

THE CITY OF SPRUCE GROVE

BYLAW C-1451-26

MUNICIPAL STORMWATER UTILITY BYLAW

WHEREAS, pursuant to the *Municipal Government Act*, RSA 2000, c M-26, as amended, a council has the power to enact bylaws for the purpose of operating a public utility;

AND WHEREAS, the City of Spruce Grove owns, operates, and regulates a stormwater utility as a public utility for the benefit of its residents;

AND WHEREAS, the City of Spruce Grove is committed to offering Stormwater Utility Services in a manner that does not negatively impact the environment;

AND WHEREAS, it is deemed just and proper to levy rates and charges on all Persons to whom such Stormwater Utility Services are provided and to set forth the terms and conditions under which the services are provided;

NOW THEREFORE, the Council for the City of Spruce Grove, duly assembled, hereby enacts as follows:

1. **BYLAW TITLE**

1.1 This bylaw is called the "Municipal Stormwater Utility Bylaw".

2. **DEFINITIONS**

2.1 "Act" means the *Municipal Government Act*, RSA 2000, c M-26, as amended.

2.2 "Biomedical Waste" means medical waste that requires proper handling and disposal because of environmental, aesthetic, health or safety concerns and includes, but is not limited to:

- (a) human anatomical waste;
- (b) infectious human waste;

- (c) infectious animal waste;
- (d) microbiological waste;
- (e) blood and body fluid waste; and
- (f) medical sharps, such as needles, syringes, blades, or other clinical or laboratory materials capable of causing punctures or cuts.

- 2.3 “City” means the City of Spruce Grove within the Province of Alberta.
- 2.4 “Customer” means a Person who has entered into a service account with the City for the supply of utility services or who is the Owner or Occupant of any Property connected to or provided with a utility.
- 2.5 “Designated Officer” means a bylaw enforcement officer appointed under the Act, or any other Person who is, in the execution of their duties, responsible for the preservation and maintenance of the public peace, and may also include, a Safety Codes Officer, member of the Royal Canadian Mounted Police, and a Peace Officer appointed under the *Peace Officer Act*, SA 2006 c P-3.5, as amended.
- 2.6 “Foundation Drainage” means water collected beneath the surface of the ground by a foundation drain or weeping tile.
- 2.7 “General Medical Waste” means non-hazardous medical waste and includes, but is not limited to, soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubing’s, filters, towels and disposable sheets, but excludes Biomedical Waste.
- 2.8 “Industrial Waste” means the liquid waste that is different in composition than domestic wastewater, from industrial manufacturing processes, trades, or businesses.
- 2.9 “Interceptor” means a receptacle that is installed to prevent oil, grease, sand or other material from entering the City’s Storm Sewer System.
- 2.10 “Municipal Ticket” means a tag or similar document issued by the City pursuant to the Act, for the purposes of notifying a Person that an offence has been committed for which a prosecution may follow.

- 2.11 “Negative Impact” means impairment of or damage to, or the ability to cause impairment to:
- (a) the Storm Sewer System;
 - (b) human health or safety;
 - (c) Property; or
 - (d) the environment.
- 2.12 “Occupant” means a Person occupying, but not owning, a dwelling that receives or is eligible to receive Stormwater Utility Services.
- 2.13 “Owner” means the registered owner of Property in the City.
- 2.14 “Person” means any individual, partnership, firm, corporation, municipality, association, society, political or other group, and the heirs, executors, administrators, or other legal representatives of a Person to whom the context can apply according to law.
- 2.15 “Private Development” means any property, development, utility, stormwater management facility, road, right-of-way, or infrastructure that is not owned, operated, or maintained by the City and has not been formally assumed by the City through a development agreement, acceptance certificate, or other municipal approval process.
- 2.16 “Prohibited Material” means any substance that may directly or indirectly obstruct the flow of Stormwater within the Storm Sewer System or may have a Negative Impact and includes but is not limited to:
- (a) soil, sediment, waste or other solid matter;
 - (b) fecal matter or animal waste;
 - (c) chlorine and chloramines;
 - (d) cooking oils and greases;
 - (e) gasoline, motor oil, transmission fluid, and antifreeze;

