Taza Development Water, Wastewater, Stormwater Law

LAW

Under the guidance of Our Creator, and as a sovereign Nation; We, the Diná-tii of Tsúūt'ínà Nation, in the preservation and continuation of the Tsúut'ínà Diná-tii yina unique identity, customs, traditions, Gūnáhà and entities, and with respect to the special relationship to the Natural Law and resources of the land, in a continued relationship with all First Nations; Do ordain and establish this law in accordance with our inherent right to governance.

Naatò, Nìsk'aʔágùlàgà, nidinaàchòwí, diyí nànaánísʔiní k'àsónà diyí dátłʼìshí nànìsaàtłʼúní niihá nìhináʔò-hà tłaat'a Tsúut'ínà wúsà dinálò-kù, Naatò, Nìsk'aágùlàgí nahoghàyìníʔóná át'a: nihinìnishà, nihiyisnoʔí, mìsíla dàyaàноʔí, nihigunáhà ìsíla nìhinánaàʔò-hí, nìsk'a ùwa mits'i-hí. Tłaat'a diná-tii ìsíla nájùnáá ádànaàziní, diyí dátłʼìshí dik'asiloó niihá nìhináʔò-hà guásaàlá.

A Document to Ratify the L.WW.2611
Within the Tsuut'ina First Nation Lands

Enacted on November 4, 2026 in Tsuut'ina Nation
Coming into Force: November 4, 2026

Preamble

WHEREAS the Tsuut’ina Nation Head Chief and Minor Chiefs desire to make a Law governing the *Taza Development Water, Wastewater, Stormwater* on the Tsuut'ina Nation Reserve;

AND WHEREAS it is recognized that the inherent right of governance includes the right to govern in relation to matters that are internal to the community, and integral to the unique culture, identity, traditions, languages and institutions of the Tsuut'ina Nation;

AND WHEREAS it is considered to be necessary for the benefit, security and preservation of the Tsuut'ina Nation and culture;

AND WHEREAS Head Chief and Minor Chiefs have the authority to enact this Law pursuant to the *Legislative Process Act*;

NOW THEREFORE: Head Chief and Minor Chiefs hereby enact this Law pursuant to the Tsuut’ina *Legislative Process Act*.

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Interpretation and Administration

Name

1. This Law may be cited as the Taza Development Water, Wastewater, Stormwater Law.

Purpose

2. The purpose of this Law includes the following:

   (a) To protect water from pollution, degradation, waste or any other threat in order to preserve this important resource for current and future generations. As stewards of the Land the Tsuut'ina Nation has always taken the responsibility for providing quality water as part of the culture and way or life,

   (b) To protect the Systems and their processes from damage, obstruction, toxic upset or loss of efficiency,

   (c) To protect Tsuut'ina Nation employees and the public from exposure to Hazardous Substances and hazardous conditions,

   (d) To control the flow and composition of releases of Wastewater and substances to the Wastewater System,

   (e) To provide for a system of permits or other permissions that facilitate the imposing of conditions on the requirements for each System.

3. This Law shall be used in conjunction with the policies and procedures as adopted and amended by Tsuut'ina Nation Head Chief and Minor Chiefs from time to time.

Applicability

4. This Law applies to all designated residential and mixed use/commercial lands and buildings within the boundaries of the Lands. Every provision of this Law that prohibits a Sub-Lessee from doing anything also prohibits every other Person, including any occupant, employee, or contractor on the Lands, from doing that thing, and every reference to a Sub-Lessee under Offences and Penalties includes any such Person.

Interpretation

5. Where a word used in this Law is capitalized, the term is being used as it is defined in Section 13, and where any word appears in regular font, its common meaning in the English language is intended.

6. A word or expression and grammatical forms of the same word or expression have corresponding meanings.

7. Headings or sub-headings are inserted for ease of reference and guidance purposes only and do not form part of this Law.

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8. Where this Law cites or refers to any other Act, law, agency, organization, regulation or publication, the citation reference is to the Act, law, agency, organization, regulation or publication as amended, whether amended before or after the commencement of this Law, and includes reference to any Act, law, agency, organization, regulation or publication that may be substituted in its place.

9. Each provision of this Law is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Law remain valid and enforceable.

10. The preambles and headings provided for sections, paragraphs and sub-sections in this Law are for convenience and reference only; they do not form part of this Law and will not be used in the interpretation of this Law.

11. All schedules attached to this Law form part of this Law. All references in this Law to schedules and to the provisions contained therein are references to the same as established from time to time by Head Chief and Minor Chiefs, unless directed otherwise.

Metric Measurement

12. All regulation related measurements shall be made in metric.

Definitions

13. In this Law, the following terms have the following meaning:

(a) **"Accredited Laboratory"** means a laboratory accredited by the Canadian Association for Laboratory Accreditation Inc., the Standards Council of Canada, or an accrediting body that is a signatory to the Internation Laboratory Accreditation Cooperation Mutual Recognition Agreement, using the criteria and procedures outlined in "ISO/IEC/EN 17025: General Requirements for Competence of Calibration and Testing Laboratories" established by the International Organization for Standardization".

(b) **"Act"** means a formal written law enacted by a legislative body.

(c) **"Adverse Effect"** means impairment of, or damage to, any one or more of the following:

i. Human health or safety,

ii. Property,

iii. The environment, and

iv. The Systems, as defined below.

(d) **"Apartment Building"** means a single building comprised of five or more dwelling units with shared entrance facilities.

(e) **"Appointed Authority"** means: (i) a designated department or division of the Tsuut'ina Nation; or (ii) an entity which has, in accordance with a Band Council Resolution, entered into a servicing agreement or other contractual agreement with the Tsuut'ina Nation, in either case in which such Appointed Authority has been appointed to provide

licensing, permitting, administration and other applicable services on behalf of the Tsuut'ina Nation and within the Lands,

(f) **"Backflow"** means the flowing back or reversal of the normal direction of flow in either the Water System or a Sub-Lessee's Plumbing System,

(g) **"Band Council Resolution"** means a resolution of the Head Chief and Minor Chiefs,

(h) **"Biological Substance"** means a Substance from hospitals, medical clinics, medical laboratories, dental laboratories, dental clinics, health care facilities, necropsy facilities, research laboratories, biological research facilities, or from other similar facilities, which cannot be treated to acceptable levels by the Wastewater treatment process, and which may contain either a pathogenic Substance or an experimental Biological Substance.

