

TOWN OF BANFF
ORDER OF BUSINESS
Regular Council Meeting
Town of Banff Council Chambers
Monday, December 8, 2014 at 2:00 p.m.

1.0 CALL TO ORDER

2.0 APPROVAL OF AGENDA

2.1 Regular Meeting Agenda

Recommendation:

That council approve the agenda for the December 8, 2014 regular meeting of council.

2.2 For Information: 2014 Council Priorities and Workplan

3.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

3.1 Minutes of the November 24, 2014 Regular Meeting of Council

Recommendation:

That council adopt the minutes of the November 24, 2014 regular meeting of council.

4.0 DELEGATIONS

5.0 PUBLIC INPUT ON AGENDA ITEMS

6.0 UNFINISHED BUSINESS

7.0 BYLAWS AND STAFF REPORTS

7.1 Request for Decision: 2015-2016 Water and Sewer Rates

Recommendations:

- i) That council give three readings to Bylaw 342 - Water System Bylaw Amendment No.5.
- ii) That council give three readings to Bylaw 343 – Sewer System Bylaw Amendment No.4.
- iii) That council keep the senior’s utility discount in its current form and rate for 2015 and direct administration to return to council with amendments to the Water and Sewer System bylaws in 2015 to either eliminate or phase out the discount over three years starting January 1, 2016.

7.2 Request for Decision: 2015-2016 Solid Waste Rates

Recommendation:

That council give three readings to Bylaw 345 – Waste Bylaw Amendment No. 4.

8.0 COMMITTEE REPORTS

8.1 For Information: December Bow Valley Regional Housing Bulletin

9.0 CORRESPONDENCE

9.1 For Information: Kevin Palmer – Town of Banff Housing

10.0 NEW BUSINESS

11.0 PUBLIC INPUT ON AGENDA ITEMS

12.0 ADJOURNMENT

Agenda prepared by: Tara Johnston-Lee

All recommendations as presented are for discussion purposes only, and should not be considered as the opinion or direction of council.

December 8, 2014

2014 Council Priorities

1. **A Place to Call Home** – focus on the recommendations of the community housing task force and work with partners in the private sector and other levels of government to facilitate new and refurbished housing stock, right-sized and right-priced for newcomers, temporary workers and permanent residents of all ages.
2. **We are Community – A Re-Affirmation of Words to Live By** – focus to rekindle the conversation about taking pride in our community and leading by example: taking care of each other and being courteous; keeping our town clean and litter-free; respecting the wildlife; protecting the precious environment; celebrating and building on our success, every day.
3. **Park and Walk - A Walkable Community** – focus is to continue to explore options to increase parking capacity, preferably without making our residential taxpayer bear the brunt of costly new infrastructure. We will continue to pilot programs that increase parking availability and improve parking stall turnover, and commit to those that prove successful. We will continue to encourage residents and employees to commute more sustainably, and leave their vehicles at home.
4. **Toward Economic Prosperity – The Strategy** – focus for 2014 is to adopt the strategy and consider the implementation of specific strategies and tactics.
5. **Toward a Sustainable Transportation System - Managing Our Expectations** - focus is to implement the strategies of the integrated Transportation Master Plan adopted in 2013. We will continue to educate on and encourage the use of alternative modes of transportation.

Council Workplan

Note: blue highlight indicates a 2014 Council Priority.

1st Quarter 2014

		Original Due Date	New Due Date	Council Meeting	Finance Meeting	Action/Status/Next Steps
Outdoor Merchandise Display Policy	Planning	Complete				Policy Adopted
Residential Apartment Housing/Off-street Parking and Alternative Transportation Standards Policy	Planning	Complete				Policy Adopted
Rickshaw/Pedi-cab Appropriateness	Planning	Complete				Policy Approved
Successful Execution of Alberta Winter Games	All Departments	Complete				*Debrief from AWG
QMP Update	Planning	Complete				Plan Adopted
2013 Social Assessment	Community Services	Complete				Adopted as planning tool
Street and Public Bylaw Amendments (re: Outdoor Merchandising)	Planning	Complete				Bylaw Passed

2014 Council Priorities & Workplan

Agenda #2.2

2nd Quarter 2014

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Action/Status/Next Steps
Housing Affordability Metric as part of Economic Prosperity Strategy ¹	Corporate Services	Complete		✓		Strategy Adopted
Economic Prosperity Strategy ⁴	Corporate Services	Complete		✓		Strategy Adopted
Debrief 2014 Budget Process	Corporate Services	Complete			✓	Recommendations to be incorporated in 2015 budget process
First Quarter Forecast	Corporate Services	Complete			✓	Finance Committee Review
Long Term Funding Mechanisms of Capital Reserves	Corporate Services	Complete			✓	
2014 Service Review with Benchmarks	Legislative	Complete		✓		2014 Review Adopted (new benchmarks to be added in 2015)
Bylaw Enforcement Workshop	Bylaw Services	Complete	Service Review			Scheduled for January 26
N-viro Expansion to Canmore	Operations	June	Q4	✓		Implementation Update
Wastewater/Utilities contact proposal	Operations	Complete		✓		Town to assume responsibility
Action Request Standards	Communications	Complete		✓		Standards Established
Solar Electricity Incentive Program	Environmental Management	Complete		✓		Approved further research and program design

3rd Quarter 2014

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Action/Status/Next Steps
BHC 338-340 Banff Avenue Conceptual Design ¹	Banff Housing	Sept	2015	✓		Update
2015 Financial Plan	Corporate Services	Complete			✓	Finance Committee Recommendations
Second Quarter Forecast	Corporate Services	Complete			✓	Finance Committee Review
Asset Management for Facilities	Engineering/Facilities/Corporate Services	Sept 22	Dec 18		✓	Finance Committee Recommendation
Green Fleet Policy	Operations	Q3-2013	2015	✓		Consider Adoption
Waste Bylaw Amendment	Operations	2012	2015	✓		Consider Adoption
Taxi Bylaw Amendments (Efficiencies)	Corporate Services Environmental Coordinator	Q3-2013	2015	✓		Consider Adoption
Roam Performance Metrics	Engineering	Complete		✓		Recommendation forwarded to BVRTSC

2014 Council Priorities & Workplan

Agenda #2.2

Commercial Business Recycling Opportunities	Operations	Sept		✓		Consider Options
Grease Trap Inspection Program	Operations	Complete		✓		Council updated by inspector during service review
Municipal Census Report	Corporate Services/Planning	Complete		✓		Results received as information.
Committee Appointment Policy Eligibility Amendment	Corporate Services	Complete		✓		Consider Adoption
Water System Bylaw Section 11 Amendment	Operations	Complete		✓		June - Direction Provided Consider Adoption
Survey Options – User Pay Parking Trial	Engineering	Complete		✓		Report received as information and council direction provided during service review.
User Pay Parking – Community Consultation	Engineering Communications	Complete		✓		Report received as information and council direction provided during service review.

4th Quarter 2014

		Original Due Date	New Due Date	Council Meeting	Finance Committee	Action/Status/Next Steps
Community Housing Strategy ¹	Banff Housing	Complete		✓		Strategy Adopted Actions items to be presented through service review process
Bear Street Parkade Basement Options – Scramble Parking Stalls ³	Engineering	Complete		✓		Report received as information and council direction provided during service review.
Long-Term Parking Management Tactics ³ Cost Estimates/Implementation Options	Engineering	Complete		✓		Report received as information and council direction provided during service review.
“Words to Live By” Communication Strategy and Tactics ²	Communications	Complete		✓		Report received as information and council direction provided during service review.
Short Term Parking Management Tactics ³ - Part 2 Cost Estimates/Implementation Options	Engineering	Complete		✓		Report received as information and council direction provided during service review.
Parking Improvements ³ (Spray/Bufalo/Central Park)	Engineering/Streets	Complete		✓		Report received as information and

2014 Council Priorities & Workplan

Agenda #2.2

						council direction provided during service review.
Bow Avenue Angle Parking Trial ³	Engineering/Streets	Work Complete		✓		Report received as information and council direction provided during service review.
Legacy Trail West Connection ⁵	Engineering	Work Complete		✓		Report received as information and council direction provided during service review.
Scramble Crosswalks ⁵	Engineering/Streets	Complete		✓		Report received as information and council direction provided during service review.
Yellow curb/sidewalks	Operations	Complete		✓		Council Updated
Fruit Tree Incentives	Planning	Nov		✓		Consider Options
Out-of-Town Utility Agreements	Corporate Services	Oct	2015		✓	Finance Committee Recommendation
Water, Sewer and Solid Waste Reserve Analysis	Corporate Services	Oct	Dec 8		✓	Finance Committee Recommendation
Town Owned Lands Cost Recovery Model	Corporate Services	Nov 10	2015		✓	Finance Committee Review
Third Quarter Forecast	Corporate Services	Complete			✓	Finance Committee Review
Pre-Audit Planning	Corporate Services	Complete			✓	Finance Committee Review
Council Chamber/Front Counter Improvements	Corporate Services	Dec		✓		Implementation Update
10 Year Urban Forest Plan	Operations	Nov		✓		Consider Adoption
Recreation Grounds Redevelopment Plan	Community Services	Nov		✓		Update Nov 26 Open House
Trails Master Plan Update	Community Services	Next Steps 2015		✓		Posted for public feedback Nov 26 Open House
Banner Policy Amendments	Destination Events /Streets	Complete		✓		Consider Adoption
Senior's Utility Rate Discount - Recommendations for Phase-Out and Replacement Programs	Corporate Services	Service Review	Dec 8	✓		Finance Committee Review Complete Consider Options
Recreation Master Plan - Programs and Services	Community Services	Nov	Dec 18	✓		Update

2014 Council Priorities & Workplan

Agenda #2.2

Cemetery Policy	Operations	2014	2015	✓		Administrative process update complete Consider Adoption
Memorial benches, trees, and graves	Operations	2013	Q4			Update
Sewer Bylaw	Operations	2012	2014	✓		Consider Adoption

**MINUTES OF THE REGULAR MEETING OF COUNCIL
of the Town of Banff in the Province of Alberta
Town Hall Council Chamber
Monday, November 24, 2014 at 2:00 pm**

COUNCIL MEMBERS PRESENT

Karen Sorensen	Mayor
Stavros Karlos	Councillor
Brian Standish	Councillor
Grant Canning	Councillor and Deputy Mayor
Chip Olver	Councillor and Acting Mayor
Ted Christensen	Councillor
Corrie DiManno	Councillor

COUNCIL MEMBERS ABSENT

ADMINISTRATION PRESENT

Robert Earl	Town Manager
Randall McKay	Manager of Planning and Development
Kelly Gibson	Manager of Corporate Services
Connie Grace	Destination Events Coordinator
Darren Enns	Senior Planner
Tara Johnston-Lee	Municipal Clerk

1.0 CALL TO ORDER

The Mayor called the November 24, 2014 regular meeting of council to order at 2:00 p.m.

2.0 APPROVAL OF AGENDA

2.1 Meeting Agenda

COU14-344 Moved by Councillor Standish that council approve the agenda of the November 24, 2014 regular meeting as presented.

CARRIED

2.2 2014 Council Priorities and Workplan

Received as information.

3.0 ADOPTION OF PREVIOUS COUNCIL MINUTES

3.1 Minutes of the November 10, 2014 Regular Meeting of Council

COU14-345 Moved by Councillor Standish that council approve the minutes of the November 10, 2014 regular meeting of council as presented.

CARRIED

4.0 DELEGATIONS

4.1. Banff Public Library Board

Ross Glenfield, representing the Banff Public Library Board, spoke to the request included in the agenda package for this meeting. Sarah McCormack, Library Director, and Michelle Toombs from the Marigold Library System were in the gallery and answered questions from council.

COU14-346 Moved by Councillor Olver that council support the Library Board's current budget allocation of \$441,846.

COU14-347 Moved by Councillor Karlos that council amend motion COU14-346 by deleting the following words in ~~strikeout~~ and inserting the words in underline:

- “that council support the Library Board’s ~~current budget allocation of \$441,846.~~ budget allocation at the 2104 amount of \$433,200 for the next two years and that council direct the Banff Library Board to return to council with a business plan including a capital reserve replacement schedule prior to the resumption of inflationary increases.”

COU14-348 Moved by Councillor Olver that council split motion COU14-347 as follows:

- COU14-347(i) - that council amend motion COU14-346 by deleting the following words in ~~strikeout~~ and inserting the words in underline:
 - “that council support the Library Board’s ~~current budget allocation of \$441,846.~~ budget allocation at the 2104 amount of \$433,200 for the next two years.”
- COU14-347(ii) - that council amend motion COU14-346 by adding the following after the word “year”:
 - “and that council direct the Banff Library Board to return to council with a business plan including a capital reserve replacement schedule prior to the resumption of inflationary increases.”

CARRIED

The vote followed on motion COU14-347(i) that council amend motion COU14-346 by deleting the following words in ~~strikeout~~ and inserting the words in underline:

- “that council support the Library Board’s ~~current budget allocation of \$441,846.~~ budget allocation at the 2104 amount of \$433,200 for the next two years.”

CARRIED

Olver and Canning opposed

The vote followed on motion COU14-347(ii) that council amend motion COU14-346 by adding the following after the word “years”:

- “and that council direct the Banff Library Board to return to council with a business plan including a capital reserve replacement schedule prior to the resumption of inflationary increases.”

CARRIED

The vote followed on motion COU14-346, as amended, that council support the Library Board's budget allocation at the 2014 amount of \$433,200 for the next two years and that council direct the Banff Library Board to return to council with a business plan including a capital reserve replacement schedule prior to the resumption of inflationary increases .

CARRIED

COU14-349 Moved by Councillor Olver that council approve the Banff Public Library joining the Marigold Library System with an additional annual operating levy required of \$5.71 per capital, at a 2015 cost of \$53,934.

CARRIED

COU14-350 Moved by Mayor Sorensen that council direct administration to provide clarification on the per capita contribution to the public library as compared to other municipalities during the 2016 budget deliberations.

CARRIED

5.0 PUBLIC INPUT ON AGENDA ITEMS

None received.

6.0 UNFINISHED BUSINESS

6.1 Bylaw 341 – Business Licence Bylaw 22-9 Amendment No.13

COU14-351 Moved by Mayor Sorensen that council give third reading to Bylaw 341 – Business Licence Bylaw 22-9 Amendment No. 13 as presented.

CARRIED

7.0 BYLAWS AND STAFF REPORTS

7.1 Street Pole Banner Policy C101

COU14-352 Moved by Councillor Karlos that council approve the amendments to Street Pole Banner Policy C101, as highlighted in Attachment 1 of the report included in the agenda package for this meeting, and with an amendment to Schedule A- Banner Application Fees changing the Advertising Fee from \$152 per banner to \$76 per banner.

CARRIED

7.2 2014 Municipal Census Detailed Results

COU14-353 Moved by Council Canning that council receive the 2014 Municipal Census Data Report as information.

CARRIED

8.0 COMMITTEE REPORTS

8.1 Minutes of the August 20, 2014 Meeting of the Bow Valley Waste Management Commission Board

Received as information.

8.2 Minutes of the September 17, 2014 Meeting of the Bow Valley Waste Management Commission Board

Received as information.

8.3 Bow Valley Regional Housing November 2014 Bulletin

Received as information.

9.0 CORRESPONDENCE

None received.

10.0 NEW BUSINESS

No new business was considered.

11.0 PUBLIC INPUT ON AGENDA ITEMS

None received.

12.0 ADJOURNMENT

COU14-354 Moved by Councillor DiManno that council adjourn the November 24, 2014 regular meeting of council at 3:23 p.m.

CARRIED

Karen Sorensen
Mayor

Tara Johnston-Lee
Municipal Clerk

REQUEST FOR DECISION

Subject: 2015 - 2016 Water & Sewer Rates



Presented to: Council

Date: December 8, 2014

Submitted by: Chris Hughes, Senior Accountant Agenda #: 7.1

RECOMMENDATIONS

1. That council give three readings to Bylaw 342- Water System Bylaw Amendment No. 5.
2. That council give three readings to Bylaw 343 - Sewer System Bylaw Amendment No. 4.
3. That Council keep the seniors' utility discount in its current form and rate for 2015 and direct administration to return to council in 2015 with an amendment to this discount.

BACKGROUND

In 2011, administration completed a 50 year analysis of the water and sewer reserves and Council recommended at that time that water rates continue to increase at the rate of annual inflation while the sewer rate should inflate by 6.1% per year starting in 2012 for 20 years in order to reach the required reserve funding level. In 2014 administration has completed a full 100 year analysis in line with the other capital reserves and has come to the following conclusions:

- a) At the current rates, assuming inflationary increases, the Water Reserve is overfunded and will continue to be over the next 100 years.
- b) At the current rates, assuming a 6.1% inflation until 2031, the Sewer Reserve is forecasted to remain underfunded for the next 100 years
- c) The 2011 model assumed that the major assets such as the Waste Water Treatment Plant would be replaced in large replacement projects at the end of their estimated useful life. The reality is that these assets are being replaced gradually over time in smaller projects. The 2014 analysis takes this into account.

If the 2011 rate recommendations are followed, the forecasted ending balance in the Water Reserve, the Sewer Reserve and combined at the end of each of the next eight decades would be as follows:

Ending Reserve Balance by Decade (current rate plan)

	2024	2034	2044	2054	2064	2074	2084	2094
Water	\$ 15,590,431	\$ 18,150,014	\$ 22,516,382	\$ 26,987,351	\$ 26,339,677	\$ 40,823,261	\$ 21,402,966	\$ 48,267,566
Sewer	\$ (5,114,743)	\$ (13,069,781)	\$ (18,791,260)	\$ (23,537,559)	\$ (28,575,285)	\$ (30,227,902)	\$ (27,726,977)	\$ (18,359,029)
Total	\$ 10,475,688	\$ 5,080,232	\$ 3,725,122	\$ 3,449,792	\$ (2,235,608)	\$ 10,595,359	\$ (6,324,011)	\$ 29,908,537

As a point of reference Appendix 5 shows a comparison of Banff's 2014 Water and Sewer rates compared to other Alberta municipalities as well as an estimate for an average residential property that consumes 153 m³ of water in a year. An average household in Banff would have paid \$557.67 in total for water and sewer in 2014 compared to an average of \$731.93 among the comparison group. With the proposed rates for 2015 the average Banff household would pay \$580.08 and it would move to \$607.43 in 2016, still well below the 2014 average.

