

# PROPOSED

UCS2021-0603  
ATTACHMENT 3

## BYLAW NUMBER 43M2021

### BEING A BYLAW OF THE CITY OF CALGARY TO AMEND BYLAW 40M2006, THE WATER UTILITY BYLAW

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**WHEREAS** Council has considered UCS2021-0603 and deems it necessary to amend Bylaw 40M2006, The Water Utility Bylaw;

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

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

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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.

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- (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 41(3)(a) as subsection 41(3)(a.1):  
“(a.1) shall maintain a six (6) metre clearance above the fire hydrant;”  
and
  - (b) in subsection 41(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”

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the following is added:

<u>SECTION NUMBER</u>		<u>SPECIFIED PENALTY</u>
"34(3)	Relocate, replace, alter or disconnect an existing Water Service Connection without approval	\$1500"

and

(b) the following is deleted:

<u>SECTION NUMBER</u>		<u>SPECIFIED PENALTY</u>
"41(1)	Allow obstruction of fire hydrant	\$150"

and replaced with:

<u>SECTION NUMBER</u>		<u>SPECIFIED PENALTY</u>
"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".

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

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

SIGNED ON \_\_\_\_\_