsp. 23, Rge. 1, West 5 th Mer.	80.93
43-C-4	Portion North East Quarter, Sec. 32, Tsp. 23, Rge. 1, West 5 th Mer.	58.13
57-T-200	Portion North East Quarter, Sec. 32, Tsp. 23, Rge. 1, West 5 th Mer., Plan R.W. 176	2.52
87-G-204	Block 3, Plan Glenmore Calgary 5829 G.G.	.18
47-Y-11	Portion Sarcee Indian Reserve, Plan R.W. 362 less 10.23 acres transferred to Crown for Road	236.05
50-V-91	Portion of North West Quarter, Sec. 29, Tsp. 23, Rge. 1, West 5 th Mer.	55.35
No. 7 41003318	That portion of the South East Quarter, Sec. 36, Tsp.23, Rge. 2, West 5 th Mer., shown as Block "R.A.", Parcel 1, Plan 1128 L.K.	1.29
No. 155D55	Portions of North East Sec. 19, Tsp. 23, Rge. 1, West 5 th Mer., shown as Block "A", on Plan 6045 J.K., excepting roadway on Plan 7410361 and street widenings on Plan 7410514	8.13
No. 155D55A	Portions of the North East Quarter of Sec. 19, Tsp. 23, Rge. 1, West 5 th Mer., shown as Block "B" on Plan 6045 J.K., excepting street widening on Plan 7410514	4.12

No. 157U137	Portions of North West Quarter of Sec. 19, Tsp. 23, Rge. 1, West of the 5 th Mer., shown as Block "C" on Plan 6045 J.K. excepting street widenings as shown on Plans 7410514 and 7710625	925
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SCHEDULE "A" Continued