Issue #1: Water Consumption and Flat Monthly Rates

Given that the Water reserve is forecasted to remain over funded even with just inflationary rate increases, administration is recommending that, in 2015, rather than increasing the consumption and flat monthly water rates by 2.4% that they be reduced by 10%. It is recommended that this reduction in water rates be occupied by an offsetting increase in the sewer rates. Once this one time offset of water and sewer rates is complete, the water rates should continue to increase at the annual rate of inflation (2016 – 2%).

Although this strategy does not keep both the water and sewer reserves in a positive balance at all times over the next 100 years, the combined balance of the two reserves is forecasted to become positive by 2017 and remain that way for the entire timeframe. This allows one reserve to borrow from the other in the short term. The chart below shows the forecasted ending balance in the Water Reserve, the Sewer Reserve and the combined balance at the end of each decade with the proposed rate structure.

Ending Reserve Balance by Decade (proposed rate plan)

	2024	2034	2044	2054	2064	2074	2084	2094
Water	\$ 13,009,798	\$ 12,270,325	\$ 12,413,623	\$ 11,478,706	\$ 3,911,040	\$ 9,536,450	\$ (21,223,058)	\$ (8,873,607)
Sewer	\$ (2,038,427)	\$ (4,569,007)	\$ (2,881,821)	\$ 1,855,598	\$ 8,957,832	\$ 22,845,390	\$ 45,239,053	\$ 80,071,387
Total	\$ 10,971,371	\$ 7,701,318	\$ 9,531,802	\$ 13,334,304	\$ 12,868,872	\$ 32,381,839	\$ 24,015,995	\$ 71,197,780

RESPONSE OPTIONS

1. Reduce the 2015 water consumption and monthly base rates by 10% from 2014 levels and increase the 2016 water consumption and monthly base rates by 2% over the 2015 levels by giving 3 readings to the attached Bylaw 342.
2. Set the 2015 - 2016 water rates according to another rate structure and direct administration to return with a revised Water System amendment bylaw.

Issue #2: Miscellaneous Water Service Fees

There are rate increases proposed for a few other water services in order to ensure cost recovery. They are as follows:

1. Application for water supply (includes inspection) – Increase from \$100 to \$200
2. Application for supply termination (included inspection) – Increase from \$100 to \$200
3. Unscheduled requests (new fee) - \$60/hour (after hours min. charge of \$120)

RESPONSE OPTIONS

1. Amend the miscellaneous water service fee schedule by giving 3 readings to the attached Bylaw 342.
2. Set the 2015 – 2016 miscellaneous water service rates according to another rate structure and direct administration to return with a revised Water System amendment bylaw.

Issue #3: Sewer Consumption and Flat Monthly Rates

Evaluation of the 20 year phase in of sewer rates together with the new assumptions for the replacement schedule of major sewer assets and considering a 100 year time horizon showed that the rate increases would still be insufficient to cover replacement of all capital assets over the long term. It is recommended in 2015 that the consumption and flat monthly sewer rates increase by budgeted 6.1% plus an additional 6.9% which represents the occupation of the \$232,300 from the reduction of water rates. After this one time offset of water and sewer rates is complete, the sewer rates should continue to increase at the annual rate of 6.1% per year until the end of the 20 year rate phase in, scheduled to end in 2031 when the annual rate increase would be reduced to the annual rate of inflation. The sewer costs for an average house in Banff in 2015 with the recommended rates would be \$384.09 compared to the 2014 average from appendix 5 of \$352.08. The current budgeted transfer to the Sewer Reserve is approximately 51% of the amount required to adequately fund the Sewer Reserve over the next 100 years. In order to raise all of the additional amount to properly fund the reserves in 2015 the sewer rates would need to increase by 35.5%. If the sewer rate were immediately increased to adequately fund the reserve, the total annual sewer cost would be \$460.56

The combined rates for 2015 would increase 3.6% and 4.7% in 2016. For an average residential property that would be an increase of \$5.60 per quarter in 2015 and \$6.84 in 2016.

RESPONSE OPTIONS

3. Increase the 2015 sewer consumption and monthly base rates by 13% from 2014 levels and increase the 2016 sewer consumption and monthly base rates by 6.1% over the 2015 levels by giving 3 readings to the attached Bylaw 343.
4. Set the 2015 - 2016 sewer rates according to another rate structure and direct administration to return with a revised Sewer System amendment bylaw.

Issue #4: Miscellaneous Sewer Service Fees

There are rate increases proposed for a few other sewer services in order to ensure cost recovery. They are as follows:

1. Fee upon application for sewer service connection – Increase from \$100 to \$200
2. Termination of sewage service – Increase from \$100 to \$200

RESPONSE OPTIONS

1. Amend the miscellaneous sewer service fee schedule by giving 3 readings to the attached Bylaw 343.
2. Set the 2015 – 2016 miscellaneous sewer service rates according to another rate structure and direct administration to return with a revised Sewer System amendment bylaw.

Issue #4: Seniors' Utility Discount

In April of 2014 the Finance Committee directed administration to return with recommendations to eliminate or phase out the seniors' discount for water and sewer with suggestions for replacement programs. At this time, administration is recommending that the seniors' discount remain in place for 2015 and considerations be made to either phase it out over 3 years starting in 2016 or eliminate it completely in its current form in 2016. It is recommended that this utility discount program be replaced by another affordability

program such as the Banff Access Card and related discount programs scheduled to be discussed during the 2015 FCSS Service Review session on December 3, 2014. This will allow for adequate communication of the change in the utility discount program during 2015 and time to develop a policy to administer any replacement program and gauge the related benefits for Banff's senior population.

RESPONSE OPTIONS

1. Keep the seniors' utility discount in its current form and rate for 2015 and bring an amendment to the Water and Sewer System bylaws back prior to 2016 to eliminate the discount starting January 1, 2016.
2. Keep the seniors' utility discount in its current form and rate for 2015 and bring an amendment to the Water and Sewer System bylaws back prior to 2016 to phase out the discount over 3 years starting January 1, 2016.

IMPLICATIONS OF DECISION

Budget

The changes to water and sewer rates will help to ensure that there is sufficient funding to maintain the operations of the utilities with annual contributions to reserves to fund the long term sustainability of the water and sewer systems in the Town of Banff.

ATTACHMENTS

Appendix 1: Municipal Utility Rate Comparison

Appendix 2: Bylaw 342 – Water System Bylaw 157-1 Amendment No. 5

Appendix 3: Bylaw 343 – Banff Sewer System Bylaw 17-3 Amendment No. 4

Appendix 4: Water System Bylaw 157-1

Appendix 5: Banff Sewer System Bylaw 17-3

Circulation date: November 25, 2014

Submitted By: Chris Hughes (Senior Accountant)

Reviewed By: Robert Earl, Town Manager

Appendix 1 - Municipal Utility Rate Comparison

Municipal Utility Rate Table (2013 - 2014)

	Municipality	Water					Sewer					Total Annual Water & Sewer
		Per Cubic Metre		Monthly Fixed Rate		Annual Residential Estimate *	Per Cubic Metre		Monthly Fixed Rate		Annual Residential Estimate *	
		2013	2014	2013	2014	2014	2013	2014	2013	2014	2014	
1	Airdrie	\$1.05	\$1.12	\$14.05	\$15.20	\$353.93	\$1.66	\$1.66	\$13.43	\$18.48	\$475.62	\$829.55
2	Banff	\$1.00	\$1.01	\$5.22	\$5.27	\$217.77	\$1.38	\$1.46	\$9.15	\$9.71	\$339.90	\$557.67
3	Beaumont	\$1.16	\$1.26	\$14.80	\$14.80	\$370.38	\$1.26	\$1.29	\$9.26	\$9.26	\$308.49	\$678.87
4	Brooks	\$0.00	\$0.00	\$18.09	\$19.54	\$234.42	\$0.00	\$0.00	\$12.98	\$14.53	\$174.36	\$408.78
5	Calgary	\$1.60	\$1.72	\$14.67	\$15.75	\$451.78	\$0.89	\$1.01	\$14.23	\$16.15	\$348.24	\$800.02
6	Camrose	\$1.73	\$1.79	\$23.83	\$24.66	\$569.94	\$0.76	\$0.78	\$23.38	\$24.20	\$410.05	\$979.99
7	Canmore	\$0.67	\$0.75	\$14.37	\$16.09	\$307.52	\$1.19	\$1.38	\$27.95	\$31.30	\$587.05	\$894.57
8	Chestermere	\$0.86	\$0.92	\$18.98	\$19.36	\$373.08	\$0.91	\$1.09	\$29.63	\$35.56	\$593.49	\$966.57
9	Cochrane	\$1.13	\$1.13	\$5.42	\$5.42	\$237.93	\$2.14	\$2.26	\$5.42	\$5.42	\$410.82	\$648.75
10	Drayton Valley	\$1.47	\$1.50	\$13.90	\$14.30	\$401.10	\$1.25	\$1.30	\$13.90	\$14.30	\$370.50	\$771.60
11	Drumheller	\$1.43	\$1.47	\$11.00	\$11.55	\$363.66	\$1.85	\$1.94	\$11.50	\$12.08	\$382.78	\$746.45
12	Edson	\$1.03	\$1.06	\$6.63	\$6.63	\$241.68	\$0.72	\$0.74	\$6.63	\$6.63	\$192.72	\$434.40
13	Grande Prairie	\$1.32	\$1.37	\$9.72	\$10.07	\$329.84	\$1.71	\$1.84	\$7.16	\$7.70	\$373.61	\$703.45
14	High River	\$0.77	\$0.80	\$8.50	\$8.80	\$228.00	\$1.60	\$1.65	\$7.50	\$7.75	\$345.45	\$573.45
15	Hinton	\$0.00	\$0.00	\$28.97	\$29.84	\$358.08	\$0.00	\$0.00	\$12.62	\$13.00	\$156.00	\$514.08
16	Innisfail	\$2.00	\$2.00	\$10.00	\$10.00	\$426.00	\$2.00	\$2.20	\$10.00	\$10.00	\$456.60	\$882.60
17	Jasper	\$0.82	\$0.95	\$0.00	\$0.00	\$145.35	\$1.45	\$1.53	\$0.00	\$0.00	\$234.09	\$379.44
18	Leduc	\$1.44	\$1.57	\$9.40	\$9.40	\$353.01	\$1.18	\$1.25	\$7.75	\$7.75	\$284.25	\$637.26
19	Lethbridge	\$1.14	\$1.14	\$9.60	\$9.60	\$289.93	\$0.91	\$0.91	\$7.80	\$7.80	\$232.83	\$522.76
20	Morinville	\$1.87	\$1.87	\$25.29	\$25.29	\$589.59	\$0.99	\$0.99	\$22.19	\$22.19	\$417.75	\$1,007.34
21	Okotoks	\$1.30	\$1.35	\$6.35	\$6.59	\$285.63	\$1.77	\$1.84	\$6.60	\$6.85	\$363.72	\$649.35
22	Olds	\$2.61	\$2.66	\$9.86	\$8.86	\$513.30	\$2.78	\$2.78	\$10.42	\$10.42	\$550.38	\$1,063.68
23	Oyen	\$2.12	\$2.52	\$25.00	\$26.25	\$700.56	\$0.74	\$0.76	\$7.50	\$7.50	\$205.67	\$906.23
24	Peace River	\$1.64	\$2.02	\$6.56	\$0.00	\$308.30	\$0.66	\$2.02	\$6.56	\$0.00	\$308.30	\$616.59
25	Rocky Mountain House	\$0.67	\$0.67	\$27.18	\$27.18	\$428.67	\$0.39	\$0.39	\$12.83	\$12.83	\$213.63	\$642.30
26	St. Albert	\$1.52	\$1.60	\$8.63	\$9.32	\$356.64	\$1.79	\$1.57	\$8.63	\$9.32	\$352.05	\$708.69
27	Stettler	\$2.52	\$2.59	\$10.00	\$10.00	\$516.27	\$0.00	\$0.00	\$18.00	\$19.00	\$228.00	\$744.27
28	Strathmore	\$1.60	\$1.60	\$6.83	\$6.83	\$326.76	\$1.60	\$1.60	\$24.46	\$24.46	\$538.32	\$865.08
29	Sundre	\$1.73	\$2.12	\$18.50	\$18.50	\$546.36	\$1.03	\$1.27	\$18.50	\$18.50	\$416.31	\$962.67
30	Taber	\$1.06	\$1.06	\$25.55	\$25.55	\$468.78	\$0.64	\$0.69	\$27.36	\$27.36	\$433.89	\$902.67
31	Wetaskiwin	\$2.25	\$2.25	\$22.65	\$26.00	\$656.25	\$0.00	\$0.00	\$21.77	\$24.03	\$288.36	\$944.61
32	Whitecourt	\$0.83	\$0.91	\$4.95	\$5.45	\$204.63	\$0.88	\$0.97	\$4.95	\$5.45	\$213.81	\$418.44
	Average	\$1.32	\$1.40	\$13.58	\$13.82	\$379.85	\$1.13	\$1.22	\$13.13	\$13.74	\$352.08	\$731.93

* Assuming an average consumption of 153 cubic metres

TOWN OF BANFF

BYLAW 342

A Bylaw to Amend Water System Bylaw 157-1 with Respect to Rates and Fees

The Council of the Town of Banff, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited as Water System Bylaw 157-1 Amendment No. 5.
2. Water System Bylaw 157-1, as amended, is further amended by deleting the existing Schedule B – Water Rates and Fees in its entirety and replacing it with Schedule B – Water Rates and Fees as attached to and forming part of this bylaw.
3. This bylaw shall come into force and take effect on January 1, 2015.
4. The Town Manager is authorized to consolidate Water System Bylaw 157-1.

READ A FIRST TIME this ____th day of December, 2014.

READ A SECOND TIME this ____th day of December, 2014.

READ A THIRD TIME this ____th day of December, 2014.

SIGNED AND PASSED this ____th day of December, 2014.

Karen Sorensen
Mayor

Robert Earl
Town Manager

Schedule B – WATER RATES AND FEES

1. Annual charges for water consumption:

Consumption Rate (per cubic meter)			
Town Rate		Out of Town Rate	
2013	2014	2013	2014
\$0.91	\$0.93	\$1.13	\$1.16

Water Meter Service Size	Monthly Base Rate		Monthly Base Rate	
	Town Rate	Out of Town Rate	Town Rate	Out of Town Rate
	2013		2014	
15 mm (.625 inch)	\$4.74	\$6.17	\$4.84	\$6.30
20 mm (.75 inch)	\$5.22	\$7.12	\$5.32	\$7.26
25 mm (1.0 inch)	\$6.64	\$8.54	\$6.77	\$8.71
40 mm (1.5 inch)	\$8.54	\$10.92	\$8.71	\$11.14
50 mm (2.0 inches)	\$13.76	\$17.09	\$14.04	\$17.43
75 mm (3.0 inches)	\$52.21	\$66.46	\$53.25	\$67.79
100 mm (4.0 inches)	\$66.46	\$85.45	\$67.79	\$87.15
150 mm (6.0 inches)	\$99.68	\$123.42	\$101.68	\$125.89
Unmetered Properties	Un-metered rates are based on the service running to the property and are to be set by the Town Manager.			

The Rates identified in this Schedule shall apply in the calendar year indicated (from January 1 to December 31 inclusive).

Consumers 65 years of age and older are eligible for a \$50.00 per annum reduction in annual water charges for the residence owned and occupied by that consumer. Such reduction shall be given upon the consumer providing satisfactory evidence to the Town Manager of his or her date of birth.

Town of Banff Bylaw 342 – Water System Bylaw 157-1 Amendment No.5

2. Connection and disconnection of Water Services	As determined by the Town Manager.
3. Application for water supply (includes inspection)	\$200
4. Application for supply termination (includes inspection):	\$200
5. Turn on/off	\$50
6. Failure of Owner to attend scheduled service appointment	\$50
7. Water hydrant use permit fee	\$100
8. Water hydrant use refundable deposit	\$500
9. Water hydrant meter rental/water supply service	\$50 per day
10. Water consumed from a water hydrant	\$2.00 per m ³
11. Unscheduled requests	\$60 per hour *

* Minimum \$120 charge Monday to Friday between 4:00 pm and 8:00 am and at anytime on Saturday or Sunday

TOWN OF BANFF

BYLAW 343

A Bylaw to Amend Banff Sewer System Bylaw 17-3 with Respect to Rates and Fees

The Council of the Town of Banff, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited as Banff Sewer System Bylaw 17-3 Amendment No. 4.
2. Banff Sewer System Bylaw 17-3, as amended, is further amended by deleting the existing Schedule A – Sewer Rates and Fees in its entirety and replacing it with Schedule A – Sewer Rates and Fees as attached to and forming part of this bylaw.
3. Bylaw 329 is hereby repealed.
4. This bylaw shall come into force and take effect on January 1, 2015.
5. The Town Manager is authorized to consolidate Banff Sewer System Bylaw 17-3.

READ A FIRST TIME this ____th day of December, 2014.

READ A SECOND TIME this ____th day of December, 2014.

READ A THIRD TIME this ____th day of December, 2014.

SIGNED AND PASSED this ____th day of December, 2014.

