

**SUMMER VILLAGE OF SUNBREAKER COVE  
WASTEWATER UTILITY BYLAW  
BY-LAW 165-21**

**A BYLAW OF THE SUMMER VILLAGE OF SUNBREAKER COVE, IN THE PROVINCE OF ALBERTA, TO REGULATE THE RATES, BILLING, AND COLLECTION OF FEES FOR THE MUNICIPAL WASTEWATER SYSTEM IN THE SUMMER VILLAGE OF SUNBREAKER COVE.**

Being a Bylaw of the Summer Village of Sunbreaker Cove to provide for the connection to and provision of sewage services to residents of the Summer Village of Sunbreaker Cove.

WHEREAS The Municipal Government Act, R.S.A. 2000, c. M-26 provides a Municipal Council with the authority to pass bylaws respecting public utilities;

NOW THEREFORE the Council of the Summer Village of Sunbreaker Cove in the Province of Alberta, duly assembled, hereby enacts as follows:

1 TITLE AND GEOGRAPHIC SCOPE

- 1.1 This Bylaw may be referred to as the "Summer Village of Sunbreaker Cove Utility Bylaw".
- 1.2 This Bylaw shall only be applicable within the boundaries of the Summer Village of Sunbreaker Cove, as depicted in Schedule "A" attached hereto.

2 DEFINITIONS AND INTERPRETATION

2.1 In this Bylaw:

- a) "Council" means the Council of the Summer Village of Sunbreaker Cove.
- b) "Customer" means any person who is the Owner and thereby occupant of any premises connected to or provided with utility services pursuant to this Bylaw.
- c) "Chief Administrative Officer" means the Chief Administrative Officer for the Summer Village of Sunbreaker Cove or his or her delegate.
- d) "Owner" means the registered Owner of land and includes the purchaser thereof, and where the context so requires the Owner of the land receiving goods or services pursuant to this Bylaw.
- e) "Person" means a human being, a corporation or other legal entity.
- f) "Summer home" means a home that does not have the proper insulation, water, or heating systems to be lived in year-round, therefore, the plumbing needs to be purged of water to avoid pipes freezing during the season when the home is vacant.

2.2 The Preamble and Schedules attached to this Bylaw form part of this Bylaw.

2.3 In this Bylaw the reference to the male gender shall include the female, and the singular shall include the plural and vice versa.

2.4 Where a word or term in the Bylaw is defined by this Bylaw, derivatives of that word or term shall be interpreted to have the same general meaning as the defined word or term, as the context may require.

### 3 DELEGATION OF AUTHORITY

3.1 Council hereby delegates to the Chief Administrative Officer authority to do all things necessary in order to fulfill the responsibilities and duties of the Summer Village with respect to the delivery of utility services under the Municipal Government Act and this Bylaw. The Summer Village Chief Administrative Officer is responsible for the operation of the sewage system in accordance with:

3.1.1 Provincial and Federal Statutes and Regulations

3.2.2 This Bylaw and related Regulations

3.2 The Summer Village Chief Administrative Officer may delegate to one or more Summer Village employees any of the duties hereby delegated to the Summer Village Chief Administrative Officer.

### 4 RATES, BILLING AND COLLECTION

4.1 The rates to be charged to Customers for the disposal of wastewater to the Summer Village Wastewater System are prescribed in Schedule "B" of this Bylaw.

4.2 A utility bill showing actual or estimated amounts for all service charges to the Customer shall be prepared and delivered annually. The wastewater service charges, and any other charge authorized by a Bylaw of the Summer Village of Sunbreaker Cove may be combined on a single Customer bill, but each charge shall be shown separately.

4.3 No reduction in rates or charges shall be made for any interruption of wastewater services during a billing period.

4.4 All utility bills are due and payable upon receipt of billing with payment to be made at the Summer Village of Sunbreaker Cove office or at such other place as may be designated from time to time by the Summer Village Chief Administrative Officer.

4.5 non-receipt of a utility bill shall not exempt the Customer from payment of the services rendered.