- (f) solvents;
- (g) paint;
- (h) hydrovac waste;
- (i) cement, cement slurry or any other concrete wastes;
- (j) sawdust, wood, fiberboard or construction material;
- (k) yard waste;
- (l) pesticides, herbicides, insecticides or fungicides except chemicals contained in Stormwater emanating from trees or vegetation treated in accordance with any Federal or Provincial legislation;
- (m) Biomedical Waste or General Medical Waste;
- (n) Hazardous Waste;
- (o) Industrial Waste;
- (p) soaps or detergents;
- (q) any substance or combination of substances that emits an odour;
- (r) aquatic fauna and flora not authorized by the City, and;
- (s) biological organisms such as but not limited to fish.

2.17 "Property" means a parcel of land including any buildings

2.18 "Storm Sewer" or "Storm Sewer System" means the works provided for the acceptance, collection, transmission, storage, treatment, and disposal of Stormwater, or any one or more of them, as well as any related services, not limited to surface runoff and service connections.

- 2.19 “Stormwater” means surface runoff and uncontaminated water when discharged to the Storm Sewer System from foundation, roof and underground drains, weeping tile, and groundwater.
- 2.20 “Stormwater Management Facility” means any system designed and used to collect stormwater through the use of ditches, culverts, catch basins, manholes, channels, inlets, outfalls, mains, ponds, or depressions created to divert or collect and manage Stormwater quantity and/or quality on public or private Property.
- 2.21 “Stormwater Utility Fee” means the fee charged to Property Owners to manage the Storm Sewer System found in the City Fees and Charges Bylaw
- 2.22 “Stormwater Utility Services” means the provision of Stormwater services including acceptance, collection, transmission, storage, treatment, and disposal of Stormwater.
- 2.23 “Violation Notice” means a notification detailing an offence or contravention of the Act or this bylaw and may be in the form of a Municipal Ticket or Violation Ticket.
- 2.24 “Violation Ticket” means a ticket issued pursuant to Part II or Part III of the *Provincial Offences Procedure Act*, RSA 2000, c P-34, as amended.

3. **STORMWATER UTILITY ADMINISTRATION**

- 3.1 As provided under section 33 of the Act, the City shall be the sole provider of Stormwater Utility Services within the road rights-of-way and City-owned Property within the municipal boundaries of the City of Spruce Grove.
- 3.2 Stormwater Management Facilities located within Private Development areas shall be operated and maintained by the Owner of that infrastructure.
- 3.3 Notwithstanding subsection 3.1, the City may, at its sole discretion, enter into a written agreement for the provision of Stormwater Utility Services by a Person other than the City.

- 3.4 The Stormwater Utility Fee is charged to all Customers in accordance with the Fees and Charges Bylaw, as amended.
- 3.5 Stormwater Utility Fees shall be charged, billed, collected, and enforced in accordance with the Fees and Charges Bylaw, as amended.
- 3.6 Fines and specified penalties appear in Schedule "A" of this bylaw.
- 3.7 A Designated Officer may, upon presentation of proper credentials and identification, enter such Property at any reasonable time to carry out an inspection, enforce any provision of this bylaw, or to perform any other action authorized by this bylaw.
- (a) Inspections may be scheduled or unscheduled due to violations and enforcement; and
 - (b) Owners or Occupants of the Property shall not refuse or interfere with entry, inspection, enforcement, or any other action of the Designated Officer or the City may, pursuant to section 543 of the Act, apply to the Court of King's Bench of Alberta for an order restraining any Person from preventing or interfering with the entry, inspection, enforcement, or action, or requiring the production of anything to assist in the inspection, remedy, enforcement, or action.
- 3.8 The City shall not be liable for any loss, injury, damage, expense, charge, costs, or liability, whether of direct, indirect, special, or consequential nature, arising out of or in any way connected with:
- (a) any failure, defect, fluctuation, reduction, or interruption in the provision of Stormwater Utility Services by the City to its Customers;
 - (b) the interference or cessation of Stormwater Utility Services connected to the repair or maintenance of any Stormwater Management Facility;
 - (c) the break or failure of any portion of any Stormwater Management Facility; and
 - (d) any accident or incident due to the provision of Stormwater Utility Services or operation of the Stormwater Management Facility.

