

VILLAGE OF LONGVIEW

BYLAW 387 -16

BEING A BYLAW OF THE VILLAGE OF LONGVIEW IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE PAYMENT OF WATER, SEWER, GARBAGE AND STREET LIGHT RATES:

WHEREAS the Council of the Village of Longview deems it necessary to provide for the payment and enforcement of water, sewer, garbage, and street light services (hereinafter referred to as “utilities”):

NOW THEREFORE, pursuant to and under authority of the Municipal Government Act, R.S.A. 2000, Chapter M-26 and amendments thereto, the Council of the Village of Longview, in the Province of Alberta, duly assembled, enacts as follows;

1. **THAT** this bylaw shall be cited as the Utility Billing and Collection Bylaw 2016.
2. **THAT** the following definitions apply to the terms used within this bylaw:
 - a) **“utility” or “utilities”** shall include services provided by the Village of Longview to residents, residences and properties, including but not limited to water services, water connection services, water discontinuances, water service re-connections, sewer services, garbage collection (“garbage”), and street lighting.
 - b) **“Residence”** shall include every habitable residence within the Village of Longview and shall include more than one residence per property where there exists a secondary or second story suite.
 - c) **“Discontinuance of service”** shall mean discontinuance or shut off of water service only, whether temporary or due to non-payment of a utility account.
 - d) **“Suspension”** shall mean a period of less than 12 months during which a property owner or residence is not billed for water and sewer services at the specific request in writing of the owner of the property.
 - e) **“Utility customer”** shall mean any business owner or residential property owner or residential tenant within the corporate limits of the Village of Longview and any property owner outside of the corporate limits who has contracted for water and sewer services from the Village of Longview.
 - f) **“Notice of Intent to Discontinue”** shall mean a notice from the Village of Longview administration to a utility customer of an intent to discontinue provision of water services to the utility customer due to an outstanding utility account balance and may be issued by administration for any outstanding balance of charges or penalties or related charges.
3. **THAT** the rates and charges for utilities and utility services within the Village of Longview shall continue to be determined by resolution of Council from time to time and this bylaw does not affect the utility rates currently in force.
3. **THAT** the registered owner of a property within the Village of Longview shall be responsible for payment of utility bills, including water, sewer, garbage and street lights

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and rental of the property to a third party shall not relieve the owner of such responsibility and liability.

4. **THAT** an occupant of any residence or business who is not the owner of the property shall obtain the written agreement of the registered owner of the property to any request for provision of utility services to the occupant and despite the billing address for the utilities being the address of the tenant the utility account shall remain a liability of the owner of the property. Similarly an occupant requesting a temporary suspension of water service must provide the Village of Longview with written agreement of the registered property owner to such request before it may be considered under paragraph 6 hereinafter.
5. **THAT** second story residential premises and secondary suites shall be billed for garbage and street lighting separately from any garbage and street light billing sent to the main or ground floor premise and the registered owner of the property shall be responsible for payment of such billing applicable to the second story residence or secondary suite.
6. **THAT** administration is authorized at the discretion of the Chief Administrative Officer to suspend billing of water and sewer services from the Village of Longview to utility customers who request in writing a temporary discontinuation of water service for a specified period of time for purpose of vacations or extended absences. Suspensions of billing under this provision shall be no longer than 12 months less a day. All other utility charges shall continue to be due and payable as and when billed. There shall be no charge for re-instituting the billing for water and sewer service at the conclusion of such specified absence period.
7. **THAT** there shall be no charge to a Village of Longview utility customer for a discontinuance of service at the request of the customer when the customer is vacating the premises, provided that the owner of the property shall continue to be charged and responsible for the payment of garbage and street light rates.
8. **THAT** all utility customers shall be billed by administration every two months in each calendar year and such bills shall reflect the utility rates in effect pursuant to the most recent resolution of council of the Village of Longview. Utility bills are payable to the Village of Longview on receipt.
9. **THAT** each utility customer with a utility account or bill remaining unpaid 30 days after date of issue shall be charged a penalty of 10% of the then total outstanding utility balance and such penalty shall be added to their utility account balance. In the event that a customer does not pay their outstanding utility balance through a further billing cycle or cycles, the penalties on subsequent outstanding utility bills shall be calculated at 10% on the total of all outstanding bills and prior penalties.
10. **THAT** an outstanding utility balance for any customer may be transferred to the owner's tax roll and become taxes due and owing, with or without discontinuation of service.

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11. **THAT** prior to transfer of the outstanding balance to the tax roll of a property the owner shall be given a minimum of 10 days' notice in writing of the intent to transfer the utility balance to the owners tax roll.
12. **THAT** administration is authorized to discontinue water service for any utility customer who has an outstanding unpaid utility balance for 30 consecutive days, provided that administration shall notify the utility customer in writing of the intent to discontinue service by mailing a Notice of Intent to Discontinue Service a minimum of 10 days before the date of service shut off or discontinuance.
13. **THAT** after issuance of Notice of Intent to Discontinue Service, in the event that a customer shall pay an overdue account by cheque and that cheque is for any reason dishonoured by the financial institution and returned to the Village, the water service may at the reasonable discretion of administration be discontinued without further notice to the utility customer.
14. **THAT** Council may by resolution set a fee for re-connection of service disconnected for non-payment of account. No service may be reconnected unless the reconnection fee and the outstanding balance of utilities and penalties have been paid in full.
15. **THAT** in the event of the sale of a property, or proposed or pending sale of a property, all outstanding utility charges and penalties fees or related charges shall be added to the tax roll of the property and shall become taxes due and owing.
16. **THAT** this bylaw rescinds bylaw 311-07.

THIS BYLAW comes into full force and effect upon third and final reading.

READ a first time this 17 day of August, 2016 A.D.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

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READ a second time this 17 day of August, 2016 A.D.


MAYOR


CHIEF ADMINISTRATIVE OFFICER

READ a third time this 20 day of September, 2016 A.D.


MAYOR


CHIEF ADMINISTRATIVE OFFICER