4.6 Any wastewater account balance which remains unpaid more than one month after the billing date shall have added to their account a late payment fee as specified in Schedule "C" based on the combined account balance including other services and charges included on the utility bill by the Summer Village of Sunbreaker Cove.

4.7 Where a utility account has been outstanding for a period of sixty (60)

days, a notice shall be mailed to the Customer and the registered Owner of the property if the Customer is not the registered Owner, warning that wastewater service may be shut off unless full payment of the account is received within (7) seven days of the notice. If payment is not received with the seven (7) day period, the Summer Village may (but is not required to) hand deliver, or post a final notice on the property, warning the wastewater services shall be shut off unless full payment of the account is received within two (2) days of the final notice. Payment must be made by cash, certified cheque, or debit card, failing which, services may be disconnected.

- 4.8 Where utility services have been shut off for non-payment of a utility account in accordance with Section 4.7, the sewer service shall not be turned on until such time as the account, including penalties and a reconnection fee as prescribed in Schedule "C" has been paid. Payment must be by cash, certified cheque, or debit card.
- 4.9 Notwithstanding Section 4.7, where the Customer is unable to pay the entire amount of the outstanding utility account the Summer Village Chief Administrative Officer may, upon negotiation of a satisfactory repayment schedule, postpone the shut-off of wastewater services.
- 4.10 Where a utility account or other charges under this Bylaw remain unpaid, the Summer Village Chief Administrative Officer may add the unpaid utility or other charges to the tax roll account of the property.
- 4.11 The Summer Village Chief Administrative Officer may undertake collection of any unpaid utility accounts by any means provided by the law.
- 4.12 Any person wishing to discontinue receiving wastewater services from the Summer Village shall give five (5) working days' notice of the same to the Summer Village office, otherwise the rates will continue until such notice is given or the wastewater service is turned off.
- 4.13 Where wastewater service is to be discontinued a final billing will be calculated on a prorated basis from the date of the last billing to the date of discontinuance of service.

## 5 PENALTIES

- 5.1 Charges as prescribed in Schedule "C" will be imposed on any Customer issuing a cheque to the Summer Village of Sunbreaker Cove which is dishonored or returned with a notification of non-sufficient funds (NSF) and those charges shall be added to their account.

## 6 MISCELLANEOUS

This Bylaw shall come into full force and effect on the date of passing.

**INTRODUCED AND GIVEN FIRST READING** this 18th day of October 2021.

\_\_\_\_\_  
Teresa Beets, Mayor

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Tanner Evans, C.A.O.