- 3.9 Section 3.7 of this bylaw applies unless such costs or damages are shown to be directly due to the willful act of the City, its employees, or agents in relation to the provision of Stormwater Utility Services to a Customer.
- 3.10 All limitations, protections and exclusions of liability contained in any provincial or federal legislation shall be applicable to and shall benefit the City in respect of any action brought or contemplated in respect of the provision of Stormwater Utility Services.

4. **RELEASES TO STORM SEWER SYSTEM**

- 4.1 No Person shall release or allow or cause to be released any Prohibited Material into the Storm Sewer System except as permitted in subsection 4.2.
- 4.2 The following may be released into the Storm Sewer System, only with the issuance of permits or approval in writing by the City, unless the release could cause a Negative Impact:
- (a) Foundation Drainage;
 - (b) water from a tank, pond, reservoir or other containment device or structure that does not include chlorine, chloramine or chemical agents used for maintenance (sanitizer, algae control and acidic/alkaline balance);
 - (c) water resulting from extinguishing fires and street cleaning;
 - (d) materials used for snow and ice control;
 - (e) street runoff from established residential areas;
 - (f) street runoff from active construction areas, as per approved City erosion control plans; or
 - (g) private residential lot drainage;
- 4.3 Any Person who releases or allows or causes a release into the Storm Sewer System any matter contrary to the provisions of this bylaw shall:

- (a) notify the City and any applicable Provincial or Federal regulatory agency immediately upon becoming aware of the release;
- (b) provide the City with information respecting the release to the satisfaction of the City;
- (c) be liable for all costs incurred by the City for containment, sampling, testing, removal, clean-up, disposal, and any other related activity and environmental damages.

5. **STORM SEWER SYSTEM REGULATIONS**

- 5.1 Stormwater shall not be diverted or used for any purpose without express written permission from the City.
- 5.2 Approval from the City is not required for the use of Stormwater captured by rainwater collection vessels located above ground and intended for outdoor use.
- 5.3 No Person shall wade, swim, boat, fish, skate or carry on other recreational activities on or in a Stormwater Management Facility or allow a dog or other domestic animal to enter a Stormwater Management Facility, except as authorized in writing by the City.
- 5.4 No Person shall release or introduce any fish, amphibian, reptile, aquatic animal, aquatic plant, or any eggs, larvae, or other life stages thereof into a Stormwater Management Facility, except as authorized in writing by the City.
- 5.5 No Person shall construct or obstruct any drain, ditch, culvert, watercourse, or any other feature intended to divert or alter the flow of Stormwater, except as authorized in writing by the City.
- 5.6 Any Person who causes damage to or interferes with the Storm Sewer System shall be guilty of an offence and shall be liable to the City for all costs incurred by the City in making repairs or taking remedial action.

6. **CONNECTIONS**

- 6.1 No Person shall install, alter or remove, or permit installation, alteration or removal of any service connection to the Stormwater Management System without written approval of the City.
- (a) The installation, alteration or removal of a service connection shall be applied for through the City, and inspections will be required.
- 6.2 The installation, alteration or removal of a service connection shall be carried out at the expense of the applicant.
- 6.3 The City may approve the installation, alteration, or removal of a service connection in compliance with terms and conditions as the City considers necessary and the payment in advance of the cost or estimated cost of the installation, alteration, or removal of the service connection.
- 6.4 Where a storm service connection has been provided, it shall be connected to and utilized for the discharge of sump pump flows, rainwater leaders, and other approved Stormwater drainage works, where identified on approved engineering drawings, unless the City has authorized the removal of the service in writing.
- 6.5 Any service connections that are not being utilized shall receive written approval from the City prior to abandonment. The connection shall remain exposed for inspection and verification by the City.
- 6.6 All infrastructure additions built in Private Development areas are required to be inspected and verified by dye testing prior to acceptance by the City.