(i) **"Biosolid"** means a solid or semi-solid Substance produced from Wastewater treatment processes that may be beneficially recycled.

(j) **"BOD" or "Biochemical Oxygen Demand"** means the quantity of oxygen utilized in the oxidation of matter under standard laboratory conditions for 5 days at 20 degrees Celsius.

(k) **"BTEX"** means the total of benzene, toluene, ethyl benzene, and xylenes.

(l) **"CAN/CSA B481"** refers to the 2012 edition of the Canadian Standards Association publication titled "Grease Interceptors" as amended from time to time.

(m) **"Clear Water Waste"** means water origination from sources other than Wastewater streams and includes the following:

i. Roof Drainage and Foundation Drainage,

ii. Remediated Groundwater,

iii. Impounded Storm Drainage or Impounded Groundwater,

iv. Non-contact cooling water,

v. A release as directed by Tsuut'ina Nation.

(n) **"COD" or "Chemical Oxygen Demand"** means the quantity of oxygen utilized in the chemical oxidation of matter.

(o) "**Combined Water Service**" means a water service which supplies water for both domestic use and for a fire protection system in the same premises;

(p) **"Common Wastewater Service"** means a Wastewater Service provided to two (2) or more Premises by means of a single Connection.

(q) **"Court of Competent Jurisdiction"** means a court that is legally empowered to adjudicate the subject matter and the parties involved.

(r) **"Cross Connection"** means any temporary, permanent or potential water connection that allows or may allow Backflow to occur.

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(s) **“Cross Connection Control Device”** means a mechanical device designed to prevent the backflow of water into the Water System.

(t) **“Domestic Wastewater”** means Wastewater generated from Premises as a result of human living processes, including cooking, cleaning, washing, drinking or other domestic activities.

(u) **“Effluent Meter”** means a device that measures the volume of Wastewater released in the Wastewater System.

(v) **“Emergency”** includes a situation in which there is imminent danger to public safety or of serious harm to property.

(w) **“Environmental Protection and Enhancement Act”** means the Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12 and all regulations as amended from time to time.

(x) **“Extra Strength Wastewater”** means Wastewater that contains one or more of the substances described in Column 1 in Schedule ‘C’ in excess of the concentration limits set for those substances in Column 2 of Schedule ‘C’.

(y) **“Flammable Liquid”** means a Substance that is a liquid, or a mixture of liquids, or a liquid containing solids that has a flash point of not more than 61 degrees Celsius as determined by the American Society for Testing Materials (ASTM) method D93-08.

(z) **“FOG” or “Fats, Oils, and Grease”** means organic matter extracted by n-hexane using the partition gravimetric procedure.

(aa) **“Foundation Drainage”** means water collected beneath the surface of the ground by a foundation drain or weeping tile.

(bb) **“Grab Sample”** means a single sample of Wastewater, Clear Water Waste or Groundwater collected at a specific time and at a specific location.

(cc) **“Groundwater”** means all water under the surface of the ground.

(dd) **“Hazardous Substance”** means a substance that is either a hazardous substance or a hazardous waste, or has the properties of hazardous waste as described in the Environmental Protection and Enhancement Act, R.S.A. 2000, c. E-12 as amended from time to time,

(ee) **“Head Chief and Minor Chiefs”** means the duly elected governing body for the Tsuut’ina Nation,

(ff) “**Hydrant Connection Unit**” means the locked box supplied by the Tsuut’ina Nation to a hydrant user which is used to withdraw water from a fire hydrant and which contains a Water Meter, valves, pipes and fittings, and which may or may not contain a Cross Connection Control Device for the prevention of Backflow,

(gg) **“Hydrocarbons”** means non-polar organic matter extracted by n-hexane using the partition gravimetric procedure.

(hh) **"Impounded"** means either Storm Drainage or Groundwater that has been collected and retained in a controlled manner in detention basins, reservoirs, or other stormwater management facilities.

(ii) **"Interceptor"** means a type of Pre-Treatment System.

(jj) **"ISO 11143"** means the standard ISO/FDIS 11143: (2008) for "Dental equipment-Amalgam separators" established by the International Organization for Standardization.

(kk) **"Lands"** means the Tsuut'ina Nation lands, including surface water and air space, which are legally described as follows:

i. Lot 37, CLSR Plan 103721,

ii. Lot 38, CLSR Plan 103678,

iii. Lot 39, CLSR Plan 103679,

iv. Lot 40, CLSR Plan 103718,

v. Lot 41, CLSR Plan 103718,

vi. Lot 65, CLSR Plan 107404, and

vii. Lot 66, CLSR Plan 107404.

(ll) **"Law"** means this Taza Development Water, Wastewater, Stormwater Law, described in Section 1, as amended from time to time.

(mm) **"Master Control Valve"** means a primary valve that regulates the flow of water into the Water System.

(nn) **"Monitoring Access Point"** means an access point in or on a Premises that allows for the observation, sampling and flow measurement of Wastewater entering the Wastewater System and includes a Test Manhole.

(oo) **"Multi-Family Residential Metered Premises"** means a Premises or Apartment Building used for residential purposes containing five or more dwelling units that are not individually metered.

(pp) **"National Plumbing Code of Canada"** means the current edition of the National Plumbing Code of Canada published by the Canadian Commission on Building and Fire Codes.

(qq) **"Negative Drainage"** means, on a Parcel with a single detached, semi-detached or duplex dwelling, the continuous downward slope from the property line to the elevation of finished ground surface at any point immediately adjacent to the building on all sides of the Parcel.

(rr) **"Non-Contact Cooling Water"** means water used in a process for the purpose of removing heat and has not, by design, come into contact with any additional Substance.

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(ss) **"Nuclear Safety and Control Act"** means the *Nuclear Safety and Control Act*, S.C. 1997, c-9; and all regulations adopted under the Nuclear Safety and Control Act as amended from time to time.

(tt) **"Officer"** includes a member of Tsuut'ina Nation Police Service.

