

OFFICE CONSOLIDATION

BYLAW NUMBER 33M2005

**BEING A BYLAW OF THE CITY
OF CALGARY RESPECTING
CONNECTIONS TO CITY UTILITY SYSTEMS

(Amended by 64M2008, 66M2011, 14M2012, 63M2014, 44M2016, 46M2017, 55M2018, 72M2021, 32M2022, 45M2023)

WHEREAS The City of Calgary is a Municipal Corporation in the Province of Alberta and the *Municipal Government Act* (R.S.A. 2000, c. M-26) authorizes a municipality to pass a bylaw respecting public utilities and services provided by the municipality;

AND WHEREAS the *Municipal Government Act* authorizes a municipality to set the terms and conditions under which such utility service will be provided;

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

TITLE

1. This Bylaw may be cited as "The Utility Site Servicing Bylaw".

INTERPRETATION AND DEFINITIONS

2. (1) In this Bylaw:

- (a) "City" means the Municipal Corporation of The City of Calgary, or where the context requires means the area contained within the boundaries of the City;
- (a.1) "*Chief Administrative Officer*" means the Chief Administrative Officer of The City of Calgary or the employee of The City of Calgary who has been delegated the authority to exercise the powers, duties, and functions of the Chief Administrative Officer under this Bylaw;
(72M2021, 2022 January 01)
(45M2023, 2023 October 17)
- (a.2) "Community Planning" means the City's Community Planning Business Unit;
(72M2021, 2022 January 01)
- (b) "Director, Community Planning" means the *Chief Administrative Officer*,
(72M2021, 2022 January 01)
(45M2023, 2023 October 17)

- (c) “Owner” means the registered owner in fee simple of real property as designated on the Certificate of Title for the property;
 - (d) “Person” includes a corporation, other legal entities and an individual having charge or control of a Premises;
 - (e) “Premises” includes lands and buildings;
 - (f) “Residential Development Agreement” means the Agreement between a developer and the City wherein the developer agrees to install and construct utilities and other services in a subdivision subject to the approval of The City of Calgary;
 - (g) DELETED BY 72M2021, 2022 JANUARY 01
 - (h) “Utility” and “Utility Service” shall include, as the context may require:
 - (i) the supply of potable water;
 - (ii) the provision of sanitary sewer service;
 - (iii) the stormwater collection system;
 - (i) “Utility Service Connection” for the purpose of this Bylaw shall mean all that portion of the pipes, or things that provide a municipal Utility Service situated between the municipal utility main and the property line of the Premises to which such Utility is supplied;
 - (j) “Utility Site Servicing Installation” for the purpose of this Bylaw shall mean all that portion of the pipes, or things that provide a Utility Service situated within the property line of the Premises to which such Utility is to be supplied but does not include plumbing or service connections in a building;
 - (k) "Utility System" or "Municipal Utility" means the entire infrastructure used by the City for the purpose of providing one or more Utility Service.
- (2) Any headings, sub-headings, or tables of contents in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
 - (3) Every provision of this Bylaw is independent of all other provisions and if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
 - (4) All schedules attached to this Bylaw shall form a part of this Bylaw.

RESPONSIBILITIES OF THE CITY AND THE PROPERTY OWNER

- 3. (1) The City will operate and maintain the City Utility Systems.

- (2) All Utility Systems when approved shall be constructed by municipal forces or indemnified contractors from the Utility Service to the property line.
- (3) All Utility Site Servicing Installations on private property shall be owned by the property Owner and constructed by the Owner's forces at the Owner's expense.
- (4) The City shall maintain Utility Systems to the property line at the expense of the City; from the property line to the building connection such Utility Site Servicing Installations shall be owned and maintained by the property Owner at their own expense.

AUTHORITY OF THE DIRECTOR, COMMUNITY PLANNING

(72M2021, 2022 January 01)

- 4. The Director, Community Planning may:
 - a) delegate any or all of the powers granted to the Director, Community Planning pursuant to this Bylaw;
 - b) establish standards, guidelines and specifications for the design and construction of a Utility Site Servicing Installation;
 - c) establish the form, format and information required for an application to construct a Utility Site Servicing Installation.

(72M2021, 2022 January 01)

APPLICATION FOR CONNECTION

- 5.
 - (1) No person shall construct any Utility Site Servicing Installation or connect any Premises to a City Utility System or any other Utility Site Servicing Installation without first obtaining written permission from the Director, Community Planning.
 - (2) A person desiring to construct a Utility Site Servicing Installation in order to connect their Premises with a City Utility System shall sign and file with the City a written application on a form approved by the Director, Community Planning. The application shall be accompanied by any plans, specifications, or other information deemed necessary by the Director, Community Planning and by the application fees as set out in Schedule "A".
 - (3) The Director, Community Planning will determine the requirements for construction of the Utility Site Servicing Installation and any connections thereto as needed to comply with all applicable Federal, Provincial, and City regulations and standards.
 - (4) Every person connecting to a City Utility System shall construct the Utility Site Servicing Installation and Utility Service Connection according to the requirements as set out by the Director, Community Planning.