7. **DISCONNECTIONS**

- 7.1 The City may, in addition to any other remedy available, disconnect or seal off a Property from the Storm Sewer System or take such other action as is necessary to prevent a spill or discharge of Stormwater from entering the Storm Sewer System where the spill or discharge:
- (a) contains a Prohibited Material;
- (b) creates an immediate danger to any Person;

- (c) interferes with or endangers the operation of the Storm Sewer System; or
 - (d) may otherwise cause or result in a Negative Impact.
- 7.2 Where the City has taken action pursuant to section 7.1, such action may be maintained or continued until evidence satisfactory to the City has been produced to assure that no further harmful discharge will be made.
- 7.3 Where the City has taken action pursuant to section 7.1, the City may, by written notice, advise the Owner or Occupant of the Property from which the discharge was emanating of the cost of taking action, and the Owner or Occupant shall reimburse the City for all costs incurred.
- 7.4 No Person shall reuse a service connection that has been abandoned, discontinued, altered, or removed without first obtaining the written consent of the City.
- 7.5 Where a service connection is abandoned or discontinued, the Owner of the Property which was serviced by such service connection shall immediately notify the City in writing.

8. **PROPER USE OF STORM SEWER SYSTEM**

- 8.1 The Owner of a Property assumes full responsibility for the proper use of the service connection and Storm Sewer System provided by the City.
- 8.2 The Owner of a Property shall maintain the condition and safety of any Stormwater Management Facility on the Owner's Private Development Property, or on the Property the Owner controls but does not own.
- 8.3 The Owner of a Property shall be liable for any loss, damage, expense, charge, cost, or other liability, whether to the City, its agents or employees, City Property or otherwise, arising directly or indirectly by reason of:
- (a) the Owner's improper or negligent use of the Storm Sewer System;
or

- (b) the negligent acts or omissions or willful acts or omissions of the Owner or any Person permitted on the Owner's Property.

9. **INTERCEPTORS**

- 9.1 Any Owner of a Property on which the City has directed that an Interceptor be installed, or a practice be implemented in order to control or improve water quality or infiltration, shall:
 - (a) ensure the Interceptor operates efficiently and effectively at all times; and
 - (b) keep ongoing maintenance records for a minimum of two years and provide such maintenance records to the City upon request.
- 9.2 All Interceptors shall be in compliance with the most current requirements of the applicable Building Code and the National Plumbing Code, as amended.
- 9.3 No Person shall release any Prohibited Material from an Interceptor or implementation of a practice, into the Storm Sewer System.
- 9.4 Any Owner not correctly operating and maintaining the Interceptor that is shown to affect any part of the Storm Sewer System shall be solely responsible for costs of clearing the impacted area, as it may extend into the main Stormwater collection system.

10. **MANAGEMENT AND MAINTENANCE OF OPEN SPACE INFRASTRUCTURE**

- 10.1 The maintenance of all Stormwater Management Facilities, associated lands, natural areas, and all other City-owned property shall be performed exclusively by the City or a contractor authorized by the City, except where maintenance responsibility is expressly assigned to another party under the Community Standards Bylaw or another enactment of the City.
- 10.2 Adjacent Property Owners or members of the public shall not mow, cut, trim, remove vegetation, alter grading, deposit material, or otherwise

perform maintenance, landscaping, or modifications on City-owned Stormwater Management Facility lands, natural areas, or other City-owned property unless expressly authorized by the City.

11. **PROHIBITIONS**

- 11.1 No Person shall place materials in such a manner to cause material to enter the Storm Sewer System during storm runoff events.

12. **OFFENCES AND PENALTIES**

- 12.1 Any Person who contravenes any provision of this bylaw is guilty of an offence and is liable upon summary conviction to a specified penalty for that offence as set out in Schedule "A" of this bylaw.
- 12.2 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges or costs from which said person is liable in accordance with this Bylaw or pursuant to the Act.
- 12.3 Where a contravention of this Bylaw is of a continuing nature, each day such contravention continues shall constitute a new and separate offence, and a violation tag or violation ticket may be issued for each day such offence continues.
- 12.4 Any Person who is guilty of an offence is liable to a fine in an amount not less than that established in in Schedule "A", and not exceeding \$10,000 or to an order of imprisonment for not more than one (1) year, or both.