(uu) **"Partnership"** means the Tsuut'ina Land Development Limited Partnership or its General Partner, Tsuut'ina Land Development GP Inc. (or their successors and assigns),

(vv) **"PCB"** or **"Polychlorinated Biphenyl"** means any of the following:

i. Monochlorinated biphenyl,

ii. Polychlorinated biphenyl,

iii. Any mixture that contains either i or ii,

iv. Any mixture that contains both i and ii of this definition,

(ww) **"Peace Officer"** means a member of the Tsuut'ina Nation Police Service, a Community Peace Officer or Bylaw Enforcement Officer appointed by the Tsuut'ina Nation, or any compliance officer, inspector, or authorized individual designated in writing by the Appointed Authority or by resolution of the Head Chief and Minor Chiefs to enforce this Law,

(xx) **"Person"** means an individual or a body corporate and includes a partnership, a group of persons acting in concert or an association unless the context explicitly or by necessary implication otherwise requires,

(yy) **"Pesticide"** means a pesticide as defined and regulated in the *Environmental Protection and Enhancement Act*, R.S.S. 2000, c. E-12, as may be amended from time to time.

(zz) **"Pharmaceutical"** means prescription and non-prescription drugs.

(aaa) **"Potable Water"** means water that is safe to drink or use for food preparation.

(bbb) **"Premises"** means any one or more of the following:

i. Sub-Leased Lands;

ii. a building or a structure within Sub-Leased Lands;

iii. both i and ii of this definition;

iv. part of i or ii of this definition;

(ccc) **"Premises-Isolating Cross Connection Control Device"** means a Cross Connection Control Device installed at the point where Water Service enters a Premises.

(ddd) **"Pre-Treatment System"** means a treatment system or device that is designed to remove Substances or contaminants from Wastewater produced on site before that Wastewater passes into the Wastewater System, and includes Interceptors, separators and Sumps.

(eee) **"Private Wastewater System"** means a privately-owned system for the collection, treatment and disposal of Wastewater, and may include a septic tank with an absorption field or other approved means of disposal.

(fff) **"Prohibited Material"** means any Substance that may, directly or indirectly, obstruct the flow of water within the Stormwater System or may have an Adverse Effect and includes, but is not limited to: soil, sediment, waste or other solid matter; fecal matter, animal waste, dead animals or animal parts; cooking oils and greases; gasoline, motor oil, transmission fluid, and antifreeze; solvents; paint; cement or concrete wastes; sawdust, wood, fibreboard or construction material; yard waste; pesticides, herbicides or fertilizers; biomedical waste or general medical waste; hazardous substances; industrial waste; soaps, detergents or other chemical products; water from hot tubs; any substance or combination of substances that emits an odour; fish and other aquatic fauna and flora not authorized by the Appointed Authority; industrial plastics including plastic pellets, flakes or powder; and general refuse and domestic litter.

(ggg) **"Prohibited Substance"** means any of the Substances described in Schedule 'A' of this Law.

(hhh) **"Public Realm"** means the public right-of-way areas and zones owned and operated by Tsuut'ina Nation within the Lands.

(iii) **"Qualified Professional"** means a professional who is qualified to determine the truthfulness, accuracy and completeness of information relation to a specific subject matter because the professional possesses either one, or both, of the following:

i. A recognized degree, certificate, or professional standing in respect of the subject matter,

ii. Extensive knowledge, training, and experience in respect of the subject matter.

(jjj) **"Radioactive Material"** means a nuclear substance as defined in the Nuclear Safety and Control Act as amended from time to time.

(kkk) **"Release"** means:

i. To directly or indirectly conduct a Substance to the Wastewater System or a watercourse by spilling, discharging, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, emptying, or by any other means, or

ii. A spill, discharge, disposal, abandonment, deposit, leak, seep

(lll) **"Remediated Groundwater"** means Groundwater that has undergone treatment or corrective actions to remove Hazardous Substances or other contaminants, restoring its quality to meet applicable environmental or health standards,

(mmm) **"Residential Metered"** means a Premises or Apartment Building used for residential purposes containing one or more dwelling units that are individually metered or less than five dwelling units regardless of how each dwelling unit is metered, but does not include an apartment building.

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(nnn) **"Restricted Substance"** means a Substance described in Column 1 of Schedule 'B' of this Law.

(ooo) **"Roof Drainage"** means water runoff from the roof of a Premises by way of a drainage system.

(ppp) **"Separator"** means a type of Pre-Treatment System.

(qqq) **"Safety Codes Act"** means the *Alberta Safety Codes Act*, c. S-1 R.S.A. 2000 and all regulations adopted under the *Alberta Safety Codes Act* as amended from time to time.

(rrr) **"Septage"** means Wastewater removed from a cesspool, septic tank system, privy vault or privy pit, chemical toilet, portable toilet, or other Wastewater holding structure.

(sss) **"Storm Drainage"** means runoff that is the result of rainfall or other natural precipitation or runoff that results from the melting of snow or ice.

(ttt) **"Stormwater Service"** means the collecting, storing, treating, transporting or disposing of Storm Drainage by way of the Stormwater System.

(uuu) **"Stormwater System"** means the system for collecting, storing, treating, transporting or disposing of Storm Drainage.

(vvv) **"Stormwater System Connection"** means a pipe or conduit installed between a Premises and the Stormwater System for the purpose of draining Stormwater from the Premises.

(www) **"Sub-Lease"** means any sublease, sub-sublease, or other lease of any portion of the Lands granted by the head lessee of the Lands or by any of its sublessees.

(xxx) **"Sub-Leased Lands"** means those portions of the Lands that are the subject of a Sub-Lease,

(yyy) **"Sub-Lessee"** means the registered holder of a Sub-Lease whose Sub-Leased Lands are connected to the Systems and who has applied for an account or is otherwise responsible for paying such account for Water Service, Wastewater Service and Stormwater Service.

(zzz) **"Sub-Lessee's Plumbing System"** means the network of network of pipes, fixtures, valves, and other components designed to distribute water, remove wastewater, and provide heating or cooling through fluid circulation through Sub-Leased Lands.

(aaaa) **"Substance"** means any one or more of the following:

i. Any solid matter,

ii. Any liquid matter,

iii. Any gaseous matter,

iv. Any sound, vibration, heat, radiation or other form of energy,

v. Any combination of i, ii or iii of this definition.