Karen Sorensen
Mayor

Robert Earl
Town Manager

Schedule A – SEWER RATES AND FEES

The following shall be the schedule of Sewage Rates and Fees payable:

1. Connection and disconnection of Sewage Services based upon costs as determined by the Manager of Corporate Services.

Consumption Rate (per cubic meter)			
Town Rate		Out of Town Rate	
2015	2016	2015	2016
\$1.65	\$1.75	\$2.06	\$2.18

Water Meter Service Size	Monthly Base Rate		Monthly Base Rate	
	Town Rate	Out of Town Rate	Town Rate	Out of Town Rate
	2015		2016	
15 mm (.625 inch)	\$10.97	\$14.27	\$11.64	\$15.14
20 mm (.75 inch)	\$12.07	\$16.46	\$12.80	\$17.47
25 mm (1.0 inch)	\$15.36	\$19.74	\$16.29	\$20.95
40 mm (1.5 inch)	\$19.74	\$25.23	\$20.95	\$26.77
50 mm (2.0 inches)	\$31.82	\$39.49	\$33.76	\$41.90
75 mm (3.0 inches)	\$120.67	\$153.58	\$128.03	\$162.95
100 mm (4.0 inches)	\$153.58	\$197.47	\$162.95	\$209.51
150 mm (6.0 inches)	\$230.37	\$285.22	\$244.43	\$302.62
Unmetered Properties	Un-metered rates are based on the service running to the property and are to be set by the Town Manager.			

2. Sanitary Dump Station – commercial use \$40.00/load
3. Fee upon application for sewer service connection \$200.00
4. Termination of Sewage Service \$200.00
5. Consumers 65 years of age and older are eligible for a \$50.00 per annum reduction in annual sewer charges for the residence owned and occupied by that consumer. Such reduction shall be given upon the consumer providing satisfactory evidence to the Manager of Corporate Services of their date of birth.

BYLAW 157-1 - Consolidated

BEING A BYLAW OF THE TOWN OF BANFF, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF THE WATER SYSTEM

AND TO ESTABLISH A TARIFF OF RATES

WHEREAS the Municipal Government Act, RSA 2000, Chapter M-26 authorizes a council to pass bylaws for municipal purposes respecting public utilities; and

WHEREAS the Town of Banff maintains a Water System for the Town of Banff:

NOW THEREFORE the Council of the Town of Banff, in the Province of Alberta, duly assembled, enacts:

CITATION

1. This bylaw may be cited as the "Water System Bylaw."

INTERPRETATION

2. In this bylaw:
 - a) any reference to a named act is a reference to an Act of the Legislature of Alberta, as amended from time to time;
 - b) any references to a Town staff position, department or committee is deemed to be the current name by which that staff position, department or committee is known;
 - c) the definitions in Schedule A will apply to the corresponding words if the first letter of that word is capitalized in this bylaw.
3. Where this bylaw refers to design and/or construction techniques, said techniques shall be in conformance with the Town's engineering design guidelines and construction standards.

RESPONSIBILITY AND AUTHORITY

4. The Town Manager shall have charge of all the various properties and works required for the supply of the Town and its inhabitants with water, and of the inspection of all buildings and Premises supplied with water.
5. The Town Manager shall be responsible for obtaining all licenses, permits and approvals required for the Water System including all required easements, rights of way and pipeline and railway crossing authorizations.
6. The Town Manager shall be responsible for the maintenance of the Water System.
7. Where a Water Service is continued or initiated pursuant to this bylaw, the Town Manager shall supply water to an Owner's Water Service to the Curb Stop of the parcel of land.
8. When a Water Service is continued or initiated pursuant to this bylaw, the Owner shall be responsible for:
 - a) providing a connection from the Curb Stop to the Owner's Water Service;

- b) ensuring that the connection is in compliance with this bylaw;
 - c) ensuring that the connection and the remainder of the Water Service comply with the Safety Codes Act and any regulations passed pursuant to that Act, and Town's engineering design guidelines and construction standards;
 - 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) ensuring that such a connection does not interfere with the operation of the Water System.
9. The Owner shall be responsible for all costs resulting from blockage, breakage, damage, and or failure of the Water Service.
10. The Owner shall be responsible for all costs resulting from a freezing of the Water Service if the freezing is not a result of a interruption in the supply of water through the water main.
Section 10 amended 2012.01.11 Bylaw 311
11. The Owner shall be responsible for the condition of the Curb Stop cap, stem and telescoping box. No Owner shall bend, or allow to be bent, a cap, or bury, or allow to be buried, a cap with earth, rock, asphalt or concrete. The Owner shall pay the actual cost of locating, excavating, cutting and joining and all other work done to straighten the rod and stem, or to raise or lower the curb box to match existing grade. The Owner must provide clear access to the Curb Stop.
12. In all cases where boilers are supplied with water from the Water System, the Owner of the boilers must see that a safety valve, vacuum valve or other proper device is applied to prevent danger from collapse or explosion when the water is shut off from the street.
13. If the Owner refuses or fails to maintain, repair or replace a Water Service as required by this Bylaw, then the Town may:
- a) turn off the water supply until the repairs have been made to stop the water loss;
 - b) estimate the volume of water loss and demand payment from the Owner for that amount of water estimated to have been lost, which payment shall be due and payable upon such demand being made; and,
 - c) authorize employees or agents of the Town to enter upon the land to conduct the required repairs or replacements, the cost of which shall be payable by the Owner to the Town upon demand for such payment.
14. The Town Manager is authorized to shut off water to any Owner in accordance with any relevant section of this bylaw provided that notice is given when practical.
15. The supply to any Person who has had his water shut off for any reason cited in this bylaw, shall not be restored until such time as the problem has been corrected to the satisfaction of the Town Manager and a reinstatement fee, if applicable, has been paid.
16. In the event of an emergency the Town Manager may shut off a Water Service without prior notice.
17. Subject to the approval of Council, the Town Manager may enter into an agreement to supply water to an Owner outside the Town limits.

18. The Town 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 gross negligence of the Town 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; and,
 - e) for non-supply of water, whether it be caused by water stoppage, frozen mains, breakdown of machinery, power interruptions, other mechanical failures or malfunction, or other causes.
19. The Town shall not be responsible for any damage to buildings or property occasioned by or in the course of the installation, maintenance, repair or disconnection of any water meter provided that such damage has not been directly caused by the negligence of the Town or its employees.
20. The Town does not guarantee water pressure, continuous supply or direction of water flow. The Town reserves the right at any and all times, without notice, to change the operating pressure, to shut off water or to change the direction of flow. Neither the Town, its officers, employees, nor agents shall be liable for any damage, or other loss, caused by changes in water pressure, shutting off the water, change in direction of flow, or by reason of the water containing sediments, deposits, or other foreign matter.

ACCESS TO PROPERTY FOR THE PURPOSES OF WATER SERVICE

21. As a condition of the Water Service and as operational needs dictate, employees of the Town 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 Service;
 - b) installation, reading, maintenance, repair and removal of water meter or other parts of the Water Service;
 - c) inspection of cross connection control devices or other equipment and works associated with the Water System and Water Service; and,
 - d) inspections for compliance with this bylaw.
22. No Person shall hinder, interrupt or cause to be hindered any employee of the Town 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.
23. In the event that a Person fails or refuses to provide access pursuant to Section 21, the supply of water to those Premises may be shut off upon fourteen (14) days notice.

24. A fee may be charged, as set by the Town Manager from time to time, where a Town employee or agent is required to make an additional visit or visits to a parcel or Premises for any of the following reasons:
- a) where an Owner refuses access to a parcel or Premises for a Town employee or agent to install, repair, replace, inspect, test or read a water meter or any other equipment;
 - b) where a Town employee attends a parcel for a scheduled appointment to perform any of the functions in section 21, and the Owner is not present to provide access to the parcel;
 - c) where a Town employee attends a parcel to perform any of the functions set out in section 21 and is unable to proceed based on unsafe conditions or the inadequacy of access to the parcel.

WATER SERVICE CONNECTIONS AND DISCONNECTIONS

25. Prior to connecting a new Water Service or relocating, replacing, altering or disconnecting an existing Water Service connection to the Water System, an Owner must apply to the Town Manager not less than ten (10) business days before the Water Service is required. The Owner or his authorized agent shall submit a utilities water service request form provided by the Town for that purpose together with a fee as specified in Schedule B. The Owner shall not proceed with a connection, relocation, replacement, alternation or disconnection until the utilities water service request is approved by the Town Manager.
26. The utilities water service request form shall be supplemented by any plans, specification, or any other information considered pertinent in the judgment of the Town. Plans must be authorized by an engineer or certified engineering technologist.
27. Prior to connecting, altering or disconnecting a Water Service from the Water System, an Owner shall provide a deposit as calculated by the Town Manager refundable upon the Water Service connection meeting the satisfaction of the Town Manager. The Water Service line shall be left uncovered until it has been inspected and approved. If no inspection was completed before the line was covered, the Town shall demand re-excavation for inspection at the cost of the Owner.
28. The Town Manager may at any time specify the required position or require the relocation, at the Owner's expense, of any water meter, cross connection control device, pipe, valve, or fitting forming part of the Water System.
29. Unless hereinafter provided, no permit for the demolition or removal of a building shall be issued by the Town, nor shall any Person cause, permit or allow to be demolished or removed a building connected to the Water System, until application is made to the Town to terminate the Water Service connection, the Town has been paid the termination costs provided for in Schedule B, and the Water Service has been disconnected. Notwithstanding the foregoing, the Town Manager may, in circumstances which he considers appropriate, permit the Water Service to remain connected to the water main.
30. The Owner or his authorized agent shall provide the Town Manager with a site plan on which the size and location of the required Water Service are shown.
31. If an Owner applies for installation of a Water Service to a property which does not abut a water main, the Town may refuse the application or approve the application with conditions.
32. No extension of water mains shall be constructed without authorization from the Town.

33. The Water Service shall be run from the water main to the property in the shortest way possible.
34. When any Lot can be served from the street, avenue or lane, the Town Manager may decide whether the Lot will be serviced with water from the street, avenue or lane.
35. Unless otherwise provided for in this bylaw, only one Water Service connection per Lot shall be permitted.
36. For Lots other than single family residential Lots, the Town Manager may authorize more than one Water Service connection.
37. The expenses of installing any Water Service connection to a subdivided Lot, or portions of the same, shall be borne by the Owner.
38. A Lot shall be considered serviced once a connection has been made from the Water System to the Curb Stop, and this connection has met with the approval of the Town Manager. A Water Service is considered live when connected to the Premises. Any further installations requested or necessitated by the demolition, excavation, renovations or other works shall be paid for in their entirety by the Owner.
39. The size of the Water Service shall be in accordance with provincial regulations and Town's engineering design guidelines and construction standards.
40. All Premises shall be serviced by a maximum of one service pipe of size sufficient, in the opinion of the Town Manager, to deliver an adequate supply of water. Where an application is made for a larger service pipe, or change in the location of an existing service pipe, a new service pipe will be installed at the cost of the Owner.
41. A separate Water Service pipe to be used for fire purposes only may be constructed by the Owner and at the Owner's cost from the water main to his Premises. Should the said Water Service pipe not be maintained as required, the same may be disconnected by order of the Town Manager.
42. Water Service connections shall not cross property lines between adjacent private properties except by legally registered easement plans and agreements.
43. There shall be placed, on each Water Service pipe, a Curb Stop at or near the Property Line, within Town right-of-way or utility easement, for the purpose of turning the water supply on or off. Over the Curb Stop there shall be placed a metallic valve box of design approved by the Town. Service valves shall be kept clear of all obstruction so that ready access may be had to same to shut off the water when the occasion arises.
44. An inside main shut-off valve shall be located immediately inside the outer wall of the Premises and before the water meter.
45. Every Owner shall ensure:
 - a) that all shut-off valves on the Premises are maintained in good mechanical condition; and,
 - b) that all shut-off valves are easily accessible at all times to ensure that such valves are operable in case of emergency.
46. No Person shall in any way utilize or interfere with a Curb Stop or valve of the Water System without permission of the Town Manager. Whenever water supply has been turned off at a Curb Stop, no Person shall turn it on again unless authorized to do so by the Town Manager.

47. Persons requiring a continuous and uninterrupted supply, constant pressure or temperature of water, or having processes or equipment that require particularly clear or pure water shall, at their own cost, provide such facilities as required to meet the water quality objectives, provided such facilities are approved by the Town and do not interfere with the operation of the Water System.
48. All Water Service terminations will be carried out at the main unless otherwise determined by the Town Manager.

TEMPORARY CONNECTIONS AND DISCONNECTIONS

49. Application for temporary Water Service shall be made in writing to the Town Manager not less than ten (10) working days before the Water Service is required. If, in the opinion of the Town Manager, a water meter should be installed on the temporary Water Service, the applicant shall provide a safe and adequate location for the water meter and shall be responsible for the payment for the use of water as set out in Schedule B.
50. Any Owner requesting a temporary disconnect for water shall provide a minimum of two (2) working days notice to the Town and shall pay a Water Service fee for such disconnection and a further Water Service charge for the reconnection, both in the amounts set out in Schedule B of this bylaw.

ALTERNATE SOURCES OF WATER

51. 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 written consent of the Town Manager.
52. The Town Manager may authorize the use of an alternative source of water subject to such terms and conditions the Town Manager deems necessary, and notwithstanding the generality of the foregoing he or she may set a limit on the period of time for which an alternative supply of water may be used.
53. No Person who has been granted permission by the Town Manager to use an alternative 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.
54. The Town shall not be responsible for the quality of water obtained from any alternate source of water.
55. Unless authorized by the Town Manager 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.
56. No Person shall sell or distribute piped water unless specifically licensed to do so by the Town, unless the sale or distribution of water is by a landlord to a tenant or by a condo corporation to a member and the charge to the tenant does not exceed the amount charged by the Town.

CROSS CONNECTIONS

57. No Person shall cause, permit, or allow to remain connected to the Water System any piping, fixture, fitting, container, or other appliance which may cause water from a source other than the Water System, or any other harmful deleterious liquid or substance, to enter the Water System.
58. Where the Town Manager believes that a cross connection exists in contravention of Section 57, the Town Manager may carry out an inspection:
 - a) upon reasonable notice to the Owner; or
 - b) without notice where the Town Manager believes that an immediate threat of contamination to the Water System exists.
59. Where the Town Manager determines that there exists a cross connection, the Town shall give notice to the Owner to correct it at his own expense within a specific time period.
60. Where the Town Manager determines that a cross connection continues to exist in contravention to Section 57, the Town Manager may cut off the Water Service to that parcel or Premises with reasonable notice, and where the Town Manager believes that such cross connection poses an immediate threat of contamination of the Water System, he may cut off such Water Service without notice.

CROSS CONNECTION CONTROL DEVICES

61. The Town Manager may, at his or her discretion, require the installation of a cross connection control device on any Water Service.
62. The design, selection, installation, maintenance and field testing of cross connection control devices shall comply with the National Plumbing Code as amended from time to time.
63. In the event that the National Plumbing Code does not clearly indicate the method of cross connection control, the method to be used to protect the potable water supply shall be as specified by the Town Manager.
64. All cross connection control devices shall be installed so they are easily accessible for testing and maintenance.
65. No bypass, jumper, or other device shall be installed which may reduce the efficiency of or circumvent any cross connection control device.
66. An air gap separation shall be used wherever practicable, and in preference to any other method of cross connection control.
67. An air gap separation shall be mandatory, and may be in addition to a cross connection control device on the Water Service pipe on sewage handling piping or equipment, non-potable water systems, and where any lethal substances or conditions may exist.
68. Every Owner shall, at their own expense, have any testable cross connection control devices tested by an Approved Tester as required by the National Plumbing Code.
69. Where a device fails a test referred to in Section 68, the Owner shall have the device repaired or replaced and re-tested within five (5) business days.

70. Every Owner shall retain test report records on-site and available to the Town Manager upon request.
71. As a condition of Water Service, the Town Manager may issue an order to an Owner requiring the installation, testing, or repair of a device and that order may specify a date and time by which the Owner must comply with the terms of the order.
72. Where an Owner fails to comply with an order issued by the Town Manager pursuant to subsection 71, the Town Manager may shut off the Water Service or services until the situation has been remedied.

FIRE HYDRANTS

73. Unless authorized by the Town Manager in accordance with this bylaw, no Person shall:
 - a) open or close any hydrant or hydrant valve;
 - b) connect any device of any kind to a hydrant, including a pipe, hose, fixture or appliance, or
 - c) use water from a hydrant, regardless of whether that hydrant is located on private or public property, for any purpose other than fire protection.
74. The Town Manager may authorize Town employees or other persons to use hydrants for the purposes of temporary water supply, street cleaning, flushing sewers, street repairs, or any other purpose that meets the approval of the Town Manager.
75. The Town may authorize the use of a hydrant for the supply of water upon receipt of a hydrant use permit form provided by the Town for that purpose together with a fee as specified in Schedule B.
76. Charges for water to be used in construction activities will be in accordance with the rates as shown in Schedule B, and are payable as determined by the Town Manager.
77. The Town Manager 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.
78. If a water meter is used pursuant to section 77, the Person who has received authorization to use a hydrant shall obtain a portable water meter and pay the metered rate for the water used as specified in Schedule B. In no case is the water meter to be left connected to the hydrant when it is not in use.
79. A Person who has received authorization to use a hydrant shall provide a refundable damage deposit in accordance with Schedule B, abide by all provisions in this bylaw and ones specified in the Hydrant Use Permit, use only the hydrants listed on the permit, dispense water only through the hydrant meter and cross connection control device provided for that purpose, open and close hydrants with a key approved by the Town, replace all hydrant caps and otherwise return the hydrant to its existing condition, report immediately to the Town any damaged or malfunctioning hydrants, properly use the hydrant meter, return the meter, and pay for the volume of water used in accordance with Schedule B, prior to the expiration date listed on the permit.