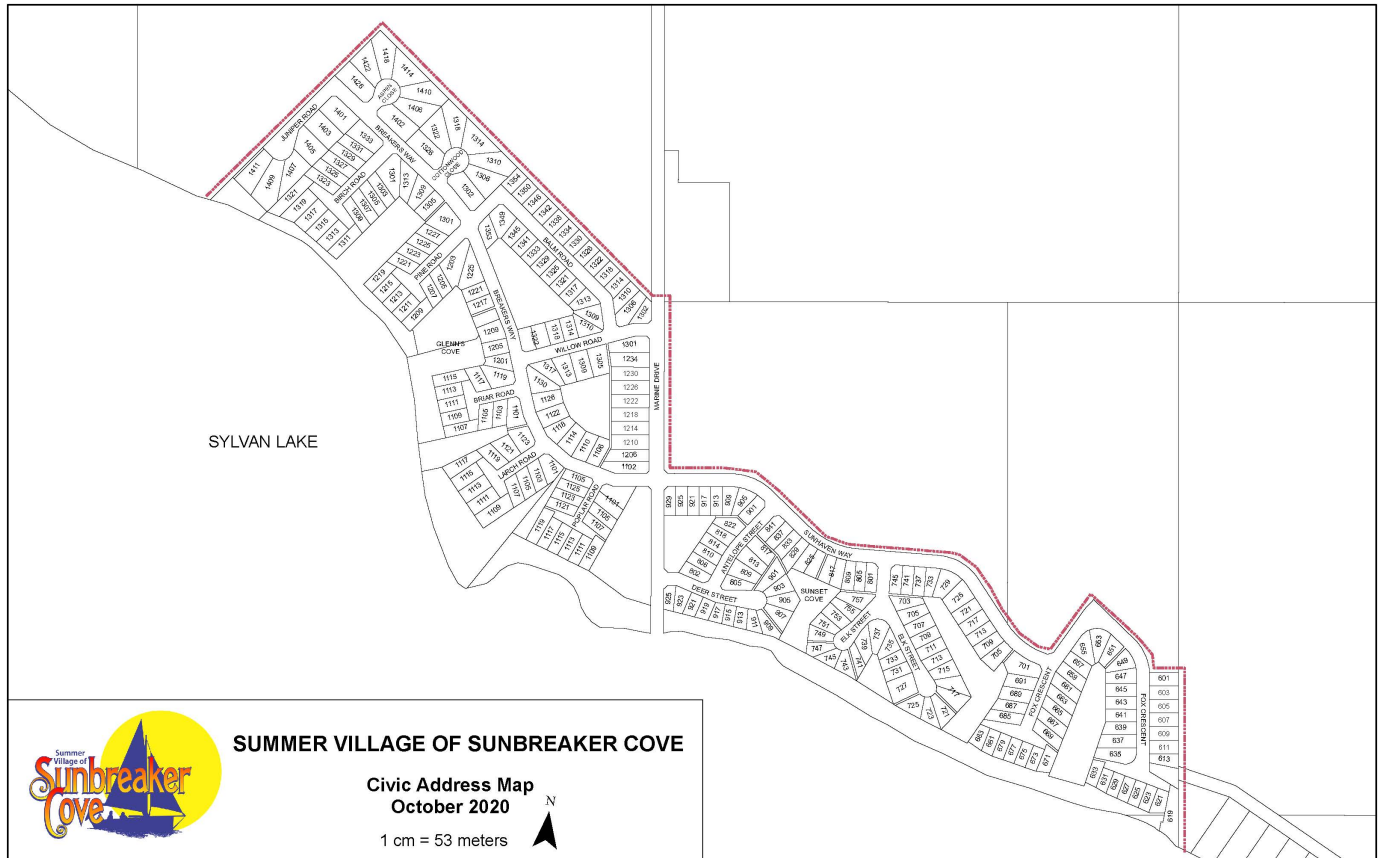
**GIVEN SECOND READING** this \_\_\_\_ day of \_\_\_\_ 2021

**GIVEN THIRD AND FINAL READING** this \_\_\_\_ day of \_\_\_\_ 2021.

\_\_\_\_\_  
Teresa Beets, Mayor

\_\_\_\_\_  
Tanner Evans, C.A.O.

**SCHEDULE "A"**



**SCHEDULE "B"**

**Residential Rates**

Schedule B

Residential Rates

Rates Effective: \_\_\_\_\_ 2021

Each Customer shall be invoiced once a year for sewer services supplied:

- If the home has the capacity to be occupied in the winter, the charge will be \$450/year, or
- If the home does not have the capacity to be occupied in the winter and is a summer home, the charge will be \$180/year.

The lower fee only available if you declare to Summer Village Administration in writing (letter or email) that sewer services cannot be used in the winter:

- at the time of connection is requested, and
- annually thereafter prior to March 31.

The initial cost will be pro-rated to reflect when the home is connected to the sewer services. The proration for homes not capable of being used in the winter shall consider the extent they were connected after May 1 and a typical seasonal occupancy of 40% of a calendar year.

**SCHEDULE "C"**

Sewage Line Connection Rates	At Cost +25%
Repair to damaged standpipe	At Cost +25%
Cleaning plugged sewage	At Cost +25%
After hours	At Cost +25%
Reconnection fee	\$250.00
Administration fee (initiating account)	\$15.00
Late payment fees	2% per month
N.S.F. Fee	\$150.00
Miscellaneous items at costs +25% as determined by the Summer Village Chief Administrative Officer.	