(bbbb) **"Sump"** means a device that traps large, heavy solids from the Wastewater before the Wastewater is released into the Wastewater System or Stormwater System.

(cccc) **"Surface Drainage Facility"** means any facility or facilities associated with drainage or control of Stormwater and includes, but is not limited to: rain gardens, bioretention areas, vegetated or concrete swales, concrete curbs and gutters, drainage control fences or structures, ponds, wetlands, and general sloping and contouring of the land to facilitate or control stormwater.

(dddd) **"Systems"** means, collectively, the Water System, Wastewater System and Stormwater System and **"System"** means any one of them.

(eeee) **"Taza Development"** means the 1,200 acre mixed-use development located or to be located on the Lands,

(ffff) **"Taza Development Guidelines"** means the *Taza Development Guidelines, 2018*, as may be amended from time to time, which outline the laws, policies, and regulations for land use, zoning, building standards, and business licensing within the Taza Development,

(gggg) **"Test Manhole"** means a type of Monitoring Access Point.

(hhhh) **"TKN" or "Total Kjeldahl Nitrogen"** means organically bound nitrogen plus ammonia nitrogen.

(iiii) **"TN" or "Total Nitrogen"** means TKN plus nitrates and nitrites.

(jjjj) **"TP" or "Total Phosphorus"** measures all forms of phosphorus, including orthophosphate, condensed phosphate, and organic phosphate.

(kkkk) **"TSS" or "Total Suspended Solids"** means an insoluble Substance in liquid that is removable by filtration.

(llll) **"Tsuut'ina Nation"** means the sovereign Nation previously referred to as the "Sarcee" Nation.

(mmmm) **"Wastewater"** means the composite of water and water-carried substances released from Premises or from any other source.

(nnnn) **"Wastewater Charge"** means a charge levied pursuant to the provisions of this Law and Schedule 'E'.

(oooo) **"Wastewater Connection"** means a pipe or conduit installed between a Premises and the Wastewater System for the purpose of draining Wastewater from the Premises.

(pppp) **"Wastewater Information Report"** means a report containing information for the purpose of evaluating Wastewater released.

(qqqq) **"Wastewater Service"** means the collection, transmission, treatment and disposal of Wastewater by way of the Wastewater System.

(rrrr) **"Wastewater Surcharge"** means an additional charge levied pursuant to the provisions of this Law and Schedule 'F'.

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(ssss) **“Wastewater System”** means the system for collection, transmission, treatment and disposal of Wastewater on the Lands.

(tttt) **“Wastewater Treatment Facility”** means a facility that stores, treats, and releases of Wastewater, but which is not part of the Wastewater System.

(uuuu) **“Water Main”** means the primary underground pipes in the Tsuut’ina Nation’s Water System.

(vvvv) **“Water Meter”** means any device approved by Tsuut'ina Nation which to measure the quantity of water used by a Sub-Lessee, and which may or may not incorporate a remote-reading device.

(wwww) **“Water Residue”** means all substances removed from Wastewater by a Pre-treatment system.

(xxxx) “**Water Service**” means the provision of water by way of the Water System,

(yyyy) “**Water Service Connection**” means the connection of the Water System from a lot line to a Sub-Lessee’s Sub-Leased Lands by way of the Sub-Lessee’s Plumbing System.

(zzzz) “**Water Supply**” means the provision and distribution of the Water System.

(aaaaa) **“Water System”** means the system that delivers Potable Water on the Lands.

Compliance with Other Agreements

14. All schedules, forms, tables and diagrams attached to this Law shall form part of this Law.

15. Any contract and agreement between Tsuut'ina Nation and a Sub-Lessee with respect to the Water Service, Wastewater Service and Stormwater Service shall be subject to this Law. In the event of any conflicts or inconsistencies between such contracts or agreements and this Law, the provisions of this Law shall govern. Where the Systems connect to City of Calgary infrastructure, effluent releases must comply with the more stringent of the standards set out in this Law or the relevant City of Calgary Bylaws.

Water

Continuation of the Water System

16. Tsuut'ina Nation, whether directly or through its Appointed Authority, having constructed, operated and maintained a water system as a Public Realm utility shall supply water, subject to available supply, system capacity, and the terms of this Law, to any resident or industry or other Sub-Lessee, within the Taza Development, situated along any Water Main:

    (a) Where a service currently exists, and

    (b) Upon a written request by the Sub-Lessee in charge of a residence, industry or building.

Responsibilities of Tsuut'ina Nation and Taza Development Sub-Lessee

17. Subject to available supply, system capacity, and the provisions of this Law, Tsuut'ina Nation shall supply water to a Sub-Lessee's Plumbing System at the property line of the parcel of land to be serviced, adjacent to a street or lane, or at the boundary of an easement for the Water System.

18. Where a Water Service is continued or initiated pursuant to this Law, the Sub-Lessee shall be responsible for:

    (a) Providing, maintaining, and repairing, at the Sub-Lessee's sole expense, the Water Service Connection from the property line or boundary of an easement for the Water System to the Sub-Lessee Plumbing System;

    (b) Ensuring that the Water Service Connection is in compliance with the provisions of this Law;

    (c) Ensuring that the Water Service Connection and the remainder of the Sub-Lessee's Plumbing System comply with the *Safety Codes Act* (R.S.A. 2000, c. S-1) and any regulations passed pursuant to that Act, as amended from time to time;

    (d) Ensuring that any permits, inspections or approvals required pursuant to the *Safety Codes Act* (R.S.A. 2000, c. S-1), regulations passed pursuant to that Act, any Law or any other applicable legislation as amended from time to time, have been conducted or obtained and are valid and subsisting, prior to the Water Service Connection; and

    (e) Ensuring that such Water Service Connection does not interfere with the operation of the Water System.

19. In making an application pursuant to this Law no Sub-Lessee shall give false information.

20. Neither the Tsuut'ina Nation, the Appointed Authority, nor their respective utility operators, employees, contractors, or agents shall be liable for damages, losses, or business interruptions suffered by anyone due to the operation of the Systems, unless shown to be caused by the gross negligence, and without limiting the generality of the foregoing, shall not be liable for damage or loss:

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(a) For the settlement of any excavation or trench made for the installation or repair of any part of the Systems, or any damage or loss resulting from such settlement;

(b) Caused by the break, leak, blockage, or malfunction of any Water Main, sewer pipe, storm drain, Water Service Connection, or other pipe or equipment;

(c) Caused by the disruption, reduction, or failure of any supply of water from the Water System when such disruption is necessary in respect of the repair, maintenance, or alteration of the Systems;

(d) Caused by the disruption, reduction, or cutting off of utility service in the event of an emergency; or

(e) Caused by the backup of sewage or the overflow of storm drainage or stormwater facilities beyond the direct control of the operator.