80. No Owner or occupant of a parcel shall allow the access to a hydrant located on or adjacent to that parcel or Premises to be obstructed in any manner, including the building or erection of any structure or the accumulation of any building material, rubbish, snow or other obstruction.
81. No Owner or occupant of a parcel or Premises shall allow anything on the parcel to interfere with the operation of a hydrant located on or adjacent to that parcel.
82. All persons who own property on which a fire hydrant is located or own property which is adjacent to Town owned property on which a fire hydrant is located:
 - a) shall maintain a 2 m clearance on each side of a fire hydrant and a 1 m clearance on the side of a fire hydrant farthest from the nearest adjacent street;
 - b) shall not permit anything to be constructed, erected, or placed within the clearance provided in paragraph (a) of this subsection; and
 - c) shall not permit anything except grass to be planted within the clearance area set out in subsection (a).
83. Any Person who wishes to have a Town-owned fire hydrant relocated may request in writing to the Town Manager that the hydrant be relocated. If approved, the Person making the request shall pay in advance the estimated cost determined by the Town Manager, subject to a refund or additional payment, depending upon the actual cost when the work has been completed.
84. The Town 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.
85. Any privately owned hydrant shall not be removed or otherwise made unserviceable without the written authorization of the Town Manager.
86. The Town Manager shall be notified immediately when any privately owned hydrant is determined to be in a condition that would render it unusable for fire fighting purposes.
87. If the Owner fails or refuses to maintain, repair or replace a hydrant located on private property as required by this bylaw, then the Town may:
 - a) turn off the water supply until the repairs have been made to stop the water loss;
 - b) estimate the volume of water loss and demand payment from the Owner for that amount of water estimated to have been lost which payment shall be due and payable upon such demand being made; and,
 - c) authorize employees or agents of the Town to enter upon the land to conduct the required repairs or replacements, the cost of which shall be payable by the Owner to the Town upon demand for such payment.
88. No Owner or Occupant of a parcel 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 by the Town.

WATER WASTAGE

89. No Owner or Occupant of a parcel shall do or allow any act that results in an Environmentally Inappropriate use or flow of municipal water.
90. Notwithstanding section 89, the Town Manager may authorize in writing the discharge of potable water onto a street or sidewalk for the purpose 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 Town; and,
 - g) other purposes as deemed necessary by the Town Manager.
91. The Town Manager may at any time make orders restricting the use of water either throughout the Town or in any particular areas of the Town. The order may specify that such restricted use of water shall apply during such hours of any day of the week as may be specified in the order.

FREEZE PROTECTION

92. The Owner shall be responsible for all costs resulting from a freezing of the Water Service if the freezing is not a result of an interruption in the supply of water through the water main.

Section 92 amended 2012.01.11 Bylaw 311
93. If required, Water Services shall be insulated in accordance with the Town's engineering design guidelines and construction standards.
94. The Owner, at his own expense, may install a freeze protection device. Freeze protection devices or methods shall be installed or employed in accordance with the Town's engineering design guidelines and construction standards and with approval of the Town Manager. The Owner will be responsible and shall be liable for any damage which may result from the improper or negligent operation and maintenance of the freeze protection device.
95. Free flow Bleeders shall be:
 - a) located on the Owner side of the entry valve or water meter, unless authorized in writing by the Town Manager;
 - b) sized not to pass more than 1.5 litres per minute of water;
 - c) indirectly connected to a waste pipe in a manner approved by the Town Manager; and,
 - d) open and accessible for maintenance.
96. The use of temporary free flow Bleeders during new building construction may be authorized by the Town Manager until such time as the permanent freeze protection device is installed and operating.

97. Persons renovating or doing alterations to buildings cannot disconnect a freeze protection device and put in a free flow Bleeder, unless authorized in writing by the Town Manager.
98. With the written approval of the Town Manager, the use of free flow Bleeders under emergency conditions may be authorized.
99. Any existing free flow Bleeder which passes more than 1.5 litres per minute shall be corrected within fourteen (14) days after the Owner receives notice from the Town Manager. After receiving notice, should the required modifications not be completed, the Town Manager may cause the water supply to be shut off.
100. Any thermostatically controlled Bleeder that has been altered, bypassed or modified in any way shall be corrected within fourteen (14) days after the Owner receives notice from the Town Manager. After receiving notice, should the required modifications not be completed, the Town Manager may cause the water supply to be shut off.

INTERFERENCE WITH WATER SYSTEM

101. 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 or cause any interference with the use of the Water System by another Owner, and 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 unless the use of the boosting device has been approved by the Town Manager and the device is located on the downstream side of a water meter or inside main shut-off valve;
 - d) install branch supply lines, outlets or fixtures on the upstream side of a water meter or master control valve, except for the fire protection purposes approved by the Town Manager;
 - e) install branch supply lines, outlets or fixtures on the upstream side of a Premises isolating cross connection control device;
 - f) cause, permit, or allow any apparatus, fitting or fixture to be or to remain connected to the Water System or allow the Water System to be operated in such a manner as to extract or add heat, cause noise, pressure surges, or other disturbances which result in annoyance or damage to other consumers of the utility;
 - g) tamper with, break or remove any seal, lock-out device or lock-out tag installed by the Town on any valves or flanged outlets on Water Service connections or water meters; and,
 - h) attach or connect any pipe to any other pipe or main of the Water System or in any other way obtain or use any water thereof without consent of the Town Manager.
102. No Person, except those authorized in writing by the Town Manager, shall enter into any utility structure whether underground or above ground or any utility compound whether fenced or not.

103. The Town may provide consent to a Person for the operation of a specific valve when the Person requires such consent to fulfil an agreement to construct or reconstruct any portion of a water main.
104. No Person shall, or direct any Person to, deposit any injurious, noxious or offensive matter or water contaminant into the water or water utility or in any way foul the water or commit any contamination to the water or water utility.
105. No Person shall, without authority, hinder, disrupt, or cut off the supply of water to any consumer of the Water System.

WATER METERS

106. Except where otherwise provided in this bylaw, all water supplied pursuant to this bylaw shall be measured by a water meter including a remote reading device, of a design and capacity approved by the Town Manager. Such water meters shall be installed in respect to any and all accounts as provided for in this bylaw.
107. 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 as approved by the Town Manager.
108. If the Town Manager becomes aware of any use or flow of water that is not measured by a water meter of a design and capacity approved by the Town Manager and that does not fall within a specified exception to the general requirements of water metering as set forth in Section 107, the Town Manager may take all necessary steps to stop that use or flow of water until:
 - a) an application for water supply has been made by the Owner in accordance with the provisions of this bylaw; and,
 - b) a water meter has been installed pursuant to the provisions of this bylaw.
109. The Town may charge for and recover from the Owner of a Premises the cost of supplying, installing, relocating or replacing a water meter.
110. The Owner of every building shall make provision of a location acceptable to the Town together with all required plumbing for the installation of a water meter.
111. Notwithstanding the payment of any costs, all water meters shall remain the property of the Town.
112. As a condition of Water Service, the Town Manager may:
 - a) determine the size, type and number of water meters to be supplied and installed in a premise;
 - b) determine the location that the water meters are to be installed;
 - c) inspect an installation to ensure it meets approved specifications and require an Owner to remedy any deficiencies;

- d) 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; and,
 - e) require a water meter to be either tested on site or removed for testing by the Town.
113. Where a meter cannot conveniently be placed inside a building, it shall be placed in a Water Meter Chamber, the location and construction of which shall be discussed with the Owner or occupant of the Premises and shall be constructed in a manner approved by the Town Manager at the cost of the Owner.
114. Water Meter Chambers shall be kept in good repair by the Owner. If an Owner, after receiving notice from the Town Manager, neglects to repair or improve his Water Meter Chamber, then the Town Manager shall cause the necessary repairs to be made and the Owner shall be liable for the cost of such repairs.
115. No Person shall allow water to be turned on until the water meter installation is approved by the Town Manager.
116. Should a water meter or remote reading device, while on the property of the Owner, be damaged or destroyed, the cost of repairing or replacing the water meter shall be paid by the Owner. All water meters, regardless of size, shall be sealed by the Town.
117. An Owner may install a subsidiary water meter, at his own expense, on the downstream side of the Town water meter. The Owner shall identify the subsidiary water meter, and the Town shall not use readings from it to calculate billings.
118. Where building alterations require the removal and re-installation of the remote reading device the Owner shall obtain approval from the Town for the removal and re-installation and shall pay all costs associated with same.
119. An Owner shall ensure, at their expense, that:
- a) every Water Service entering the building has a horizontal Water Meter Setting and that the piping extends not less than 30cm beyond the wall or floor of the building immediately before the water meter position;
 - b) the Water Meter Setting is positioned as close as possible to the point where the Water Service enters the building and has a safe and convenient access;
 - c) the Water Meter Setting is constructed in accordance with the Town's engineering design guidelines and construction standards.
120. No Person shall:
- a) tamper in any way with a 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.
121. Every Owner shall:
- a) be responsible for the safe-keeping of any water meter and any remote reading device that is installed on his premise;

- b) notify the Town Manager immediately whenever a water meter is not operating, if any part of a water meter becomes damaged or broken or if the seal on a by-pass valve or a water meter is broken;
 - c) pay the cost of repairing or replacing any water meter or metering facilities supplied and installed by the Town that may be damaged from any action within the control of the Owner.
122. Where the Town determines that seals on valves, water meters or other appurtenances have been broken and not reported, the Town shall, in addition to any other penalty, estimate the quantity of water consumed or obtained, and charge the Owner rates in accordance with the Schedule B.
123. Every Owner may request that a water meter be tested for accuracy, and the cost of any such test shall be at the expense of the Town if the water meter is found to be inaccurate in excess of 3% of actual flow and such test shall be at the Owner's expense if the water meter is found to be accurate within 3% of actual flow.
124. The Owner of a commercial or industrial building constructed after this bylaw comes into force or for which a building permit is issued after this bylaw comes into force, and who has installed a water meter of a size 50mm or larger shall, at his own expense, provide a valved bypass and a valve within 300mm on either side of the water meter. The bypass valve shall be sealed by the Town and shall be opened only in case of emergencies. The Town Manager shall be notified within twenty-four (24) hours of the seal being broken.

READING OF WATER METERS

125. The Town Manager 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 an Owner who refuses to provide a water meter reading within three months of a request to provide such water meter readings; and,
 - d) estimate a water meter reading.
126. A water meter reading may be estimated by the Town Manager based on either previous consumption patterns or a daily average consumption for the Premises, if:
- a) the Town 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.
127. If an Owner experiences abnormal water consumption, the Town Manager may adjust the Owner's bill taking into consideration any or all of the following factors:
- a) whether the Owner is a residential or general Water Service Owner;
 - b) the cause or nature of the abnormal water consumption;

- c) any evidence of action taken by the Owner to abate the abnormal consumption; and,
 - d) any other factors the Town Manager deems relevant.
128. In the event of a difference in reading between the remote register and the water meter, the water meter shall be deemed correct.

WATER ACCOUNTS

129. Once a property has been serviced in accordance with this bylaw, an Owner shall open an account prior to the Town supplying water.
130. Where a development and/or building permit has been issued by the Town, each Owner must ensure an account is open and shall state in detail all purposes for which water is required.
131. Any Person who receives water supply from the Town is liable to the Town for all charges associated with that supply of water.

RATES

132. All Owners shall pay for their water consumption as recorded by the water meter, calculated in accordance with Schedule B, and shall pay all other applicable charges levied pursuant to this bylaw. All accounts for Water Service shall be due and payable when rendered.
133. No reduction in rates will be made in the monthly charge for water supplied to or made available for use by any Owner because of any interruption due to any cause whatsoever of the Water Supply.
134. If buildings require two or more municipal water meters, the Owner shall be billed separately for water use through each water meter.
135. The Town shall adjust the Owner's account to reflect errors.
136. The Town Manager may establish a system for the billing and collecting of the rates, charges, and fees and in connection with the Water Service 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.
137. Where water is supplied by the Town through a water meter to an Owner outside the Town:
- a) that Owner shall pay to the Town the rates approved in accordance with Schedule B. In default of payment of the rates set out in Schedule B to this bylaw or any amount due and payable to the Town for anything done, or any amounts payable, pursuant to this bylaw, the Town Manager may enforce the collection of such rates or payments by shutting off the water being supplied to the Owner, or by action in any court of competent jurisdiction, or both;
 - b) when at any time the Water Service is shut off for non-payment of accounts, a Water Service charge for reconnection as set out in Schedule B will be charged when the water supply is restarted. Water Service will not be restarted until the arrears and any applicable charges and fees are paid.

138. Overdue charges may be collected by adding the overdue charges to the tax roll for the property.
139. Accounts shall be deemed to be sufficiently forwarded if they are left on the property or if they are mailed by ordinary mail to the Owner at the mailing address of the Owner.
140. Where any Water Service charge is designated by reference to an hourly, daily or weekly rate, the charge for a lesser period of time shall be calculated on a proportional basis.

VIOLATIONS AND ENFORCEMENT

141. Any Person who contravenes the provisions of this bylaw or the terms of any permit issued pursuant to this bylaw is guilty of an offence and is liable for the penalty set out in Schedule C or, if no penalty is specified in Schedule C for the particular offence, for the penalty in accordance with section 154 of this bylaw.
142. For the purposes of this bylaw, an act or omission by a lessee is deemed also to be an act or omission of the Owner of the real property on which the offence occurred.
143. When a Business commits an offence under this bylaw, every principal, director, manager, employee or agent of the Business who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the Business has been prosecuted for the offence.
144. In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a Person guilty of such an offence is liable to a fine in an amount not less than that established by this bylaw for each such day.
145. Any Person found to be violating any provision of this bylaw may be served by the Town with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall permanently cease all violations, or carry out or cause to be done any such work as may be required to conform with this Bylaw in accordance with the notice.
146. When a Person is alleged to have contravened any provision of this bylaw, or the terms of any permit issued pursuant to this bylaw a Community Peace Officer or Bylaw Services Officer may issue a Town Notice of Offence which shall state:
 - a) The nature of the offence;
 - b) The penalty payable in connection with the offence; and
 - c) The time period within which the penalty must be paid.
147. A Town Notice of Offence shall be deemed to be sufficiently served for the purposes of this bylaw if
 - a) served personally on the accused; or
 - b) mailed by registered post to the address of the registered Owner of the property concerned, or to the Person concerned.

148. Nothing in this bylaw shall prevent any Community Peace Officer from issuing a ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedure Act or from laying an information in lieu of issuing a Town Notice of Offence.
149. In lieu of prosecution, the Person named in the Town Notice of Offence may elect voluntarily to make payment to the Town of the penalty amount specified in the Town Notice of Offence.
150. If the payment specified in the Town Notice of Offence is not paid in accordance with the terms of the ticket and in the time required by the ticket, a prosecution may then be commenced for the alleged contravention of this bylaw.
151. Any Person violating any of the provisions of this bylaw shall become liable to the Town for any expense, loss or damage occasioned to the Town by reason of such violation.
152. Upon the failure by any Person to comply with the provisions of this bylaw, the Town may proceed in accordance with the Municipal Government Act and perform any corrective measures required. All costs incurred may be recovered from the Person specified in the Town Notice of Offence and shall be deemed a debt due to the Town by the Person specified in the Town Notice of Offence. Debts due may be charged against the property concerned as a special lien to be recovered in like manner as property taxes.
153. If, in the opinion of the Town Manager, a contravention of this bylaw requires immediate action, the Town may perform any work necessary to address the contravention of this bylaw without prior notice and all costs incurred by the Town will be payable by the Person alleged to have contravened this bylaw.
154. Except as otherwise provided in this bylaw, a Person who is guilty of an offence under this bylaw for which a penalty is not otherwise provided shall, upon summary conviction before a court of competent jurisdiction, be liable to a fine of not less than One Hundred Dollars (\$100.00) and not more than Two Thousand Five Hundred Dollars (\$2,500.00) or in the event of non-payment of the fine, imprisonment for a period not exceeding ninety (90) days unless such fine is sooner paid.
155. Notwithstanding Section 154, the imposition of a fine either by issuance of a Town Notice of Offence or by summary conviction in court shall not relieve any Person so fined from any liability to pay to the Town any expenses arising from any damage caused by that Person to Town property.

APPEALS

156. A Person who receives a written order pursuant to this Bylaw may, by written notice, request Council to review the order within 14 days after the date the order is received.
157. After reviewing the order, Council may confirm, vary, substitute or cancel the order.

ENACTMENT/TRANSITION

158. If any clause in this bylaw is found to be invalid, it shall be severed from the remainder of the bylaw and shall not invalidate the whole bylaw.

- 159. Schedules A, B, and C form part of this bylaw.
- 160. Bylaw 157 is repealed upon this bylaw coming into force.
- 161. This bylaw comes into force when it receives third reading and is signed by the Mayor and Town Manager or designates.

Read a first time this 22nd day of March, 2010.

Read a second time this 28th day of June, 2010.

Read a third time this 28th day of June, 2010.

Approved on behalf of the Town of Banff:

John Stutz
Mayor

July 7, 2010
Date

Robert Earl
Town Manager

July 7, 2010
Date

Schedule A – DEFINITIONS

The following definitions will apply to the corresponding words if the first letter of that word is capitalized in this bylaw:

Approved Tester means a Person who meets the specific technical requirements to test backflow prevention devices, such as a Cross Connection Control Tester Certificate issued by the American Water Works Association, or approved equivalent.

Bleeder means a valve connected to the Water Service or the internal house plumbing which allows for continuous flow of water to prevent the water from freezing.

Business means the following, whether or not for profit and however organized or formed, including a co-operative or association of persons:

- a) a commercial, merchandising or industrial activity or undertaking;
- b) a profession, trade, occupation, calling or employment, or
- c) an activity providing goods or services.