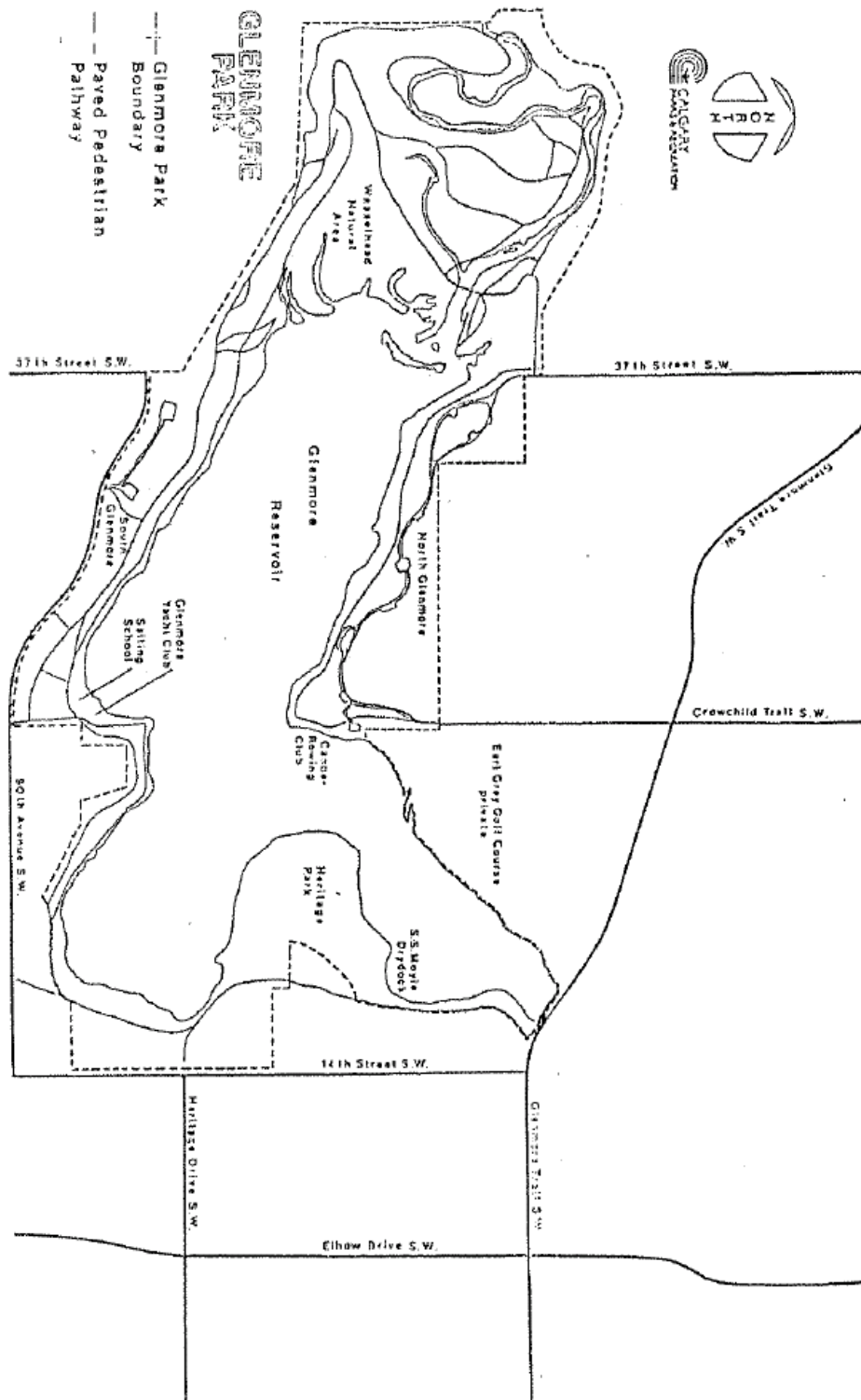
GLENMORE RESERVOIR AREA

<u>DCT</u>	<u>LAND DESCRIPTION</u>	<u>HECTARES</u>
47092	Portions of North East Quarter of Sec. 20, Tsp. 23, Rge. 1, West 5 th Mer., shown as Block 1 on Plan 4887 J.K.	1.11
45J71	Portions of the North West Quarter of Sec. 20, Tsp. 23, Rge. 1, West 5 th Mer., shown on Plan 354 R.W., formerly the MacKid leasehold registered as 6173 E.I.	4.98
	Portions of the North East Quarter of Sec. 20, Tsp. 23, Rge. 1 West 5 th Mer., shown as Parcel "A" on Plan 4164 J.K.	3.97
	Portions of the North East Quarter of Sec. 20, Tsp. 23, Rge. 1, West 5 th Mer., shown as Block "5", on Plan 8311942	3.92
83Y174	Portions of the North East Quarter of Sec. 32, Tsp. 23, Rge. 1, West 5 th Mer., shown as Block "3", or Plan 569 J.K.	3.26

(47M84, 1984 October 01)

January 12, 2021
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1767323

SCHEDULE "B"



SCHEDULE "C"

BYLAW NUMBER 9018

LEASES IN EFFECT IN GLENMORE AREA

- I. A lease in writing of a portion of the North West Quarter (N.W.¼) of Section Twenty (20), Township Twenty-three (23), Range One (1), West of the Fifth Meridian as shown in red on a plan attached to the said lease for a term of twenty-five (25) years from the 16th day of November, A.D. 1931 was granted from the City of Calgary to Ludwig Stewart Mackid at an annual rental of one dollar (\$1.00) payable in advance. The lease was granted as part of the consideration of a sale by the said Ludwig Stewart Mackid to the City of Calgary of approximately one hundred ninety-four and one half (194.5) acres of land in the North half of the said Section Twenty (20) as set out in an agreement in writing between the said parties for the sale dated the 16th day of November, A.D. 1931, which said agreement referred to the area to be leased as twelve and three-tenths (12.3) acres more or less and provided that rent should be one dollar (\$1.00) per year for a period of twenty-five (25) years with the privilege of renewal thereof for a further period of twenty-five (25) years at the same rental. The said lease was renewed by an agreement in writing made between The City of Calgary and Ludwig Stewart Mackid dated the 18th day of August, A.D. 1955 for a further period of twenty-five years from the 15th day of November A.D. 1956.
- II. A lease in writing dated the 19th day of March, A.D. 1962 was granted by the City of Calgary to Earl Grey Golf Club for ninety and forty-five one hundredths (90.45) acres in the North half (N.1/2) of Section Twenty-nine (29), Township Twenty-three (23), Range One (1), West of the Fifth Meridian as shown in Plan Calgary 4691 E.I. and for forty-four and twenty-five one hundredths (44.25) acres in portions of Legal Subdivisions Two (2), Three (3), Six (6) and Seven (7) in Section Thirty-two (32), Township Twenty-three (23), Range One (1) West of the Fifth Meridian in the Province of Alberta for a period from the 1st day of January, A.D. 1962 to and including the 31st day of December, A.D. 1991 at an annual rental of fifteen hundred dollars (\$1,500.00). The execution of the said lease was authorized by resolution of Council at its regular meeting and on the 19th day of March, A.D. 1962.