21. Every Sub-Lessee who relies on a written approval issued pursuant to this Law has the onus of proving that they were the holder of a valid and subsisting approval.

22. A Sub-Lessee must report to Tsuut'ina Nation any Connection or equipment located on a Premises that does not comply with the requirements of this Law.

Rates and Fees

23. Tsuut’ina Nation shall set rates and fees for all Sub-Lessee for the following:

(a) Monthly service charges and water usage rates,

(b) Monthly flat rates; and

(c) Collection and cut-off fees.

24. Subject to Section 25, Tsuut’ina Nation may establish rates and fees from time to time for products and services provided pursuant to this Law, including but not limited to the following:

(a) Fees for inspections, service connections, reconnections and disconnections,

(b) Fees for meter, hydrant and other equipment rentals, replacement and relocations, and

(c) Service fees for site visits, maintenance, testing and repairs.

25. Rates and fees pursuant to Section 24 shall be set out in Schedule ‘E’ or such rates and fees as are established from time to time by Head Chief and Minor Chiefs, unless directed otherwise.

26. No reduction in rates will be made in the monthly charge for water supplied to or made available for use by any Sub-Lessee because of any interruption due to any cause whatsoever of the Water Supply.

Residential Metered, Multi-Family Residential Metered, General Service (Non-Residential/Commercial), Irrigation Wate

27. Where water is supplied by Tsuut'ina Nation through a Water Meter to a Sub-Lessee, the Sub-Lessee shall pay to Tsuut’ina Nation monthly charge of the aggregate of:

(a) The monthly service charge as set out in Schedule ‘E’, and

(b) The amount determined by the volume of water shown by the Water Meter as supplied for the applicable month at the usage rate specified as set out in Schedule ‘E’.

Building Construction

28. Charges for water to be used in construction activities will be in accordance with the bulk rates set out in Schedule ‘E’ and are payable with the application for a Building Permit.

Fire Hydrants

29. Where the drawing of water from fire hydrants is authorized, charges for such water will be in accordance with the bulk rates set out in Schedule ‘E’.

Payments

30. Tsuut'ina Nation shall establish a system for the billing and collecting of the rates, charges, fees and rents in relation to the Water System including but not limited to charges for any work done or service or material supplied for the construction, installation, Water Service Connection, disconnection or replacement of any apart of the Water System, or any part of the Sub-Lessee’s Plumbing System located on private property.

31. In default of payment of the rates set out in any of the schedules to this Law or any amount due and payable to Tsuut'ina Nation for anything done, or any amounts payable, pursuant to this Law, Tsuut'ina Nation may enforce the collection of such rates or payments by shutting off the water being supplied to the Sub-Lessee or by action in a Court of competent jurisdiction or both.

32. Where the Sub-Lessee occupying a parcel of unit to which water is supplied or is available for the use of the Sub-Lessee, all sums payable by them under this Law, including rates set out in the Schedules hereto, are debts due and owing to Tsuut’ina Nation and the Tsuut’ina Nation may exercise all options available at law in the collection and enforcement of outstanding amounts.

Water Conservation

Low Water Use Fixtures

33. For the purposes of this Section, Low Flow Plumbing Fixtures means:

(a) Toilets having a total water usage of no greater than 6.0 litres or 1.6 US gallons per flush, including the contents of both the tank and bowl of the toilet,

(b) Urinals having a total water usage of no greater than 3.8 litres or 1.0 US gallons per flush, but does not include urinals which flush automatically after a period of elapsed time, regardless of the amount of water usage per flush,

(c) Showerheads having a rate of water flow no greater than 9.5 litres or 2.5 US gallons per minute,

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(d) Lavatory basin and kitchen sink faucets having a rate of water flow no greater than 8.3 litres or 2.2 US gallons per minute,

(e) Public restroom faucets having a total water flow of no greater than 1.9 litres of 0.5 US gallons per minute.

34. Section 33(c) shall not be interpreted or prevent the installation of more than one valve in a shower stall or bathroom.

35. Every Sub-Lessee responsible for the construction of:

(a) New residential construction, regardless of the number of dwelling units contained in a structure,

(b) New industrial, commercial and institutional construction, and

(c) Any renovation project regarding a residential, industrial, commercial or institutional structure that requires a plumbing permit,

Must ensure that all plumbing fixtures installed in that construction, renovation, or repair are Low Flow Plumbing Fixtures.

Water Wastage

36. No Sub-Lessee of Sub-Leased Lands shall allow Potable Water to run off the Sub-Leased Lands such that there is:

(a) A stream of water running into a street or swale for a distance of 30 metres or more from the edge of the Sub-Leased Lands,

(b) A stream of water running into a street or swale and directly into a catch basin, or

(c) A stream or spray of water running into or falling onto a street or sidewalk or adjacent parcel.

37. Notwithstanding the prohibitions in Section 36, Tsuut'ina Nation may authorize in writing the discharge of Potable Water onto a street or sidewalk for the purposes 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 or permanently installed irrigation systems,

(f) Training programs for fire fighters employed by Tsuut'ina Nation, or

(g) Other purposes as deemed necessary by Tsuut'ina Nation from time to time.

Emergency and Outdoor Water Use Restrictions

Emergencies

38. Tsuut'ina Nation may discontinue the provision of Water Service without prior notice to a Sub-Lessee, a group of Sub-Lessee's or a geographical area in order to prevent or mitigate the impairment of or damage to:

    (a) The Water System,

    (b) The Wastewater System,

    (c) The Stormwater System,

    (d) Human health or safety,

    (e) Property, or

    (f) The environment.

Outdoor Water Use Restrictions

39. In the event that Tsuut'ina Nation believes there is a reason to require reduced water usage, Tsuut'ina Nation may declare a restriction on the use of water (the "Outdoor Water Use Restriction").