Bylaw Services Officer means an employee of the Town who has been appointed to the position of Bylaw Services Officer pursuant to the Bylaw Enforcement Bylaw 5-2 or Land Use Bylaw 31-3.

Community Peace Officer means a Person appointed as such under the Police Act.

Curb Stop means a water service shut-off valve in a water service connection pipe located between the water main and the building, used to shut off or turn on the water supply from the water distribution system to the premises. Usually located close to the curb or property line near the utility right-of-way. Also referred to as a “stop cock”, “shut-off valve”, or “service valve”.

Environmentally Inappropriate: means a use or flow of water that results in a quantity of water wastage:

- (a) soaking into the ground,
- (b) entering the Town's domestic sewer or storm sewer system, or
- (c) escaping in any manner from the property upon which the use or flow of water originates,

in excess of the quantity required for a necessary or desirable domestic, commercial, industrial or public purpose.

Lot means a parcel or part of a parcel described in a certificate of title or lease.

Owner means

- a) In respect of unpatented land, the Crown,
- b) In respect of other land the Person who is registered under the Land Titles Act as the Owner of the fee simple real estate in the land,
- c) A Person who is the lessee of Crown land and that Person's successors and assigns, and
- d) In respect of any property other than land, the actual Owner, occupant, operator or Person in lawful possession of the property.

Person includes a corporation and the heirs, executors, administrators or other legal representative of a person.

Premises means land and buildings on the land.

Property Line means the legal surveyed boundary of a property.

Town means the Corporation of the Town of Banff and, where the context requires, the land included within the boundaries of the Town of Banff.

Town Manager means a Person appointed as Chief Administrative Officer by Town Council, or the Person designated by the Town Manager to carry out a particular duty.

Town Notice of Offence means any ticket or tag in a form approved by the Town, authorized under the Provincial Offences Procedures Act, issued for any offence in which a penalty may be paid out of court in lieu of appearing to answer a summons.

Water Meter Chamber means any exterior chamber or pit approved by the Town Manager for the purpose of containing a water meter and related appurtenances.

Water Meter Setting means the section of the Water Service that includes the meter and shut-off valves on both sides of the meter.

Water Service means the water line and appurtenances from the Curb Stop to the building or Premises.

Water System shall mean the infrastructure for providing water services that is owned and operated by the Town.

Schedule B – WATER RATES AND FEES

Amended 2014.01.01 Bylaw 329

1. Annual charges for water consumption:

Consumption Rate (per cubic meter)			
Town Rate		Out of Town Rate	
2013	2014	2013	2014
\$1.00	\$1.01	\$1.25	\$1.26

Water Meter Service Size	Monthly Base Rate		Monthly Base Rate	
	Town Rate	Out of Town Rate	Town Rate	Out of Town Rate
	2013		2014	
15 mm (.625 inch)	\$5.22	\$6.79	\$5.27	\$6.86
20 mm (.75 inch)	\$5.74	\$7.83	\$5.80	\$7.91
25 mm (1.0 inch)	\$7.31	\$9.40	\$7.38	\$9.49
40 mm (1.5 inch)	\$9.40	\$12.01	\$9.49	\$12.13
50 mm (2.0 inches)	\$15.14	\$18.80	\$15.29	\$18.99
75 mm (3.0 inches)	\$57.44	\$73.11	\$58.01	\$73.84
100 mm (4.0 inches)	\$73.11	\$94.00	\$73.84	\$94.94
150 mm (6.0 inches)	\$109.66	\$135.77	\$110.76	\$137.13
Unmetered Properties	Un-metered rates are based on the service running to the property and are to be set by the Town Manager.			

The Rates identified in this Schedule shall apply in the calendar year indicated (from January 1 to December 31 inclusive).

Consumers 65 years of age and older are eligible for a \$50.00 per annum reduction in annual water charges for the residence owned and occupied by that consumer. Such reduction shall be given upon the consumer providing satisfactory evidence to the Town Manager of his or her date of birth.

2. Connection and disconnection of Water Services	As determined by the Town Manager.
3. Application for water supply (includes inspection)	\$100
4. Application for supply termination (includes inspection):	\$100
5. Site Visit	\$50
6. Failure of Owner to attend scheduled service appointment	\$50
7. Water hydrant use permit fee	\$100
8. Water hydrant use refundable deposit	\$500
9. Water hydrant meter rental	\$50 per day
10. Water consumed from a water hydrant	\$2.00 per m ³

Schedule C – SPECIFIED PENALTIES		
Section	Description	Amount
22	Hinder, interrupt or cause to be hindered any employee of the Town 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.	\$1,000
25	Connect a new Water Service or relocate, replace, alter or disconnect an existing Water Service connection to the Water System without approval.	\$1,000
46	Utilize or interfere with a Curb Stop or valve of the water system	\$250
51	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.	\$1,000
55	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.	\$250
56	Sell or distribute piped water unless specifically licensed to do so by the Town, unless the sale or distribution of water is by a landlord to a tenant or by a condo corporation to a member and that the charge to the tenant does not exceed the amount charged by the Town.	\$500
68	Fail to have any testable cross connection control devices tested by an Approved Tester as required by the National Plumbing Code.	\$250
69	Fail to have a cross connection control device repaired or replaced and re-tested within 5 business days.	
70	Fail to retain test report records on-site and available to the Town Manager upon request.	\$250
73	Use a fire hydrant without authorization.	\$500
80/81/82	Obstruct, interfere with or fail to provide access to a fire hydrant.	\$100
85	Remove or make unserviceable a privately owned hydrant.	\$500
86	Fail to notify Town if privately owned hydrant is unusable.	\$500
88	Paint a hydrant or allow a hydrant to be painted any colour except the approved colour as set out by the Town.	\$250
89	Allow Environmentally Inappropriate use of flow of municipal water.	\$100
91	Contravene an order restricting the use of water either throughout the Town or in any particular areas of the Town.	\$100
101	Interfere with water system.	\$2,500
102	Enter into any utility structure.	\$2,500
105	Hinder, disrupt or cut of supply of water to any consumer.	\$250
106	Allow use of water from the Town's water system that is not measure by a water meter.	\$250
115	Allow water to be turned on before meter installation is approved.	\$250
118	Fail to obtain approval for removal and re-installation of remote reading device.	\$250
120	Tamper with or open a remote reading device.	\$500
130	Fail to open a water account upon issue of a development and/or building permit.	\$250

BYLAW NO. 17-3 - Consolidated

BEING A BYLAW OF THE TOWN OF BANFF, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE REGULATION OF THE SEWER SYSTEM AND TO ESTABLISH A TARIFF OF RATES

WHEREAS the MUNICIPAL GOVERNMENT ACT (Alberta), as amended provides that a Council may pass bylaws for the construction, maintenance and management of a public utility; and

WHEREAS the Town of Banff maintains a Sewer System for the Town of Banff.

NOW THEREFORE the Council of the Town of Banff, in the Province of Alberta, duly assembled, enacts:

ENACTMENT

1. This bylaw may be cited as the "Banff Sewer System Bylaw".

DEFINITIONS

2. In this bylaw:
 - (a) Any capitalized words not defined within this Bylaw will have the meaning as set out in the Town of Banff Interpretation Bylaw, as amended from time to time.
 - (b) "Account" shall mean an agreement between the Consumer and the Town of Banff for the supply of sewer.
 - (c) "Consumer" shall mean a Person who has an Account with the Town for the supply of sewer, or the lessee, licensee or occupier of a building or land receiving sewer service.
 - (d) "Director" shall mean the Director of Environmental Services of the Town and includes any Person authorized to act for or in the name of the Director.
 - (e) "Lessee" includes a leasehold title holder and anyone having a right of occupancy to land and/or buildings in the Town.
 - (f) "Property Line" shall mean the legal surveyed boundary of a property.
 - (g) "Sewer System" shall mean the Sewer System owned and operated by the Town of Banff and all accessories and appurtenances thereto.

- (h) "Vacated Property" shall mean vacant property or property that will not be inspected or occupied for a period in excess of 96 hours.
- 3. Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice versa.
- 4. Words importing the singular shall include the plural or vice versa whenever the context so requires.

AUTHORITY

- 5. The Director, subject to the control of the Council, shall have charge of all the various properties and works required for the supply of the Town and its inhabitants with sanitary sewer service and of the inspection and rating of all buildings and premises supplied with sanitary sewer service.

CONNECTION TO MAIN

- 6. The Lessee of any building situated upon land abutting upon any street or public place wherein there is a sewer main shall install in such building, connections with the main and such apparatus and appliances as may be required to ensure the proper sanitary condition of the building or premises.
- 7. No earth-pit privy, out-closet, or privy vault shall be erected or used in the Town unless under permit for special occasions or purposes.
- 8. (a) Any Person requiring sewer services from the Sewer System, shall apply to the Director and request that his premises be connected to the said system. The Lessee or his authorized agent shall sign the proper application form ("Utilities Service Request" form) provided for that purpose together with the fee specified in **Schedule "A"** hereto. Any extra expense occasioned by the installation of any additional or larger service than the standard specified shall be borne by the applicant.

(b) A property shall be considered serviced once one connection has been made to the Sewer System. Any further installations requested or necessitated by demolition, excavation, renovations or other works on the lands shall be paid for in their entirety by the Lessee.

RESPONSIBILITY

- 9. (a) All expenses incidental to the tapping of the Town mains and laying the standard sewer service lines from the sewer mains to the Property Line will be borne by the Town.

- (b) The Town shall be responsible for the maintenance of the sewer mains and the connections from the mains to the Property Line.
 - (c) The Town shall be responsible for the maintenance of the sanitary sewer main and the connections from the main to the Property Line.
- 10.
- (a) The expense incidental to the laying, connecting, disconnecting or repairing as herein before provided, of sewers and sewer mains when such work is done by the Town beyond the Property Line. or the expense of superintending such work when it is done by any other Person, is payable to the Town by the Lessee on demand and if not paid may be collected forthwith in the same manner as sewer rates.
 - (b) If any damage is done to any sewers or sewer mains or connections to the interior face of the outer walls of the building supplied or its fittings, either by neglect or otherwise, or if a sanitary sewer becomes obstructed in any way between the inner surface of the wall of the building supplied and the Property Line, the Lessee of the lands shall forthwith repair the same to the satisfaction of the Town and in default of so doing, the Town, its officers, agents, or servants may repair the same and charge the same to the Lessee and collect the same in the same manner as sewer rates.
 - (c) All materials utilized by the Lessee in the construction, installation, or repair of a Sewer Service connection shall correspond in all particulars with the materials used by the Town and any materials prescribed by the Director.
 - (d) When the connecting, disconnecting or repairing of the sewer service line between the Property Line and the building serviced is done by a Person other than an officer, employee or agent of the Town, that Person shall notify the Director who shall cause the same to be inspected. The sewer service line shall be left uncovered until it has been inspected and approved.
 - (e) Where appropriate and applicable in the opinion of the Director, grease, oil and sand interceptors shall be provided on commercial private property for all restaurants, hotels, motels, garages, gasoline service stations and vehicle and equipment washing establishments; interceptors will be required for other types of businesses where in the opinion of the Director they are necessary for the proper handling of liquid waste containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Director and shall be so located on commercial private properties as to be readily and easily accessible for cleaning and inspection. Where installed, all grease, oil and sand interceptors shall be maintained by the occupant at his expense in continuously efficient operation at all times.

- (f) In case any blockage, either wholly or in part, of the sewage system is caused by reason of failure, omission or neglect by the Lessee, the said Lessee concerned therein shall, in addition to any penalty for infraction of the provisions hereof, be liable to the Town for all costs of clearing such blockage and for any other amount for which the Town may be held legally liable because of such blockage.
 - (g) The Town may, by its officers, employees and agents enter upon any premises served or to be served with a sewer connection, to inspect the equipment installed thereon and for all purposes of inspection, installation and tests for the purposes of this bylaw.
 - (h) No Person shall in any way interfere with any stop cock, pipe or other sewer works appliance outside of his own premises. No Person except a Person authorized by the Director, shall tap or make any connections whatsoever with any public pipes or mains, either in the streets, or in the lanes, or on private grounds.
 - (i) No Person shall place or deposit any injurious, noxious or offensive matter in the vicinity of any intake to the Sewer System.
11. The Town shall not be liable for damages:
- (a) caused by the breaking of any sewer main or attachment;
 - (b) caused by the interference with the supply of any sewer service necessary in connection with the repair or proper maintenance of the sewers;
 - (c) generally for any accident due to the operation of the sewage disposal system of the Town unless such accident is shown to be directly due to the negligence of the Town or its officers, employees or agents.
12. The Director may inspect any property in the Town to ensure compliance with this bylaw.

USER PERMIT

13. Prior to the use of the Town's Sanitary Dump Station, the following users shall obtain a user permit from the Director:
- (a) carpet upholstery cleaners;
 - (b) resident tour operators without private sanitary disposal facilities;
 - (c) any other use similar to the above uses in terms of volume or type of waste to be disposed of.

14. No user permit shall be issued until the applicable fee as set out in **Schedule "A"** is received by the Town.
15. All user permits are valid only for one calendar year and must then be renewed upon payment of the appropriate fee.
16. All holders of user permits shall provide to the Town, for each instance of use of the Town's Sanitary Dump Station, a completed Material Safety Data Sheet.
17. Septic disposal services shall not utilize the Town's Sanitary Dump Station but shall dispose of sewage products at the Waste Water Treatment Plant.

FEES

18. All fees, rates and charges due in connection with this bylaw are those outlined in **Schedule "A"** which forms part of and is attached to this bylaw.
19. All rates and charges payable pursuant to or in connection with this bylaw are due and payable upon invoicing or quarterly.
20. Overdue charges may be collected by:
 - (a) court action; or
 - (b) by distress and sale of the goods and chattels of the Person owing the rates, charges, lots, fares or rents wherever they may be found in the Town.

OFFENCES & PENALTIES

21. Any Person who contravenes this bylaw is guilty of an offence.
22. Persons contravening certain sections of this bylaw shall be liable for the penalties set out in such section or set out opposite such section number in **Schedule "B"** hereto.
23. A notice or form commonly called an Offence Ticket having printed wording approved by the Director of Corporate Services, may be issued by a Peace Officer or a Bylaw Enforcement Officer to any Person alleged to have breached any provision of this bylaw, and the said notice shall require the payment to the Town in the amount specified in this bylaw.
24. An Offence Ticket shall be deemed to be sufficiently served:
 - (a) if served personally on the accused; or

(b) if mailed to the last known address of the accused Lessee, licensee or occupant.

25. Any Person found in contravention of a provision of this bylaw and who does not comply with the directions of the Chief Bylaw Enforcement Officer in correcting the violation under this bylaw is guilty of an offence and the said violation may be remedied by the Town to the satisfaction of the Chief Bylaw Enforcement Officer.

26. In addition to any other remedy available to the Town for noncompliance with this bylaw, the Town may correct the violation and the costs incurred therefore shall be paid to the Town upon demand and failing payment, may be collected as a debt due to the Municipality.

TRANSITION

27. **Schedule "A" and Schedule "B"** to this bylaw may be amended, from time to time, by resolution of Council and any such amendment shall form part of this bylaw.

28. Bylaw Number 17-2 is repealed.

This bylaw comes into effect on the date of final passing.

READ a first time this 22nd day of December, A.D. 1997.

READ a second time this 22nd day of December, A.D. 1997.

READ A THIRD TIME AND FINALLY PASSED THIS 22nd day of DECEMBER, A.D. 1997.

SIGNED AS OF THE _____)	_____
)	MAYOR
DAY OF DECEMBER,)	
)	_____
A.D. 1997)	MUNICIPAL ADMINISTRATOR

Schedule A – SEWER RATES AND FEES

Amended 2014.01.01 Bylaw 329

The following shall be the schedule of Sewage Rates and Fees payable:

1. Connection and disconnection of Sewage Services based upon costs as determined by the Manager of Corporate Services.

Consumption Rate (per cubic meter)			
Town Rate		Out of Town Rate	
2013	2014	2013	2014
\$1.38	\$1.46	\$1.72	\$1.82

Water Meter Service Size	Monthly Base Rate		Monthly Base Rate	
	Town Rate	Out of Town Rate	Town Rate	Out of Town Rate
	2013		2014	
15 mm (.625 inch)	\$9.15	\$11.90	\$9.71	\$12.63
20 mm (.75 inch)	\$10.07	\$13.73	\$10.68	\$14.57
25 mm (1.0 inch)	\$12.81	\$16.47	\$13.59	\$17.47
40 mm (1.5 inch)	\$16.47	\$21.05	\$17.47	\$22.33
50 mm (2.0 inches)	\$26.54	\$32.94	\$28.16	\$34.95
75 mm (3.0 inches)	\$100.65	\$128.10	\$106.79	\$135.91
100 mm (4.0 inches)	\$128.10	\$164.70	\$135.91	\$174.75
150 mm (6.0 inches)	\$192.15	\$237.90	\$203.87	\$252.41
Unmetered Properties	Un-metered rates are based on the service running to the property and are to be set by the Town Manager.			

2. Sanitary Dump Station – commercial use \$40.00/load
3. Fee upon application for sewer service connection \$100.00
4. Termination of Sewage Service \$100.00
5. Consumers 65 years of age and older are eligible for a \$50.00 per annum reduction in annual sewer charges for the residence owned and occupied by that consumer. Such reduction shall be given upon the consumer providing satisfactory evidence to the Manager of Corporate Services of their date of birth.