(47M84, 1984 October 01)

SCHEDULE "D"

To Glenmore Park Bylaw Number 9018

<u>SPECIFIED PENALTIES</u> <u>OFFENCE UNDER</u>	<u>OFFENCE</u>	<u>AMOUNT</u>
Section 11	Boat Violations	\$100.00
Section 12	Application Violations	\$ 50.00
Section 13.0	Fishing Boating	\$ 50.00
Section 13.1		\$ 50.00
Section 13.2		\$100.00
Section 13.3		\$100.00
Section 13.4		\$ 50.00
Section 13.5		\$ 50.00
Section 13.6		\$100.00
Section 13.7		\$100.00
Section 13.8		\$100.00
Section 16	Entry in Reservoir	\$100.00
Section 20	Access to leased premises	\$ 50.00

(8M88, 1989 May 01)
(20M99, 1999 April 26)
(22M2003, 2004 January 12)
(40M2006, 2006 July 24)

SCHEDULE "E"

REPEALED BY 22M2003, 2004 JANUARY 12.

SCHEDULE "F"



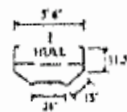
1. DRAGON BOAT

- Material : Wood and/or Fiberglass
- Length : 11.66 metres (38' 10")
- Breadth : 1.06 metres (3' 6")
- Depth : 43.18 cm (17")

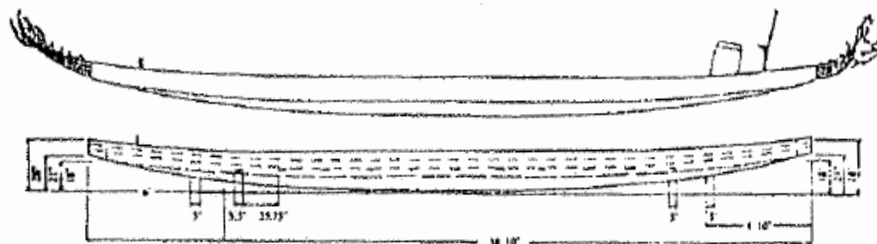
2. DRAGON BOAT HEAD & TAIL

- Material : Wood

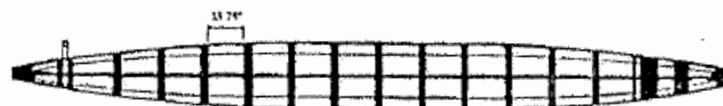
3. CROSS SECTION OF A 11.66 METRE DRAGON BOAT



3. SIDE VIEW



3. TOP VIEW



Proposed Utility Bylaw Amendments

SPC on Utilities and Corporate Services

28 April 2021

Mimi Luong

Business Strategist, Water Resources

USC2021-0603

Att. 11

ISC: Unrestricted

Recommendation

That the SPC on Utilities and Corporate Services recommends that Council:

Give three readings to the proposed bylaw amendments to:

- Bylaw 37M2005, the Drainage Bylaw
- Bylaw 14M2012, the Wastewater Bylaw
- Bylaw 40M2006, the Water Utility Bylaw
- Bylaw 9018, the Glenmore Park Bylaw

Purpose

- Protection of public safety, infrastructure, and environment
- Improve consistency, clarity and functionality in the Bylaws
- Clarify expectations of citizens, customers and The City to strengthen collaboration, accountability, transparency and promote continuous improvement
- Update Bylaws to align with current practices and industry standards
- Improve response mechanisms to promote compliance and help reduce risks
- Provide clarity and consistency in plain language across all the Utility Bylaws

Key Themes



Public Health and
Safety

9



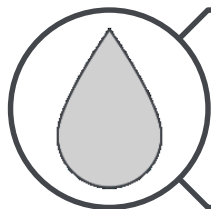
Customer
Responsiveness

11



Citizen Value

6



Technical Updates

4

Highlight key improvements

Stormwater

Hydrogen sulphide

Existing water service
connections

Stakeholder Engagement

Key
Stakeholders

Citizen feedback

Building Industry

Businesses

Internal City Departments

Recommendation

That the SPC on Utilities and Corporate Services recommends that Council:

Give three readings to the proposed bylaw amendments to:

- Bylaw 37M2005, the Drainage (Stormwater) Bylaw
- Bylaw 14M2012, the Wastewater Bylaw
- Bylaw 40M2006, the Water Utility Bylaw
- Bylaw 9018, Glenmore Park Bylaw