40. The declaration of an Outdoor Water Use Restriction by Tsuut'ina Nation may apply to:

    (a) The entire Taza Development,

    (b) Specific zone(s) or geographic area(s) of the Taza Development, or

    (c) Other specific locations as defined by Tsuut'ina Nation.

41. In the event there is reason to declare an Outdoor Water Use Restriction, Tsuut'ina Nation may declare such Outdoor Water Use Restriction effective immediately.

42. In the event of a declaration of an Outdoor Water Use Restriction made pursuant to Sections 39, 40 or 41, Tsuut'ina Nation shall cause public notice indicating the stages, extent of and/or areas affected by the Outdoor Water Use Restriction and the date such Outdoor Water Use Restrictions came or will come into effect to be given in any one or more of the following manners:

    (a) Provide notice on Tsuut'ina Nation website,

    (b) Circulation of flyers, or

    (c) Signage,

43. The Tsuut'ina Nation may declare different stages of Outdoor Water Use Restrictions in different areas, and

    (a) Shall, if changing the areas of application or stages of restrictions in any area or lifting a declaration of Outdoor Water Use Restrictions, cause a public notice to be given in the manner described in Section 42(a), and

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(b) Shall, after determining that the reason or reasons to require reduced water usage has sufficiently abated, declare an end to an Outdoor Water Use Restriction and shall cause public notice of such declaration to be given in the manner described in Section 42.

44. When an Outdoor Water Use Restriction is in effect, no Sub-Lessee, of Premises shall allow the use of water supplied through the Water System for any activity or application prohibited.

Interference with Water System

45. No Sub-Lessee shall:

(a) Damage, destroy, or remove or interfere in any way with any pipe, pipe Connection, Water System Connection, valve, or other appurtenance forming part of the Water System,

(b) Interfere in any way with or cause any interference with the use of the Water System by another Sub-Lessee, and without limiting the generality of the foregoing, 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 Connection, on the upstream side of a Water Meter or Master Control Valve for the purpose of increasing water pressure,

(d) Install branch supply lines, outlets for fixtures on the upstream side of a Water Meter or Master Control Valve, except for fire protection purposes as approved by Tsuut'ina Nation,

(e) Install branch supply lines, outlets or fixtures on the upstream side of a Premises-Isolating Cross Connection Control Device,

(f) Tamper with, break or remove any seal, lock-out device or lock-out tag on any valves or flanged outlets on Water Service Connection or Water Metering facilities,

(g) Attach or connect any pipe to any pipe or main of the Water System or in any other way obtain or use any water thereof without consent of Tsuut'ina Nation, and

(h) Or permit or cause any of the above to occur.

Access to Property for the Purpose of Water Service

Access for Authorized Purposes

46. As a condition of Water Service and as operational needs dictate, employees of Tsuut’ina Nation 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 System and Water Service Connections,

(b) Installation, testing, repair and removal of Water Meters or other parts of the Water System,

(c) Inspection of Cross-Connection Control Devices or other equipment and works associated with the Water System and Sub-Lessee's Plumbing System,

(d) Reading of Water Meters, and

(e) Inspections for compliance with this Law.

47. No Sub-Lessee shall hinder, interrupt or cause to be hindered any employee of Tsuut'ina Nation 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 Law.

48. Upon termination of Water Service, any employee of Tsuut'ina Nation employed for that purpose may, at all reasonable times enter from the parcel or Premises which was supplied with Water Service for the purpose of removing from the parcel or Premises any fittings, machines, apparatus, meters, pipes or any other thins that are the property of Tsuut'ina Nation, and may remove these things.

49. Employees of Tsuut'ina Nation may at any time specify the required position or require the relocation, at a property Sub-Lessee's expense, of any Water Meter, Cross Connection Control Device, pipe, valve or fitting forming part of the Water System.

Service Fees for Subsequent Site Visits

50. A fee may be charged, as set by Tsuut'ina Nation from time to time, where a Tsuut'ina Nation employee or agent is required to make an additional visit or visits at a parcel or Premises for any of the following reasons:

(a) Where a Sub-Lessee refuses access to a parcel or Premises for a Tsuut'ina Nation employee or agent to install, repair, replace, inspect, test or read a Water Meter or any other equipment in relation to the Water System,

(b) Where a Tsuut'ina Nation employee or agent attends at a parcel or Premises for a scheduled appointment to perform any of the functions set out in Section 48, and the Sub-Lessee is not present at the scheduled time to provide access to the parcel or Premises, or

(c) Where a Tsuut'ina Nation employee or agent attends at a parcel or Premises to perform any of the functions set out in this Section 50 and is unable to proceed based on unsafe conditions or the inadequacy of access to the parcel or Premises.

Water Meters

Residential and Multi-Family Residential Metered

51. It shall be a condition of Water Service that all Single Family, Two-Family, and Multi-Family Residential Metered Premises shall be connected to a Water Meter.

General Service

52. Subject to Section 53, it shall be a condition of Water Service that all non-residential Water Service Connections, including Combined Water Service, temporary Water Service, and seasonal Water Service, shall be connected to a Water Meter.

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53. The following Water Services shall not require Water Service Connection to a Water Meter:

    (a) Fire service connections which are not used for any other purpose, and

    (b) Such other connections where, in the opinion of Tsuut'ina Nation, it is impractical to install a Water Meter.

Costs Associated with Water Meters

54. Tsuut'ina Nation may charge for and recover from the Sub-Lessee of a Premises the cost of supplying, installing, altering, repairing, relocating or replacing a Water Meter.

55. If a Water Meter is damaged, removed or stolen, the Sub-Lessee of the Premises shall pay the cost of replacing the Water Meter including installation.