SCHEDULE "B" Specified Penalties

Section	Description	Amount
6	The Lessee of any building situated upon land abutting upon any street or public place wherein there is a sewer main failing to install in such building, connections with the main and such apparatus and appliances as may be required to ensure the proper sanitary condition of the building or premises.	\$100.00
7	Erecting or using earth-pit privy, out-closet, or privy vault in the Town without having obtained a permit for special occasions or purposes.	\$100.00
10(h)	A Person in any way interfering with any stop cock, pipe or other sewer works appliance outside of his own premises.	\$100.0
10(i)	A Person placing or depositing any injurious, noxious or offensive matter in the vicinity of any intake to the Sewer System.	\$100.00
13	The following users failing to obtain a user permit from the Director prior to the use of the Town's Sanitary Dump Station:	
	(a) carpet upholstery cleaners	\$50.00
	(b) resident tour operators without private sanitary disposal facilities	\$50.00
	(c) any other use similar to the above uses in terms of volume or type of waste to be disposed of	\$50.00
17	Utilizing Septic disposal services the Town's Sanitary Dump Station instead of disposing of sewage products at the Waste Water Treatment Plant.	\$ 200.00

REQUEST FOR DECISION

Subject: 2015-2016 Solid Waste Rates



Presented to: Council

Date: December 8, 2014

Submitted by: Chris Hughes, Senior Accountant Agenda #: 7.2

RECOMMENDATIONS

That council give three readings to Bylaw 345 - Waste Bylaw Amendment No. 4.

BACKGROUND

The solid waste utility was implemented in 2011 with rates planned to be phased in over four years. In 2013 it was decided to have the utility remain at 75% cost recovery. There continues to be some testing of the original assumptions and estimates that went into the model, however there has been relative stability in the annual and quarterly service requirements over the past 2 years.

An analysis of the current rate structure shows that if the rates remained the same in 2015 that cost recovery on the utility would be 78% through rates and other revenue and 22% from taxes. If there was a 0% increase in rates again for 2016 the forecasted cost recovery would be 75.4%. In 2017 an inflationary increase in rates would result in a forecasted cost recovery of 74.9%. The chart below shows the cost recovery from utility rates and other revenues over the next 3 years.

	2015	2016	2017
Consumption Revenue	\$ 1,990,440	\$ 1,992,800	\$ 2,028,200
Other Revenue	\$ 345,960	\$ 350,000	\$ 350,000
Total Revenues	\$ 2,336,400	\$ 2,342,800	\$ 2,378,200
Total Annual Funding Requirement	\$ 2,723,608	\$ 2,825,040	\$ 2,887,081
Total Overhead Allocation (10% of Expenses)	\$ 272,361	\$ 282,504	\$ 288,708
% Cost Recovery	78.0%	75.4%	74.9%

If Council chose to reduce consumption rates in 2015 in order to achieve a 75% cost recovery the rates would have to be decreased by 4.5% and then increase by 4.2% in 2016.

The update to the solid waste reserve analysis completed in August had identified a \$60,000 gap in the current year's annual funding. The decision was made at that time to make a one-time transfer of \$45,000 from the solid waste rate stabilization reserve to close the rate funded gap and to close the additional annual funding gap of \$15,000 through taxes over the next 10 years.

Drop Off Yard Fees

The following rate adjustments are proposed for some of the drop off yard fees for 2015:

- Hazardous Waste (when permitted) - \$5.00 per litre (new item)
- Lights – Compact Fluorescents - \$0.75 per item (was \$2.00 per item)
- Lights – Fluorescent Tubes - \$0.20 per foot (was \$0.15 per foot)
- Lights – Metal Halide/High Pressure Sodium Bulbs - \$5.00 per item (was \$2.00 per item)
- Out of Town Parties Garbage Drop Off - \$284/tonne (was \$227/tonne)
- Construction Waste Drop Off Rates:
 - Sorted Load - \$155/tonne (was \$110/tonne)
 - Assorted Metals - \$100/tonne (new item)
 - Unsorted Load - \$230/tonne (was \$200/tonne)
 - Unsorted Drywall/Gypsum - \$285/tonne (was \$260/tonne)
 - Unsorted Asphalt Shingles - \$285/tonne (was \$260/tonne)
 - Construction Waste Minimum Charge - \$10 (was \$25)

RESPONSE OPTIONS

1. Keep Solid Waste Fees at 2014 levels with the exception of the above noted drop off yard fees by giving 3 readings to attached Bylaw 345.
2. Reduce Solid Waste Fees in 2015 by 4.5% and increase the rates by 4.2% in 2016 by bringing back an amends to Bylaw 345 prior to December 31, 2015.
3. Direct administration to adjust Solid Waste rates to an alternate level and bringing back amendments to Bylaw 345 prior to 2015.

IMPLICATIONS OF DECISION

Budget

Adequate solid waste rates will help to ensure that there is sufficient funding to maintain the operations of the utility with annual contributions to reserves to fund the long term sustainability of the solid waste systems in the Town of Banff.

ATTACHMENTS

- Appendix 1: Bylaw 345 – Banff Waste Bylaw 18-4 Amendment No. 4
- Appendix 2: Banff Waste Bylaw 18-4

Circulation date: November 25, 2014

Submitted By: Chris Hughes (Senior Accountant)

Reviewed By: Robert Earl, Town Manager

TOWN OF BANFF

BYLAW 345

A Bylaw to Amend Banff Waste Bylaw 18-4 with Respect to Rates and Fees

The Council of the Town of Banff, in the Province of Alberta, duly assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited as Banff Waste Bylaw 18-4 Amendment No. 4.
2. Banff Waste Bylaw 18-4, as amended, is further amended, by deleting the existing Schedule “B” – Rates in its entirety and replacing it with Schedule “B” – Rates as attached to and forming part of this bylaw.
3. Bylaw 336 is hereby repealed.
4. This bylaw shall come into force and take effect on January 1, 2015.
5. The Town Manager is authorized to consolidate Banff Waste Bylaw 18-4.

READ A FIRST TIME this ___th day of December, 2014.

READ A SECOND TIME this ____th day of December, 2014.

READ A THIRD TIME this ___th day of December, 2014.

SIGNED AND PASSED this ____th day of December, 2014.

Karen Sorensen
Mayor

Robert Earl
Town Manager

Schedule B – SOLID WASTE RATES

Materials Accepted at the Town of Banff Operations Compound

Fees in effect as of **January 1, 2015**

Note: Fees apply only to non-residential and out-of-town deliveries except for construction waste.

An additional handling charge of \$180/hr (minimum \$45.00) will be charged on unsorted loads.

Appliances - stoves, washers, dryers, dishwashers (white metals excluding refrigerators and microwaves)	per item	\$10.00
Ballasts or Fixtures	per item	\$5.00
Batteries (automotive)	per item	\$3.00
Box Spring *	per piece	\$15.00
CPU and Keyboard	per set	\$5.00
Furnaces (metal)	per item	\$10.00
Hazardous Waste (when permitted)	per litre	\$5.00
Furniture	per item	\$15.00
Lights- Compact Fluorescents	per item	\$0.75
Lights - Fluorescent Tubes	per foot	\$0.20
Lights - Metal Halide/High Pressure Sodium Bulbs	per item	\$5.00
Hot Water Tanks	per item	\$10.00
Mattresses*	per piece	\$15.00
Microwaves	per item	\$5.00
Monitors	per item	\$5.00
Paint	per litre	\$5.00
Printers	per item	\$5.00
Propane Tanks / Cylinders	0-10 lbs tank	\$5.00
	11-20 lbs tank	\$10.00
	21 lbs and up tank	\$15.00
Refrigerators/Freezers/Air Conditioning/Cooling Units	per item	\$20.00
Shipping Pallets	per item	\$3.00
Stereos/Sound Systems & Other Electronics	per item	\$5.00
Televisions	per item	\$5.00
Tires	per item	\$5.00
Yard Waste - Organic (no soils) **	per tonne	\$50.00

* One mattress and box spring set is two items

** Weight based items minimum charge: \$10.00

Waste Utility Rates – **Effective January 1/2015**

Definitions

2 Yard Bins: Existing metal bins used throughout the commercial sector, equivalent to 1529 litres in capacity.

Extra Scheduled: If a commercial property calls in advance of the day they require a pick up over and above their scheduled pick-ups, this is the rate applied.

Extra Unscheduled: If a commercial property calls on the same day that they require a pick up over and above their scheduled pick-ups, this is the rate applied. It consists of a flat fee of \$230 to have the truck and staff come to the property and then a per bin fee would be applied for every bin emptied during the stop.

Non-residential Garbage - Quarterly Rates									
2 Yard Bin	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	35	247	296	591	886	1181	1476	1771	2066
2	60	264	512	1024	1536	2047	2559	3071	3582
3	85	280	729	1457	2185	2914	3642	4370	5099
4	110	297	945	1890	2835	3780	4725	5670	6615
5	135	314	1162	2324	3485	4647	5808	6970	8131
6	160	330	1379	2757	4135	5513	6891	8269	9647
7	185	347	1595	3190	4785	6380	7974	9569	11164

Non-residential Garbage - Quarterly Rates									
1100 Litre	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	28	242	235	469	703	938	1172	1406	1640
2	46	254	391	781	1171	1561	1951	2341	2731
3	63	266	546	1092	1638	2184	2730	3276	3822
4	81	278	702	1404	2106	2808	3509	4211	4913
5	99	290	858	1716	2573	3431	4289	5146	6004
6	117	302	1014	2027	3041	4054	5068	6081	7095
7	135	314	1170	2339	3508	4678	5847	7016	8186
660 Litre									
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	20	238	172	344	516	688	860	1032	1204
2	31	245	266	531	797	1062	1328	1593	1859
3	42	252	359	718	1077	1436	1795	2154	2513
4	53	259	453	905	1358	1810	2263	2715	3168
5	63	266	546	1092	1638	2184	2730	3276	3822

Non-residential Cardboard - Quarterly Rates									
2 Yard Bin	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	32	244	271	541	812	1082	1353	1623	1894
2	52	257	444	888	1332	1776	2219	2663	3107
3	72	270	618	1235	1852	2469	3086	3703	4320
4	92	284	791	1581	2372	3162	3952	4743	5533
5	112	297	964	1928	2891	3855	4819	5782	6746
1100 Litres									
Extra	Extra	# of Stops per Week							
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	26	240	222	444	666	888	1110	1332	1554
2	40	250	347	694	1040	1387	1733	2080	2426
3	55	259	472	943	1414	1885	2357	2828	3299
4	69	269	596	1192	1788	2384	2980	3576	4172
5	84	278	721	1442	2162	2883	3603	4324	5044
6	98	288	846	1691	2536	3381	4227	5072	5917
660 Litre									
Extra	Extra	# of Stops per Week							
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	20	236	172	344	516	688	860	1032	1204
2	29	242	247	494	741	988	1234	1481	1728
3	38	248	322	644	965	1287	1608	1930	2252
4	46	254	397	793	1190	1586	1982	2379	2775
5	55	259	472	943	1414	1885	2357	2828	3299
6	64	265	547	1093	1639	2185	2731	3277	3823

Non-residential Food Waste - Quarterly Rates						
2 Yard Bin	Extra	Extra	# of Stops per Week			
# of Bins	Scheduled	Unscheduled	1	2	3	
1	21	240	178	355	532	
2	36	250	308	615	922	
3	51	260	437	874	1311	
4	66	270	567	1134	1701	
5	81	280	697	1394	2091	
6	96	290	827	1654	2481	
7	111	300	957	1914	2871	
660 Litres	Extra	Extra	# of Stops per Week			
# of Bins	Scheduled	Unscheduled	1	2	3	4
1	12	235	104	207	310	413
2	19	239	160	319	478	638
3	25	243	216	431	647	862
4	32	248	272	543	815	1086
5	38	252	328	656	983	1311
6	45	256	384	768	1152	1535
7	51	261	440	880	1320	1760
8	58	265	496	992	1488	1984
9	64	269	552	1104	1656	2208
10	71	274	609	1217	1825	2433
11	77	278	665	1329	1993	2657
12	84	282	721	1441	2161	2882

Non-Residential Food Waste - Quarterly Rates					
360 Litres	Extra	Extra	# of Stops per Week		
# of Bins	Scheduled	Unscheduled	1	2	3
1	9	233	78	156	233
2	13	235	109	217	325
3	17	238	139	278	417
4	20	240	170	339	509
5	24	242	201	401	601
6	27	245	231	462	693

Non-Residential Drop Off Rates	
	Rate
Garbage	\$227.00 / tonne
Cardboard	\$55.00 / tonne
Mixed Paper	\$55.00/tonne
Food	\$105.00 / tonne
Recyclable Containers (tin or plastic)	\$195.00/tonne

Residential and Other Waste & Recycling Fees	
Residential	Annual Fees
Per Standard Housing Unit Flat Rate	\$202.50
Bed & Breakfast	
5 or more bedrooms will pay 2 x the Residential fee	\$405.00
Less than 5 bedrooms will pay the Residential fee	\$202.50
Commercial properties with Residential style bins	
Commercial properties using a residential style bin will pay 2 x the 2 Yard bin Commercial Rate for the service they receive due to the bin having twice that capacity.	

Rates for Out of Town Parties Dropping Off Waste & Recyclables	
Description	Rate
Garbage	\$284.00 / tonne
Cardboard	\$93.00/ tonne
Mixed Paper	\$93.00/tonne
Food	\$232.00 / tonne
Recyclable Containers (tin or plastic)	\$275.00 / tonne

Weight based items minimum charge: \$10.00

Construction Waste Drop off Rates (Residential & Non-Residential)	
	Rate
Sorted Load	\$155.00 / tonne
Assorted Metals (excluding food containers)	\$100.00 / tonne
Unsorted Load	\$230.00 / tonne
Unsorted Drywall / Gypsum	\$285.00/tonne
Unsorted Asphalt Shingles	\$285.00 / tonne

Construction Waste Minimum Charge: \$10.00

229276 (64383-01-028)

BYLAW NO. 18-4 – OFFICE CONSOLIDATION**BEING A BYLAW OF THE TOWN OF BANFF, IN THE PROVINCE OF ALBERTA TO REGULATE THE COLLECTION, REMOVAL, RECYCLING AND DISPOSAL OF WASTE, REFUSE AND OTHER WASTE WITHIN THE TOWN OF BANFF**

WHEREAS the MUNICIPAL GOVERNMENT ACT (Alberta), as amended, provides that a Council may pass bylaws regulating the collection, removal, recycling and disposal of waste, refuse, and other waste within the Municipality;

AND WHEREAS the Council of the Town of Banff finds it advisable to pass such a bylaw;

NOW THEREFORE the Council of the Town of Banff, in the Province of Alberta, duly assembled enacts:

NAME OF BYLAW

1. This Bylaw may be cited as "Banff Waste Bylaw".

DEFINITIONS

2. In this Bylaw:
 - (a) Any capitalized words not defined within this Bylaw will have the meaning as set out in the Town of Banff Interpretation Bylaw, as amended from time to time;
 - (b) "**Approved Enclosure**" shall mean a type of enclosure designed for the storage of containers between collection times that prevents access to waste or recyclable waste by domestic animals and wildlife and the design and construction of which has been approved by the Director;
 - (c) "**Approved Receptacle**" shall mean a type of container designed for the storage of waste between collection times that prevents access to waste or recyclable waste by domestic animals and wildlife and the design and construction of which has been approved by the Director;
 - (d) "**Ash**" or "**Ashes**" shall mean the solid residue left when combustible material is thoroughly burned or is oxidized by chemical means;
 - (e) "**Business**" shall mean any business, trade, profession, industry, occupation, employment or calling and the providing of goods and services within the Town;

- (f) **"Collection"** shall mean the removal of waste or recyclable waste from premises to a disposal location whether the Town or a contractor under contract does such removal;
- (g) **"Commercial Waste"** shall mean any waste produced by a commercial business paying commercial taxes;
- (h) **"Director"** shall mean the Director of Environmental Services of the Town and includes any person authorized to act for or in the name of the Director;
- (i) **"Waste"** shall mean waste or debris from domestic, commercial or industrial activities, including but not limited to food / kitchen waste, household items ~~dishes~~ and utensils, empty or partly empty tins, boxes, cartons, bottles and containers, discarded paper and fabric;
- (j) **"Waste Unacceptable for General Collection"** shall mean building construction materials, household furnishings or appliances, automobiles or motorized vehicles or parts thereof, including tires, batteries or any other bulky material in excess of 1.2 metres in length or 23 kilograms in weight.
- (k) **"Litter Waste"** shall mean waste that is usually carried by a person or in a person's clothing, such as candy wrappers, drink containers and tissues etc.
- (l) **"Owner"** means:
 - i) in the case of land, a person who is the owner of the leasehold interest of the lands, or
 - ii) in the case of property other than land, a person who is in lawful possession thereof, per the Town of Banff Street Addressing Bylaw, as amended from time to time.
- (m) **"Prohibited Waste"** shall mean car and automobile bodies, batteries, dead animals, mature tree limbs, whole shrubs or bushes, heavy machinery, explosives, combustible materials, asbestos, and toxic or hazardous materials;
- (n) **"Recyclable Waste"** shall mean those items included in any recycling program operative in the Town in accordance with **Schedule "B"** hereto;
- (o) **"Recycling Trailer"** shall mean a portable recycling depot placed at different locations, , within the Town of Banff;
- (p) **"Residential Waste"** shall mean any waste produced by and coming from a residential dwelling paying residential taxes.

- (q) **"Toxic and Hazardous Materials"** shall mean any waste that may present a hazard to persons, flora, fauna or public lands including wastes of pathological, explosives, highly flammable, radioactive or toxic nature.
3. Words importing the masculine gender only, include the feminine gender whenever the context so requires and vice versa.
4. Words importing the singular shall include the plural or vice versa whenever the context so requires.

