

**TOWN OF MAGRATH**  
**Bylaw No. 1207**  
**(Irrigation Use and Rates)**

A BYLAW OF THE TOWN OF MAGRATH IN THE PROVINCE OF ALBERTA TO REPEAL BYLAW # 1005 BEING THE BYLAW REGULATING IRRIGATION WATER USE AND RATES FOR THE TOWN OF MAGRATH.

**WHEREAS** Parts 2 and 3 of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, authorize Council to establish regulations and rates for irrigation water use.

**NOW THEREFORE** the Council of the Town of Magrath, in the Province of Alberta, enacts as follows:

1. This bylaw may be cited as the Irrigation Service bylaw of the Town of Magrath.
2. In this bylaw unless the context otherwise requires:
  - a. "Council" means the Municipal Council of the Town of Magrath.
  - b. "Operations Manager" means the Operations Manager, or his/her designate of the Town of Magrath.
  - c. "Administrator" means the Municipal Administrator of the Town of Magrath.
  - d. "System" means the system of irrigation owned and operated by the Town of Magrath.
3. The Operations Manager shall, within the policies as set by Council, be responsible for the pipelines and works required for the supply of irrigation water to the Town and its residents.
4. Charges for irrigation water shall be made in accordance with the applicable fees and rates as are established by Council from time to time. The fees and rates are subject to change by Council without notice. Irrigation fees are comprised of a per acre charge per property with a minimum rate charge to cover maintenance, operation, and improvements to the irrigation system and are only charged to those properties that have the adjacent service, whether it is utilized or not.
5. The Town is not liable for damages:
  - a. caused by the breaking of any irrigation water service main, pipe or attachment,
  - b. caused by the interference with supply of any irrigation water service necessary in connection with the repair or proper maintenance of the System,
  - c. generally due to the operation of the System unless such accident is shown to be directly due to the negligence of the Town or its employees.
6. No person or persons except the Operations Manager and Town employees acting with the permission of the Operations Manager shall open, close or interfere with any components of the System.

7. No person except a person authorized by the Operations Manager shall tap or make any connections with the public irrigation mains.
8. Irrigation by means of flooding, open pipes or hoses off any part of this system or lines connected thereto is strictly prohibited. Filling of dugouts and ponds by such methods is also prohibited.
9. The Operations Manager may have the irrigation water shut off to any premises of any owner or occupier infringing any of the rules and regulations or amendments thereto made by the Town and in cases where the water has been shut off for allowing waste or leaks or defects in pipes, he shall refuse to turn it on again until he has received satisfactory evidence that the necessary repairs have been properly made.
10. The Town of Magrath does not guarantee pressures nor continuous supply of water, and reserves the right at any and all times, without notice, to change operating water pressures, to shut off water, or otherwise interrupt water service for the purposes of making repairs, extensions, alterations, or improvements or for any other reason. The Town shall not incur any liability of any kind whatever by reason of the cessation in whole, or in part of, or increase of water pressure, or water supply.
11. Any person committing a breach of any of the provisions of this bylaw shall be guilty of an offense:
  - a. First offense – warning letter
  - b. Second offense - \$500.00 fine
  - c. Third offense – one year suspension of irrigation rights **plus** continuance of payment for the normal annual irrigation fees as set from time to time. Non-payment of the fees will result in the fees being transferred to the tax roll of the property.
12. This bylaw repeals bylaw #1005 of the Town of Magrath and shall come into force on the day of the final passing thereof.

First Reading this 14<sup>th</sup> day of June, 2016 AD.

Second Reading this 14<sup>th</sup> day of June, 2016 AD.

Third Reading this 14<sup>th</sup> day of June, 2016 AD.

  
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Mayor – Russ Barnett

  
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CAO – Wade Alston