13. **ENFORCEMENT**

- 13.1 A Designated Officer who inspects any Property under this bylaw, or any Person who takes any actions or performs any work on behalf of the City pursuant to this bylaw, is not liable for any damages caused by the inspection, the work, or the actions.
- 13.2 Each Designated Officer is hereby authorized to enforce this bylaw.

- 13.3 A Designated Officer is hereby empowered to issue a Violation Notice to any Person who is believed on reasonable and probable grounds to have contravened any provision of this bylaw.
- 13.4 A Municipal Ticket shall be deemed to have been sufficiently served if:
- (a) served personally upon the accused;
 - (b) mailed to the last known address of the accused; or
 - (c) attached or left upon the Property in respect of which the offence is alleged to have been committed.
- 13.5 A Municipal Ticket shall be in a form approved by the City, and shall state:
- (a) the name of the Person;
 - (b) the offence;
 - (c) the specified penalty for the offence as set out in Schedule "A" to this bylaw;
 - (d) the due date at which time the penalty is required to be paid; and
 - (e) any other information as may be required by the City.
- 13.6 Where a Municipal Ticket has been issued to a Person pursuant to this bylaw, the Person to whom the ticket has been issued may, in lieu of prosecution of the offence, pay the City the specified penalty set out on the Municipal Ticket by the due date listed on the Municipal Ticket.
- 13.7 In those cases where a Municipal Ticket has been issued, and the penalty specified on the Municipal Ticket has not been paid within the prescribed time, a Designated Officer is authorized and empowered to issue a Violation Ticket pursuant to Part II or Part III of the *Provincial Offences Procedures Act*, RSA 2000, c. P-34, as amended.

14. **SEVERABILITY**

- 14.1 Every provision of this bylaw is independent of all other provisions and if any provision is declared invalid by a Court, then the invalid provisions

shall be severed and the remainder provisions shall remain valid and enforceable.

15. **EFFECTIVE DATE**

15.1 This bylaw shall come into force and effect when it receives third reading and is duly signed.

15.2 Where conflict exists, this bylaw supersedes C-866-14 - Municipal Utility Service Bylaw and C-1107-20 - Municipal Utility Service Bylaw Amendment.

First Reading Carried	17 August 2026
Second Reading Carried	17 August 2026
Third Reading Carried	8 September 2026
Date Signed	8 September 2026

Mayor

City Clerk

SCHEDULE "A" – FINES

OFFENCE	SECTION	FINE
Release of Prohibited Material into Storm Sewer System	4.2	\$1000.00
Divert/use stormwater without authorization	5.1	\$250.00
Wade, swim, boat, fish, skate or carry on other recreational activities on or in a Stormwater Management Facility or allow dog/domestic animal to enter Stormwater Management facility without approval by the City.	5.3	\$150.00
Release biological organisms into Storm Sewer System or Storm Pond.	5.4	\$10,000.00
Construct/Obstruct any drain, ditch, culvert, or watercourse without authorization	5.5	\$500.00
Cause damage to Storm Sewer System.	5.6	\$500.00
Install, alter, remove, reuse, fail to connect to, or fail to utilize a required service connection without approval by the City, or contrary to approved engineering drawings.	6.1	\$1000.00
Failure to connect to a provided storm service without approval by the City.	6.4	\$1000.00
Reuse a service connection that has been abandoned, discontinued, altered, or removed without authorization	7.4	\$1000.00
Failure to notify the City of service connection abandonment	7.5	\$250.00
Improper maintenance or use of Private Development Storm Sewer System / Stormwater Management Facility.	8.2	\$5,000.00
Mow, cut, trim, remove vegetation, alter grading, deposit material, or otherwise perform maintenance, landscaping, or modifications to City-owned Stormwater Maintenance Facility	10.2	\$500.00