56. Notwithstanding the payment of any costs, all Water Meters shall remain the property of Tsuut'ina Nation.

Location, Installation and Maintenance of Water Meters & Metering Facilities – Obligations & Authority of Tsuut'ina Nation

57. As a condition of Water Service, Tsuut'ina Nation may:

    (a) Determine the size, type and number of Water Meters to be supplied and installed in a Premises,

    (b) Determine the location that a Water Meter or Water Meters are to be installed,

    (c) 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,

    (d) Require a Water Meter to be either tested on site or removed for testing by a Tsuut'ina Nation employee or Sub-Lessee authorized by Tsuut'ina Nation, at any specific time or on a periodic basis,

    (e) Require a Water Meter to be relocated,

    (f) If the building to which it was initially installed, has been altered, or

    (g) To a location near the point of entry of the Water Service Connection,

    (h) Inspect a parcel or Premises prior to supplying Water Service to determine if a site is suitable for the installation, reading, maintenance and repair of a Water Meter and related works,

    (i) Inspect an installation to ensure it meets approved or modified drawings and require a Sub-Lessee to remedy any deficiencies,

58. Tsuut'ina Nation shall:

    (a) Where a Sub-Lessee has submitted an application to relocate a Water Meter or install additional metering, piping or valving, review such application and provide a decision to the Sub-Lessee which:

i. Approves such application,

ii. Notifies the Sub-Lessee of required changes to such application,

iii. Denies such application, or

iv. Determines the size, type and number of Water Meters to be supplied and installed.

Location, Installation and Maintenance of Water Meters & Metering Facilities – Obligations & Rights of the Sub-Lessee

59. Every Sub-Lessee shall:

(a) For Water Meter installation within a building, provide a suitable site for such installation near the Master Control Valve, to the satisfaction of Tsuut'ina Nation and in accordance with the Taza Infrastructure Design Standards and Specifications, as amended from time to time,

(b) For Water Meter installation outside of a building, provide at the Sub-Lessee's expense and to the satisfaction of Tsuut'ina Nation a meter building or a meter vault on the Sub-Lessee's property and near the property line, in accordance with the Taza Infrastructure Design Standards and Specifications, as amended from time to time,

(c) Provide for the maintenance and repair of such building or vault referred to in Section 59(b), and upon failure to do so Tsuut'ina Nation may have such work performed by its employees or agents at the Sub-Lessee's expense,

(d) Ensure that employees or agents of Tsuut'ina Nation have clear access to meter areas and Water Meters for meter testing and reading purposes,

(e) Notify Tsuut'ina Nation immediately whenever a Water Meter is not operating or if any part of a Water Meter becomes damaged or broken,

(f) Be responsible for the safe-keeping of any Water Meter and any remote reading device that is installed on the Sub-Lessee's Premises,

(g) Protect any Water Meter, valves and pipes located on his Premises from freezing, excessive heat, overheating of water, external or internal damage of any kind, or any other thing which may affect the operation of the Water Meter or Meters,

(h) Pay the cost of repairing or replacing any Water Meter or metering facilities that may be damaged from any causes set out in Section 59(g) or any other cause within the control of the Sub-Lessee,

(i) Notify the Tsuut'ina Nation within twenty-four (24) hours if the seal on a by-pass valve or a Water Meter is broken for emergency purposes or any other purpose.

60. Every Sub-Lessee may:

(a) Request that a Water Meter be tested for accuracy, and the cost of any such test shall be at the expense of Tsuut'ina Nation if the Water Meter is found to be inaccurate in excess

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of two percent of actual flow and such test shall be at the Sub-Lessee's expense if the Water Meter is found to be accurate within two percent of actual flow,

(b) Request that a Water Meter or metering facilities be relocated by submitting plans and specifications to Tsuut'ina Nation in a form approved by Tsuut'ina Nation, and upon approval, may relocate, alter or change any existing Water Meter or metering facilities, the costs of any such alternation or relocation including costs incurred by Tsuut'ina Nation being the responsibility of the Sub-Lessee's.

61. No Sub-Lessee shall:

(a) Interfere with or tamper with the operation of any 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.

Meter Readings

62. Tsuut'ina Nation 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 a Sub-Lessee who refuses to provide a Water Meter reading within six months of a request to provide such Water Meter reading,

(d) Subject to Section 64, estimate a Water Meter reading.

63. Every Sub-Lessee shall:

(a) Provide readings of a Water Meter or Water Meters on Premises under the Sub-Lessee's control, when requested by Tsuut'ina Nation, and

(b) In circumstances where a Water Meter was estimated:

i. Pay the cost of the estimated consumption, and

ii. If the actual consumption is greater than the estimated consumption when the Water Meter is read, pay the cost of the actual consumption.

64. A Water Meter reading may be estimated by Tsuut'ina Nation based on either previous consumption patterns or a daily average consumption for the Premises, if:

(a) Tsuut'ina Nation 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.

65. If a Sub-Lessee experiences abnormal water consumption, Tsuut'ina Nation may adjust the Sub-Lessee's bill taking into consideration any or all of the following factors:

(a) Whether the Sub-Lessee is a residential or non-residential Sub-Lessee,

(b) The cause or nature of the abnormal water consumption,

(c) Any evidence of action taken by the Sub-Lessee to abate the abnormal consumption,

(d) Any other factor or factors that Tsuut'ina Nation considers relevant.

Water Service Connections

Obligation and Sub-Lesseeship

66. Tsuut'ina Nation shall install that portion of the Water Service Connection which is on Tsuut'ina Nation property and which runs from the Water Main to a property line of the parcel of land to be serviced, adjacent to a street or lane, or at the boundary of an easement granted to Tsuut'ina Nation for its Water System.

67. Tsuut'ina Nation shall remain responsible for the control, maintenance, repair, and replacement of that portion of the Water Service Connection, thereafter.

68. Any Water Service Connection, pipe line or water system on private property through which the supply of water is conveyed from the portion of the Tsuut'ina Nation Water System which is located at the property line of the street or lane, or boundary of an easement area to the water outlets or fixtures on the private property shall be installed, maintained, repaired and replaced by the Sub-Lessee at the Sub-Lessee's expense, and without limiting the generality of the foregoing, as a condition of receiving Water Service from Tsuut'ina Nation, the Sub-Lessee shall:

(a) Install such Water Service Connections in compliance with the provisions of this Law and the *Taza Development Infrastructure Design Standards and Specifications*,

(b) Maintain such Water Service Connections in a state of good repair, with sufficient protection from freezing, free from leakage, or other water loss to the satisfaction of Tsuut'ina Nation, and

(c) Pay the cost of repairing or replacing any Water Service Connection that may be damaged from any causes set out in Section 68 or any other cause within the control of the Sub-Lessee.