- (5) No Utility Site Servicing Installation or servicing connection shall be buried or covered until it has been inspected and approved by the Director, Community Planning or duly authorized employee or agent of the City.
- (6) No Utility Site Servicing Installation or servicing connection shall be connected to a City Utility System until it has been inspected and approved by the Director, Community Planning or duly authorized employee or agent of the City.
- (7) In the event that a Utility Site Servicing Installation is installed or constructed in contravention of any provision of this Bylaw, the Director, Community Planning may:
 - a) order the re-excavation of the Utility Site Servicing Installation for the purpose of inspection and testing and, if necessary, reconstruction of the work; or
 - b) refuse connection to the Utility System.

(72M2021, 2022 January 01)

EXEMPTION

- 6. (1) The provisions of this Bylaw do not apply to initial construction, repair or maintenance on a Utility System, Utility Service Connection or Utility Site Servicing Installation where required or specifically authorized pursuant to a subsisting Residential Development Agreement.
- (2) A Residential Development Agreement is deemed to be subsisting until, but not after, The City of Calgary has accepted the last Final Acceptance Certificate and accepted the development area.

CONSEQUENTIAL AMENDMENTS

- 7. (1) The City of Calgary Building Permit Bylaw 64M94, as amended, is hereby further amended by repealing all of Part B in Schedule "A".
- (2) The City of Calgary Water Utility Bylaw 22M82, as amended, is hereby further amended by repealing section 25(2) and substituting the following therefor:
 - "s. 25(2) Water service connections on private property shall be installed, maintained, repaired and replaced by the owner at the owner's expense, and without limiting the foregoing, as a condition of receiving water from the City water system, the owner shall:
 - (a) install in compliance with the provisions of The City of Calgary Utility Site Servicing Bylaw and amendments thereto; and

- (b) maintain in a state of good repair, with sufficient protection from freezing, free from leakage, or other water loss to the satisfaction of the Director, Waterworks,

any water service connection, pipe line or water system on private property through which the supply of water is conveyed from the City water system which is located at the property line of the street or boundary of an Easement Area granted to the City for its water system, to the water supply outlets or fixtures on the private property.”

- (3) REPEALED BY 14M2012, MARCH 12, 2012.

8. This Bylaw comes into force on 2005 July 01.

READ A FIRST TIME THIS 16th DAY OF MAY, 2005.

READ A SECOND TIME THIS 16th DAY OF MAY, 2005.

READ A THIRD TIME THIS 16th DAY OF MAY, 2005.

(Sgd.) D. Bronconnier
MAYOR

(Sgd.) D. Garner
CITY CLERK

SCHEDULE "A"**SERVICE FEES FOR SERVICES RENDERED
WITH RESPECT TO UTILITY SITE SERVICING**

The fees described in this Schedule are for the years 2023, 2024, 2025 and 2026 and shall apply in the calendar year indicated (from January 1 to December 31, inclusive).

The fees required by this Schedule are not refundable and are charged based on the individual application requirements.

(1) Building Grade Fee

A fee for determining Building Grade, due at time of application.

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Residential (single detached, semi-detached, duplex or triplex)	\$472	\$472	\$472	\$472
Other Residential (fourplex or more), Commercial and Industrial	\$580	\$580	\$580	\$580
Residential Private Garage (Applies only when the Building Grade for a garage is requested by the applicant.)	\$291	\$291	\$291	\$291

(2) Plan Review Fee

A fee for the review and approval of Utility Site Servicing Installation plans due at time of application. Applicable to plans for Commercial, Industrial, or High-Density Residential premises, but excludes single detached, semi-detached, duplex or triplex premises.

	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Initial (includes two (2) reviews)	\$953	\$953	\$953	\$953
Additional Reviews (each)	\$219	\$219	\$219	\$219

Additional Review Fee applies only where an extra review is required as a result of the Applicant's failure to comply with the requirements of a utility site servicing application. This fee applies to each additional review required.

(3) Inspection Fees

Base Fee

A fee for inspections is due at time of application and is applicable to Commercial, Industrial, or High-Density Residential premises but excludes single detached, semi-detached, duplex or triplex premises. A set number of inspections are included in the Base Fee.

Additional Fee

For an additional fee, extra inspections may be added at time of application. The Additional Fee is due at time of application and applies to each additional inspection added to the Base Fee.

Re-inspection Fee

Applicable where the extra inspection service trip is required because of the applicant's failure to ensure compliance with the requirements of a utility site servicing application or because of inadequate or unsafe conditions (including but not limited to the situation where The City is unable to gain access to the premises to be inspected at the time of inspection). This fee applies to each return trip by The City of Calgary service employees or personnel made in addition to the inspections pursuant to the Base Fee and Additional Fee.

Fee Type	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>
Base Fee (3 inspections)	\$947	\$947	\$947	\$947
Base Fee (Bulk discount – 11 inspections)	\$1368	\$1368	\$1368	\$1368
Additional Fee (each inspection added at time of application)	\$116	\$116	\$116	\$116
Re-Inspection Fee	\$230	\$230	\$230	\$230

(64M2008, 2009 January 01)
 (66M2011, 2012 January 01)
 (63M2014, 2015 January 01)
 (44M2016, 2017 January 01)
 (46M2017, 2017 November 30)
 (55M2018, 2019 January 01)
 (32M2022, 2023 January 01)