WASTE DISPOSAL

5. (a) All persons shall dispose of waste by placing it in an appropriate waste bag in good repair, securely tied, to a maximum weight of 23 kg and placed in an approved receptacle.
- (b) All cardboard shall be flattened and placed in specified Approved Receptacle. No food waste or other waste other than cardboard shall be placed in Approved Receptacles for cardboard.
6. (a) Except as otherwise provided in subsection (b), (c), (d), (e), and (f) of this clause, the Owner / lessee or occupant of a residential building shall transport Residential Waste to and deposit same in an Approved Receptacle designated by the Town. If such Receptacle is full, the Owner/lessee or occupant shall use an alternate Receptacle and the Town shall be notified that the first Receptacle is full.
- (b) All recyclable waste listed in Schedule "B" except for the items indicated as being subject to a disposal fee, shall be sorted and placed in the appropriate recycling bin at one of the recycle depots or the recycling trailer. The classes of waste indicated as being subject to disposal fees shall be delivered to the Town's Operations Compound together with the sum of money equal to the disposal fees incurred by the Town to recycle these items, **or** as reflected on **Schedule "B"**;
- (c) Residential tree and grass clippings shall be delivered to the Town of Banff Operations Compound, or left in maximum 23 kg bags beside Approved Receptacles.
- (d) Ashes shall be quenched and placed in a separate container before placing in an Approved Receptacle;
- (e) Subject to the other provisions of this Bylaw, dangerous or germ-carrying waste shall be placed in separate containers before placing in an Approved Receptacle;

- (f) The Owner/lessee or occupant of a Residential Building shall use the Haul All containers located in the area of the town in which the Residential Building is located for disposing of cardboard waste.
- 7.
- (a) Except as otherwise provided in subsection (g) Commercial Waste shall be deposited by the Owner in an Approved Receptacle in an Approved Enclosure designated for use by the particular business by the Town of Banff until such time as the Town removes the Commercial Waste.
 - (b) Every Owner shall maintain the Approved Enclosure and Approved Receptacle designated for their business in a safe, serviceable and sanitary condition and shall ensure that such Approved Enclosure and Receptacle is at all times accessible to agents of the Town.
 - (c) Every Owner shall provide a replacement Approved Receptacle when the Director or his designate deems the existing Approved Receptacle to require repair or to be beyond repair.
 - (d) Every Owner will clean and repair an Approved Enclosure and Approved Receptacle designated for his/her business when requested by an agent of the Town of Banff.
 - (e) The Town of Banff reserves the right to refuse to remove waste from any Approved Receptacle or Approved Enclosure considered by the Director to be unsafe or unsanitary.
 - (f) Owners of Commercial properties shall supply and maintain an Approved Enclosure with Approved Receptacles inside the said Enclosure. If the Commercial Waste from a business includes cardboard, recycling receptacles shall be provided by the Owner of the business and be located in the Approved Enclosure.
 - (g) Commercial tree, shrub, and grass clippings shall be delivered to the Francis Cooke regional landfill;
8. Development upon or redevelopment of existing property shall, when required by the Director, include the provision on the site of Approved Enclosures and Receptacles for waste and recycling which comply with the design, capacity and location specifications as set out in the Town's development permit approval and development agreement. Payment-in-lieu of Approved Enclosures or Approved Receptacles may be accepted under conditions approved by the Town of Banff. Approved Enclosures or Approved Receptacles may or may not be required at the development site at the time of development, but may be required on the site at some future date as volumes increase over time. The Town of Banff reserves the right to place or require the Owner to place Approved Enclosures or Approved Receptacles on the development site at any future time as required. Payment- in- lieu moneys will be placed in

an Approved Enclosure and Approved Receptacle capital maintenance and replacement fund to be used as the Town of Banff finds appropriate.

9. No person shall leave waste of any kind accessible to wildlife or domestic animals.
10.
 - (a) Except as otherwise specifically provided for in this Bylaw, the collection, removal and disposal of waste and recyclable waste shall be under the supervision of the Town or its designated agents and no person shall discard or dispose of or deposit waste or recyclable waste anywhere in the Town except in such places and at such times and under such conditions as the Director may authorize.
 - (b) Except as otherwise specifically provided for in this Bylaw, the Director shall approve the placement of Approved Receptacles. Approved Receptacles will be placed on an as needed basis. The siting of Approved Receptacles will be carefully considered using such criteria as: volumes of waste generated, number of residential units and occupants in the immediate area, distance to existing Approved Receptacles, ability to install the Approved Receptacles on Town-owned property (i.e. the road right of way) without unacceptable compromise of pedestrian or vehicular access, and aesthetics.
11. Waste Unacceptable for General Collection shall not be deposited in the Approved Receptacles or Enclosures but shall be disposed of by the person controlling the said waste at the Francis Cooke (Class III) Regional Landfill site where such person shall pay fees in accordance with regional rates.

PROHIBITIONS

12. No person shall convey through any street in the Town any waste whatever, except in Approved Receptacles or otherwise in vehicles which are so constructed and arranged as to prevent the contents from falling on the streets and to protect the contents from flies and other insects and to control as much as practicable the escape of any offensive odour.
13. No person within the Town shall burn any waste or household waste or rubbish or refuse unless he has permission in writing from the Director to do so. Such permission will not be granted except pursuant to the NATIONAL PARKS ACT, as amended and Fire Protection Regulations.
14. No person shall, either accidentally or intentionally, dispose of or place for collection explosives, combustible materials or Toxic and Hazardous Materials, including household hazardous waste.
15. No person shall dispose of or place for collection by the Town of Banff, blood samples or cultures or other medical waste.

16. No person shall deposit any waste whatsoever on any public or private property in the Town, except as permitted by this Bylaw.
17. No Person shall interfere with any Approved Receptacles, Approved Enclosure or waste deposited for collection, and no person shall remove or interfere with waste once it is deposited in an Approved Receptacle.
18. All persons shall dispose of waste, including Litter Waste, and other matter and materials in accordance with all applicable legislation and regulations.
19. The Town shall not be liable in any manner whatsoever for damage, loss or associated costs resulting from or arising from the entry by the Town crews and personnel upon private property for the purpose of waste collection.

OFFENCES & PENALTIES

20. Any person who contravenes this Bylaw is guilty of an offence.
21. Persons contravening certain sections of this Bylaw shall be liable for the penalties set out in such section or set out opposite such section number in **Schedule "A"** hereto.
22. An Offence Ticket may be issued by a Peace Officer or a Bylaw Enforcement Officer to any person alleged to have breached any provision of this Bylaw, and the said Offence Ticket shall require the payment to the Town of Banff in the amount specified in this Bylaw or the regulations pursuant to the PROVINCIAL OFFENCES PROCEDURE ACT, (Alberta) as amended.
23. An Offence Ticket shall be deemed to be sufficiently served:
 - (a) if served personally on the accused; or,
 - (b) if mailed to the address of the registered Owner of the business concerned; or to the person concerned.
24. Except as otherwise provided in this Bylaw, every person who, upon summary conviction, is found guilty of a second or subsequent offence under this Bylaw, is liable to a fine of not less than \$250.00 and not more than \$2,500.00 plus costs or for imprisonment for any period not exceeding six (6) months in case of non-payment of the fine and costs imposed for such offence.
25. Except as otherwise provided in this Bylaw, a person who is guilty of an offence under this bylaw for which a penalty is not otherwise provided, is liable to a fine of not more than

\$500.00 and in default of payment, is liable to imprisonment for a term not exceeding six (6) months or to imprisonment for a term not exceeding six (6) months without the option of a fine.

26. Any person found in contravention of a provision of this Bylaw and who does not comply with the directions of the Chief Bylaw Enforcement Officer in correcting the violation under this Bylaw is guilty of an offence and the said violation may be remedied by the Town to the satisfaction of the Chief Bylaw Enforcement Officer.
27. In addition to any other remedy available to the Town for non-compliance with this Bylaw, the Town may correct the violation and the costs incurred therefore shall be paid to the Town upon demand and failing payment, may be collected as a debt due to the municipality.

RATES & FEES

Rates and Fees section amended 2010.12.30 by Bylaw 301

28. All fees, rates and charges due in connection with this bylaw are those outlined in Schedule B.
29. Subject to the approval of Council, the Town Manager may enter into an agreement to supply Garbage, Recyclables, or Food Waste collection services to an Owner outside the Town limits
30. All accounts for garbage and recyclable services provided under this bylaw shall be due and payable when rendered.
31. Accounts shall be deemed to be sufficiently forwarded if they are left on the property or if they are mailed by ordinary mail to the Owner at the mailing address of the Owner.
32. Non-receipt of an invoice will not exempt the Owner from payment for the service he receives.
33. Overdue charges are subject to a late payment penalty of 1.5% interest charge per month.
34. Overdue charges and associated penalties may be collected by adding the charges to the tax roll for the premises.
35. Where an account cannot be added to taxes, should that account remain unpaid for a period of sixty (60) days, garbage and recyclable services shall be discontinued until the Owner has paid the outstanding balance for the account, including penalty, to the satisfaction of the Town Manager.

36. An Owner shall bring any alleged error in any charge to the attention of the Town Manager or designate within one year of the end of the period for which such rates were imposed.

AMENDMENT TO SCHEDULES

32. **Schedules "A" and "B"** to this Bylaw may be amended, from time to time, by resolution of Council and any such amendment shall form part of this Bylaw.

TRANSITION

33. Bylaw No. 18-3 is repealed upon this Bylaw coming into force.
34. This bylaw comes into effect on the date of final passing and signature.

READ a first time this 8th day of March, A.D. 2004.

READ a second time this 8th day of March, A.D. 2004.

READ a third time and finally passed this 8th day of March, A.D. 2004.

MAYOR

DIRECTOR OF CORPORATE SERVICES

APPROVED this ____ day of _____
2004, A.D.

BANFF NATIONAL PARK SUPERINTENDENT FOR:

MINISTER OF THE ENVIRONMENT

**Waste Bylaw #18-4
Schedule "A"
Specified Penalties**

Section	Description	Amount
5(b)	Contamination of recycle Receptacle with waste	\$150.00
6(a)	Improper Disposal of Waste	\$150.00
7	Improper Disposal of Waste by a Business Owner / Employee	\$250.00
7(b)	Maintenance of Approved Enclosures	\$250.00
7(c)	Failure to replace Receptacle when deemed irreparable	\$250.00
7(d)	Failure to clean and or repair Receptacle / Enclosure	\$250.00
9	Leave Waste accessible to animals:	
	- first offence:	\$150.00
	- second offence:	\$250.00
10(a)	Unauthorized Disposal of Waste	\$150.00
11	Placing of Waste unacceptable for General Collection in an Approved Enclosure or Receptacle for Collection	\$150.00
12	Convey waste in uncovered vehicle	\$100.00
13	Burn Waste or waste	\$250.00
14	Disposal of dangerous substances (ie. storm drains)	\$250.00
15	Placing of blood or medical waste in an Approved Enclosure or Receptacle for Collection	\$250.00
16	Unlawful Disposal of Waste	\$150.00
17	Interfere with Receptacle or waste in receptacle	\$150.00

Waste Bylaw #18-4
Schedule "B"

Schedule B amended 2014.01.01 by Bylaw 332
Schedule B amended 2014.04.01 Bylaw 336

Attachments:
Schedule B – Rates

SCHEDULE "B" – RATES

Materials Accepted at the Town of Banff Operations Compound

Fees in effect as of April 1, 2014

Note: Fees apply only to non-residential and out-of-town deliveries except for construction waste.

An additional handling charge of \$180/hr (minimum \$45.00) will be charged on unsorted loads.

Appliances - stoves, washers, dryers, dishwashers (white metals excluding refrigerators and microwaves)	per item	\$10.00
Ballasts or Fixtures	per item	\$5.00
Batteries (automotive)	per item	\$3.00
Box Spring *	per piece	\$15.00
CPU and Keyboard	per set	\$5.00
Furnaces (metal)	per item	\$10.00
Furniture	per item	\$15.00
Lights- Compact Fluorescents	per item	\$2.00
Lights - Fluorescent Tubes	per foot	\$0.15
Lights - Metal Halide/High Pressure Sodium Bulbs	per item	\$2.00
Hot Water Tanks	per item	\$10.00
Assorted Metals (excluding food containers) **	per tonne	\$100.00
Mattresses*	per piece	\$15.00
Microwaves	per item	\$5.00
Monitors	per item	\$5.00
Other Electronics	per item	\$10.00
Paint	per litre	\$5.00
Printers	per item	\$5.00
Propane Tanks / Cylinders	0-10 lbs tank	\$5.00
	11-20 lbs tank	\$10.00
	21 lbs and up tank	\$15.00
Refrigerators/Freezers/Air Conditioning/Cooling Units	per item	\$20.00
Shipping Pallets	per item	\$3.00
Stereos/Sound Systems	per item	\$5.00
Televisions	per item	\$5.00
Tires	per item	\$5.00
Yard Trimmings - Organic (no soils) **	per tonne	\$50.00

* One mattress and box spring set is two items

** Weight based items minimum charge: \$10.00

2014 Waste Utility Rates

Definitions

2 Yard Bins: Existing metal bins used throughout the commercial sector, equivalent to 1529 litres in capacity.

Extra Scheduled: If a commercial property calls in advance of the day they require a pick up over and above their scheduled pick-ups, this is the rate applied.

Extra Unscheduled: If a commercial property calls on the same day that they require a pick up over and above their scheduled pick-ups, this is the rate applied. It consists of a flat fee of \$230 to have the truck and staff come to the property and then a per bin fee would be applied for every bin emptied during the stop.

2014 Non-residential Garbage - Quarterly Rates									
2 Yard Bin	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	35	247	296	591	886	1181	1476	1771	2066
2	60	264	512	1024	1536	2047	2559	3071	3582
3	85	280	729	1457	2185	2914	3642	4370	5099
4	110	297	945	1890	2835	3780	4725	5670	6615
5	135	314	1162	2324	3485	4647	5808	6970	8131
6	160	330	1379	2757	4135	5513	6891	8269	9647
7	185	347	1595	3190	4785	6380	7974	9569	11164

2014 Non-residential Garbage - Quarterly Rates									
1100 Litre	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	28	242	235	469	703	938	1172	1406	1640
2	46	254	391	781	1171	1561	1951	2341	2731
3	63	266	546	1092	1638	2184	2730	3276	3822
4	81	278	702	1404	2106	2808	3509	4211	4913
5	99	290	858	1716	2573	3431	4289	5146	6004
6	117	302	1014	2027	3041	4054	5068	6081	7095
7	135	314	1170	2339	3508	4678	5847	7016	8186
660 Litre	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	20	238	172	344	516	688	860	1032	1204
2	31	245	266	531	797	1062	1328	1593	1859
3	42	252	359	718	1077	1436	1795	2154	2513
4	53	259	453	905	1358	1810	2263	2715	3168
5	63	266	546	1092	1638	2184	2730	3276	3822

2014 Non-residential Cardboard - Quarterly Rates									
2 Yard Bin	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	32	244	271	541	812	1082	1353	1623	1894
2	52	257	444	888	1332	1776	2219	2663	3107
3	72	270	618	1235	1852	2469	3086	3703	4320
4	92	284	791	1581	2372	3162	3952	4743	5533
5	112	297	964	1928	2891	3855	4819	5782	6746
1100 Litres	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	26	240	222	444	666	888	1110	1332	1554
2	40	250	347	694	1040	1387	1733	2080	2426
3	55	259	472	943	1414	1885	2357	2828	3299
4	69	269	596	1192	1788	2384	2980	3576	4172
5	84	278	721	1442	2162	2883	3603	4324	5044
6	98	288	846	1691	2536	3381	4227	5072	5917
660 Litre	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	20	236	172	344	516	688	860	1032	1204
2	29	242	247	494	741	988	1234	1481	1728
3	38	248	322	644	965	1287	1608	1930	2252
4	46	254	397	793	1190	1586	1982	2379	2775
5	55	259	472	943	1414	1885	2357	2828	3299
6	64	265	547	1093	1639	2185	2731	3277	3823

2014 Non-residential Food Waste - Quarterly Rates						
2 Yard Bin	Extra	Extra	# of Stops per Week			
# of Bins	Scheduled	Unscheduled	1	2	3	
1	21	240	178	355	532	
2	36	250	308	615	922	
3	51	260	437	874	1311	
4	66	270	567	1134	1701	
5	81	280	697	1394	2091	
6	96	290	827	1654	2481	
7	111	300	957	1914	2871	
660 Litres	Extra	Extra	# of Stops per Week			
# of Bins	Scheduled	Unscheduled	1	2	3	4
1	12	235	104	207	310	413
2	19	239	160	319	478	638
3	25	243	216	431	647	862
4	32	248	272	543	815	1086
5	38	252	328	656	983	1311
6	45	256	384	768	1152	1535
7	51	261	440	880	1320	1760
8	58	265	496	992	1488	1984
9	64	269	552	1104	1656	2208
10	71	274	609	1217	1825	2433
11	77	278	665	1329	1993	2657
12	84	282	721	1441	2161	2882

2014 Non-Residential Food Waste - Quarterly Rates					
360 Litres	Extra	Extra	# of Stops per Week		
# of Bins	Scheduled	Unscheduled	1	2	3
1	9	233	78	156	233
2	13	235	109	217	325
3	17	238	139	278	417
4	20	240	170	339	509
5	24	242	201	401	601
6	27	245	231	462	693

2014 Non-Residential Drop Off Rates	
	Rate
Garbage	\$227.00 / tonne
Cardboard	\$55.00 / tonne
Mixed Paper	\$55.00/tonne
Food	\$105.00 / tonne
Recyclable Containers (tin or plastic)	\$195.00/tonne

2014 Residential and Other Waste & Recycling Fees	
Residential	Annual Fees
Per Standard Housing Unit Flat Rate	\$270
Bed & Breakfast	
5 or more bedrooms will pay 2 x the Residential fee	\$540
Less than 5 bedrooms will pay the Residential fee	\$270
Commercial properties with Residential style bins	
Commercial properties using a residential style bin will pay 2 x the 2 Yard bin Commercial Rate for the service they receive due to the bin having twice that capacity.	

2014 Rates for Out of Town Parties Dropping Off Waste & Recyclables	
Description	Rate
Garbage	\$227.00 / tonne
Cardboard	\$93.00/ tonne
Mixed Paper	\$93.00/tonne
Food	\$232.00 / tonne
Recyclable Containers (tin or plastic)	\$275.00 / tonne

Recyclable containers minimum charge: \$25.00

Weight based items minimum charge: \$10.00

2014 Construction Waste Drop off Rates (Residential & Non-Residential)	
	Rate
Sorted Load	\$110.00 / tonne
Unsorted Load	\$200.00 / tonne
Unsorted Drywall / Gypsum	\$260.00/tonne
Unsorted Asphalt Shingles	\$260.00 / tonne

Construction Waste Minimum Charge: \$25.00

2015 Waste Utility Rates

Definitions

2 Yard Bins: Existing metal bins used throughout the commercial sector, equivalent to 1529 litres in capacity.

Extra Scheduled: If a commercial property calls in advance of the day they require a pick up over and above their scheduled pick ups, this is the rate applied.

Extra Unscheduled: If a commercial property calls on the same day that they require a pick up over and above their scheduled pick ups, this is the rate applied. It consists of a flat fee of \$239 to have the truck and staff come to the property and then a per bin fee would be applied for every bin emptied during the stop.

2015 Non-residential Garbage - Quarterly Rates									
2 Yard Bin	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	36.00	257.00	307	614	920	1227	1533	1840	2146
2	62.00	274.00	532	1064	1595	2127	2659	3190	3722
3	88.00	291.00	757	1514	2271	3027	3784	4541	5297
4	114.00	309.00	982	1964	2946	3928	4909	5891	6873
5	140.00	326.00	1207	2414	3621	4828	6035	7241	8448
6	166.00	343.00	1432	2864	4296	5728	7160	8592	10024
7	192.00	361.00	1657	3314	4971	6628	8285	9942	11599

2015 Non-residential Garbage - Quarterly Rates									
1100 Litre	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	29.00	252.00	244	487	731	974	1218	1461	1704
2	47.00	264.00	406	811	1216	1622	2027	2432	2838
3	66.00	277.00	568	1135	1702	2269	2837	3404	3971
4	85.00	289.00	730	1459	2188	2917	3646	4375	5105
5	103.00	302.00	892	1783	2674	3565	4456	5347	6238
6	122.00	314.00	1053	2106	3159	4212	5265	6318	7371
7	141.00	327.00	1215	2430	3645	4860	6075	7290	8505
660 Litre	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	21.00	247.00	179	358	536	715	894	1072	1251
2	32.00	254.00	276	552	828	1104	1379	1655	1931
3	44.00	262.00	373	746	1119	1492	1865	2238	2611
4	55.00	269.00	471	941	1411	1881	2351	2821	3291
5	66.00	277.00	568	1135	1702	2269	2837	3404	3971

2015 Non-residential Cardboard - Quarterly Rates									
2 Yard Bin	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	33.00	253.00	282	563	844	1125	1406	1687	1968
2	54.00	267.00	462	923	1384	1845	2306	2767	3228
3	74.00	281.00	642	1283	1924	2565	3206	3847	4488
4	95.00	295.00	822	1643	2464	3285	4106	4928	5749
5	116.00	309.00	1002	2003	3004	4005	5007	6008	7009
1100 Litres	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	27.00	249.00	231	462	692	923	1153	1384	1614
2	42.00	259.00	361	721	1081	1441	1801	2161	2521
3	57.00	269.00	490	980	1469	1959	2448	2938	3428
4	72.00	279.00	620	1239	1858	2477	3096	3715	4334
5	87.00	289.00	749	1498	2246	2995	3744	4492	5241
6	102.00	299.00	879	1757	2635	3513	4391	5270	6148

2015 Non-residential Cardboard - Quarterly Rates									
660 Litre	Extra	Extra	# of Stops per Week						
# of Bins	Scheduled	Unscheduled	1	2	3	4	5	6	7
1	21.00	245.00	179	358	537	715	894	1073	1251
2	30.00	251.00	257	513	770	1026	1283	1539	1795
3	39.00	257.00	335	669	1003	1337	1671	2005	2339
4	48.00	263.00	412	824	1236	1648	2060	2472	2884
5	57.00	269.00	490	980	1469	1959	2448	2938	3428
6	66.00	275.00	568	1135	1702	2270	2837	3404	3972

2015 Non-residential Food Waste - Quarterly Rates					
2 Yard Bin	Extra	Extra	# of Stops per Week		
# of Bins	Scheduled	Unscheduled	1	2	3
1	22.00	250.00	184	368	552
2	37.00	260.00	319	638	957
3	53.00	271.00	455	909	1363
4	68.00	281.00	590	1179	1768
5	84.00	291.00	725	1449	2173
6	100.00	302.00	860	1719	2578
7	115.00	312.00	995	1989	2983

2015 Non-residential Food Waste - Quarterly Rates						
660 Litres	Extra	Extra	# of Stops per Week			
# of Bins	Scheduled	Unscheduled	1	2	3	4
1	13.00	244.00	108	215	322	429
2	20.00	248.00	166	331	497	662
3	26.00	253.00	224	448	672	896
4	33.00	257.00	283	565	847	1129
5	40.00	262.00	341	681	1022	1362
6	46.00	266.00	399	798	1196	1595
7	53.00	271.00	457	914	1371	1828
8	60.00	275.00	516	1031	1546	2061
9	67.00	280.00	574	1148	1721	2295
10	73.00	284.00	632	1264	1896	2528
11	80.00	289.00	691	1381	2071	2761
12	87.00	293.00	749	1497	2246	2994

2015 Non-residential Food Waste - Quarterly Rates						
360 Litres	Extra	Extra	# of Stops per Week			
# of Bins	Scheduled	Unscheduled	1	2	3	
1	10.00	242.00	81	162	243	
2	13.00	244.00	113	225	338	
3	17.00	247.00	145	289	433	
4	21.00	249.00	177	353	529	
5	24.00	252.00	208	416	624	
6	28.00	254.00	240	480	720	

2015 Non-residential Drop Off Rates	
	Per Tonne
Garbage	\$236.00 / tonne
Cardboard	\$57.00 / tonne
Mixed Paper	\$57.00 / tonne
Food	\$109.00 / tonne
Recyclable Containers (tin or plastic)	\$203.00 / tonne

2015 Residential and Other Waste & Recycling Fees	
Residential	Annual Fees
Per Standard Housing Unit Flat Rate	\$282
Bed & Breakfast	
5 or more bedrooms will pay 2 x the Residential fee	\$564
Less than 5 bedrooms will pay the Residential fee	\$282
Commercial properties with Residential style bins	
Commercial properties using a residential style bin will pay 2 x the 2 Yard bin Commercial Rate for the service they receive due to the bin having twice that capacity.	

2015 Rates for Out of Town Parties Dropping Off Waste & Recyclables at the Transfer Station	
Description	Rate
Garbage	\$236.00 / tonne
Cardboard	\$97.00/ tonne
Mixed Paper	\$97.00/tonne
Food	\$241.00 / tonne
Recyclable Containers (tin or plastic)	\$286.00 / tonne

Recyclable containers minimum charge: \$25.00

Weight based items minimum charge: \$10.00

2015 Construction Waste Drop Off Rates (Residential & Non-Residential)	
	Per Tonne
Sorted Load	\$114.00 / tonne
Unsorted Load	\$208.00 / tonne
Unsorted Drywall / Gypsum	\$270.00 / tonne
Unsorted Asphalt Shingles	\$270.00 / tonne

Construction waste minimum charge: \$25.00

BVRH Bulletin

December 2014

Summary of the November regular meeting of the board:

The board agreed to explore the development of a comprehensive fundraising program for BVRH further under the guiding principle that we cannot be great without philanthropy. Next steps include: development of an initial budget to fund early program exploration and; hold a fundraising workshop with KEA Canada and the BVRH board.

The board agreed to hire LA Taylor to manage the RGI communications strategy. The guiding principles of this initiative are: *affordability, fairness and sustainability*.

Levels of supportive living (very basically stated):

1. Independent
2. Functionally independent with or without the help of community resources. Able to function with regularly scheduled assistance. Able to make own decisions and know when needs are not being met.
3. Require some unscheduled assistance, requires 24 hour access to home care type workers with an LPN on call. Able to make some decisions and usually know when needs are not being met.
4. Require frequent unscheduled assistance, perhaps modified diet and foods, requires 24 hour access to LPN with RN on call. Unable to make most decisions and typically won't know if needs are not being met.

The board learned that administration is making progress with the development of a budget proposal for the consideration of the board. The board was provided with key assumption information. Our operating budgets are prepared each year and are forecasts of expected annual revenues and planned expenditures that support the Lodge Programs supportive living operations.

The board learned that ASHC has approved a \$160,000 upgrade project to the elevator at Mount Edith House in Banff. Administration will look at strategies to help residents on the upper floors during the project when the elevator is out of service.

The board discussed public comments about the appearance of Woodlands and the behaviour of some residents. CAO presented the 2015 maintenance plan.

The board learned that Alberta Housing had recently sent all HMB's a detailed survey to catalog existing fire mitigation systems and policies in all provincial seniors housing. CAO submitted our completed survey ahead of the December 1 deadline.

The board reviewed and approved the proposed BVRH 2015-2017 Business Plan. Strategic Goals will be refreshed in 2015.

Project occupancy rates and tenant selection:

Current occupancy rates in our accommodation programs:

Bow River Lodge	97% occupancy
Cascade House	100% occupancy
Bow River Homes	100% occupancy
Mount Edith House	100% occupancy
Community Housing	100% occupancy
Rent Supplement	100% subscription

Major project status updates:

Temporary Flood relief housing:

BVRH continues to assist the Government of Alberta with their efforts to house local victims of the southern flooding. The units are in place and while many are occupied, many of our short-term tenants have transitioned to longer-term solutions. BVRH is responsible for most of the routine maintenance and tenant administration.

Bow River Lodge Redevelopment: “This is Home”

Land update: The land is now owned by ASHC, meaning it is ours to develop.

Schedule: The anticipated start date is early 2015. Development Permit application has been submitted to the Town of Canmore. The tender package is just about ready to be posted to the Alberta Purchasing Connection website for public tender. CAO expects a contractor to be selected in December or January.

Design: The design includes 63 new residential lodge units, replacing 43 aging units and giving us 20 more, maximizing the available space in anticipation of the looming needs of our aging population in the region. This design means that all of our seniors will be housed in safe, new and fully functional spaces instead of some that are retro-fitted, ensuring more effective and efficient accommodation along with much improved ability to increase care services in the future. Aside from the better facility afforded by this design it is important to also highlight the creation of a valuable and substantial piece of property to be used to meet regional needs in the future. The area currently taken up by the old parts of the original lodge will be used to bring higher levels of supportive living to the region for true aging in place.

Economics: The current overall capital cost estimate is \$15.7 million. ASHC representatives have tentatively committed to paying the total project fees upfront, with an agreement by BVRH to repay 20% of the capital costs over time. BVRH will develop a fundraising program that will help fund equipment and furniture purchases for the new building.

Communications: A communications plan is in place. Efforts to date include written updates to our member's municipal councils, our residents, our immediate neighbours and, our employees and a series of open-house type information sessions for these audiences. We will also present to our member's municipal councils.

Next steps: Phase 2: BVRH is currently developing an application to the recently announced ASLI grant program. Under this program projects receive 50% capital funding from the Province, as well as an operating agreement with AHS for designated levels of supportive living. We have been encouraged to apply in light of the fact that the Province is eager to build more beds, and our region has been identified as a target for some of them. Given timing surrounding Phase 1, it is possible that we will be more likely to secure ASLI funding during the 2015 round, but we'll apply this year and if necessary apply again next year. Phase 2 would create between 54 and 75 SL3/4/D units on the footprint currently occupied by the original lodge, bringing again in place to our region. It would also have positive economic effects, hopefully taking Bow River Lodge to cost neutrality!

<u>Acronym Glossary:</u>
AAMD&C = Alberta Association of Municipal Districts and Counties
ADM = Assistant Deputy Minister
AHS = Alberta Health Services
AMA = Alberta Municipal Affairs
APHAA = Alberta Public Housing Administrators Association
ASCHA = Alberta Seniors Citizens Housing Association
ASHC = Alberta Social Housing Corporation
ASLI = Affordable Supportive Living Initiative
AUMA = Alberta Urban Municipalities Association
BHC = Banff Housing Corporation
BRL = Bow River Lodge
BVRH = Bow Valley Regional Housing
CAO = Chief Administrative Officer
CCHC = Canmore Community Housing Corp
CNIT = Core Need Income Threshold
EHC = Enhanced Homecare
FFE = Furniture, Fixtures and Equipment
KMSS = Kenway Mack Slusarchuk Stewart LLP
HMB = Housing Management Body
LPN = Licensed Practical Nurse
MO = Ministerial Order
RGI = Rent Geared to Income
RN = Registered Nurse
SL = Supportive Living
SSC = Seniors' self-contained (independent seniors housing)

About Bow Valley Regional Housing

Bow Valley Regional Housing (BVRH) is a Housing Management Body (HMB) for the Government of Alberta. The Provincial Government created HMBs to serve as operators and administrators of provincially-owned social housing facilities. The Province owns a large portfolio of these facilities through the Alberta Social Housing Corporation (ASHC), serving many needy and vulnerable Albertans. Each HMB is self-governing under the Alberta Housing Act, managing the ASHC assets in a particular region. Each region is comprised of multiple municipalities, improvement districts, etc. HMBs may operate other kinds of housing and may own buildings that house accommodation programs.

Every municipality in Alberta is a contributing member of their regional HMB. They are required to have at least one appointee on the governing board, which is responsible for acting in the best interests of the HMB. The board must consider the needs of each contributing municipality in its governance of the HMB.

HMB operations are funded through various means. Tenants pay rent and/or lodge fees, however since these are set at affordable rates the revenues usually do not cover the costs of operations. Seniors Lodge deficits are funded through municipal ratepayer requisitions and provincial grants. Social Housing deficits (including independent seniors housing and community housing) are funded by Alberta Municipal Affairs (Housing).

As the HMB for the Bow Valley region we are responsible for social housing and affordable supportive living accommodation for seniors throughout Kananaskis Country, the Bow Corridor, the MD of Bighorn and all of Banff National Park, an area covering about 13,500 square kilometres. This region has two towns and seven hamlets containing a total of about 25,000 people. Our five contributing municipalities are: Kananaskis ID, MD of Bighorn, Town of Canmore, Town of Banff and Banff National Park ID9. The people of the region are able to access all of the programs we offer, subject to eligibility requirements.

The BVRH Mission Statement

Bow Valley Regional Housing is committed to providing appropriate housing services to the Bow Valley region seniors and residents of modest means who struggle to secure such accommodations.

We manage:

- seniors' lodges in Canmore and Banff that currently house up to 85 residents
- seniors' independent housing buildings in Canmore and Banff that have 62 one-bedroom apartments
- 58 family housing residences in Canmore
- Interim relief housing for about 6 households displaced by the June floods

- the Rent Supplement Program in the region that currently provides financial assistance to about 40 Bow Valley households

All told we currently house, or help to house about 350 residents of the Bow Valley in 8 permanent and 1 interim housing projects encompassing 41 separate buildings between 4 separate communities.

We are a self-governing body. We partner with two provincial ministries and five municipal governments, along with numerous local and community agencies to provide and promote safe and appropriate housing to our region.

The BVRH Vision Statement

In ensuring the residents of the Bow Valley region have access to appropriate housing options we envision a collaborative approach whereby all local and provincial housing stakeholders work together to respond to community trends and housing needs in a responsible and timely fashion.

We will remain committed to staying informed of relevant and valid community trends and housing needs.

We will remain committed to securing funding to develop infrastructure that meets the identified needs in social housing.

We will remain committed to innovation, service excellence, best practices, and to being an employer of choice in the Bow Valley region.

BVRH has about 36 employees based in either Bow River Lodge in Canmore or Cascade House in Banff. Our Administration and Maintenance Teams are based in Canmore but take care of all of our operations. As well, we have Housekeeping and Food Service Teams plus a Recreation Coordinator at our lodge in Canmore. Our Cascade House Team serves the residents of our lodge in Banff.

BVRH Values

Service: client focus, empathy, caring, commitment to quality and a guiding philosophy of serving our clients in their homes.

Integrity and accountability: high ethics, professionalism, transparency, accountability and inclusiveness.

Efficacy: sustainability, innovation, versatility, collaboration, communication, vision and resourcefulness.

These bulletins are available on our website at www.bvrh.ca

From: [Natalie Palmer](#)
To: [{Municipal Clerk - Website Mailbox}](#)
Subject: Town of Banff Housing
Date: Wednesday, November 26, 2014 9:12:50 PM

Hello

I am writing quick note in opposition to the proposed rental housing proposal recently released in the paper. I would like my comments noted in the Town's decision making on this issue.

I actually quite heartily agree with the town building and providing much needed housing for citizens. I however completely disagree with the thought that tax money should support subsidized rentals. I own property in Banff in which i rent three additional units plus house myself and family. Built in the last ten years the building is a substantial cost to myself and wife. Those costs are passed on to our tenants. These costs include the building itself, and municipal taxes. We charge a fair and reasonable rate. Everyone pays their portion of the mortgage and taxes. To live in Banff it is expensive. Rents are high to pay for where you live.

Council is now asking myself and my tenants who struggle with high prices as is to increase what they pay in rent just so the lucky few get a discount? This is crazy. The lucky few get a break while numerous others, many whom make minimum wage also, must pay more.

Please build the houses. Make available reasonable accommodation for families and others. But charge what it costs to live in those apartments. Housing, taxes, services, utilities, all must be paid equally by all.

Thank you for your consideration on this issue.

yours truly

Kevin Palmer
115 Muskrat St.