Changes to Existing Water Service Connections

69. Any Sub-Lessee wishing to relocate, replace, alter or disconnect an existing Water Service Connection must make an application and receive approval from the Tsuut'ina Nation prior to commencing such work.

70. Where a change referred to in Section 69 is approved by Tsuut'ina Nation that Sub-Lessee may have the work performed on Tsuut'ina Nation owned portion of the Water Service Connection by means of an indemnification agreement with Tsuut'ina Nation.

Master Control Valves

71. All Water Service Connections must be provided with a Master Control Valve and such valve:

(a) Shall be placed immediately inside the outer wall of the Premises and on the inlet side of the Water Meter,

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(b) Is intended to enable a Sub-Lessee to shut off the supply of water in case of an emergency, for the repair or protection of the building, pipes or fixtures, or to prevent flooding of the parcel or Premises or in the event the Premises are permanently or temporarily vacated.

72. Every Sub-Lessee shall ensure:

(a) That all Master Control Valves on their Premises are maintained in good mechanical condition, and

(b) That all Master Control Valves are easily accessible at all times to ensure that such Master Control Valves are operable in case of emergency.

Turning Water Service On or Off

73. No Sub-Lessee shall turn a Water Service on or off except as authorized by Tsuut'ina Nation.

74. No Sub-Lessee of a parcel or Premises shall allow a Water Service to be turned on or off except as authorized by Tsuut'ina Nation.

75. Any Sub-Lessee may request that their Water Service be shut-off temporarily.

Cross Connections, Testing & Hydrants

Controlling Cross Connections

76. No Sub-Lessee shall connect, cause to be connected or permit to remain connected to the Water System a Cross Connection that has not been approved by Tsuut'ina Nation.

77. Where Tsuut’ina Nation believes that a Cross Connection exists in contravention of Section 76, Tsuut'ina Nation may carry out in an inspection:

(a) Upon reasonable notice to the Sub-Lessee, or

(b) Without notice where Tsuut’ina Nation believes that an immediate threat of contamination to the Water System exists.

78. Upon inspection, where Tsuut'ina Nation continues to believe that a Cross Connection exists in contravention of Section 76, Tsuut’ina Nation may cut off the Water Service to that parcel or Premises with reasonable notice, and where Tsuut'ina Nation believes that such Cross Connection poses an immediate threat of contamination of the Water System, Tsuut'ina Nation may cut off Water Service without notice.

Premises-Isolating Cross Connection Control Devices

79. Every newly constructed, reconstructed or renovated Premises, with the exception of dwelling units separately serviced from a Tsuut'ina Nation Water Main or On-site Water Main, shall have a Premises-Isolating Cross Connection Control Device installed on the Sub-Lessee’s Plumbing System where the service enters the building, or in a location approved by Tsuut'ina Nation.

80. Where it is proposed to use water from the Water System for constructing, altering, or repairing a building, the temporary Water Service Connection shall have a Premises-Isolating Cross

Connection Control Device installed on the temporary Water Service Connection, or in a location approved by the Tsuut'ina Nation.

81. Notwithstanding Section 79, Tsuut'ina Nation may require the installation of a Premises-Isolating Cross Connection Control Device on any existing Sub-Lessee's Plumbing System, at a location approved by Tsuut'ina Nation.

Sub-Lessee Must Test and Maintain Cross Connection Control Devices

82. For the purposes of this Law, Testable Cross Connection Control Devices means Double Check Valve Assemblies (DCVA), Reduced Pressure Principle Assemblies (RP), Pressure Vacuum Breaker Assemblies (PVB/SRPVB) and Air Gaps approved by Tsuut'ina Nation, as those terms are defined in Canadian Standards Association document B64.10-11/B64.10.1-11, as amended from time, Selection and Installation of Backflow preventers/Maintenance and field testing of Backflow preventers.

83. For the purposes of this Law, Testable Cross Connection Control Devices shall only be tested by Qualified Professionals approved by Tsuut'ina Nation.

84. Every Sub-Lessee shall, at their own expense, have any Testable Cross Connection Control Devices tested by a Qualified Professional:

    (a) At the time of installation of a new Testable Cross Connection Control Device,

    (b) Annually or as required by the Tsuut'ina Nation,

    (c) At the time that a Testable Cross Connection Device is relocated,

    (d) At the time that a Testable Cross Connection Device is cleaned, repaired or overhauled, and

    (e) In the case of an irrigation system, at the time the system is turned on at the beginning of each irrigation season.

85. Every Sub-Lessee shall retain test report records on-site and available to Tsuut'ina Nation upon request.

86. A Qualified Professional must submit a test report with respect to each test referred to in Section 82 through 90 to Tsuut'ina Nation when the Qualified Professional:

    (a) Discovers that the Testable Cross Connection Control Device is in good working order, or

    (b) Discovers that the Testable Cross Connection Control Device is not in good working order but repairs or replaces and re-tests the Testable Cross Connection Control Device immediately.

87. A Qualified Professional must submit a report in writing to Tsuut'ina Nation within two (2) business days of every test of a Testable Cross Connection Control Device where the Qualified Professional discovers that a Testable Cross Connection Control Device is not in good working order and where the Qualified Professional does not repair or replace that Testable Cross Connection Control Device immediately.

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88. Where a Testable Cross Connection Control Device fails a test referred to in Section 82 through 90 and the Sub-Lessee does not have it replaced immediately by the Qualified Professional, the Sub-Lessee shall have the Testable Cross Connection Control Device repaired or replaced and re-tested within five (5) business days.

89. As a condition of service, Tsuut'ina Nation may issue an order to a Sub-Lessee requiring the installation, testing or repair of a Cross Connection Control Device and that order may specify a date and time by which the Sub-Lessee must comply with the terms of the order.

90. Where a Sub-Lessee fails to comply with an order issued by Tsuut'ina Nation pursuant to Section 89, Tsuut'ina Nation may shut-off the Water Service or Water Services until the situation has been remedied.

Fire Hydrants

91. Unless authorized by Tsuut'ina Nation, no Sub-Lessee shall:

    (a) Open or close any hydrant or hydrant valve,

    (b) Connect any device of any kind to a fire hydrant, including a pipe, hose, fixture, or appliance, or

    (c) Use water from a fire hydrant, regardless o whether that hydrant is located on private or public property, for any purpose other than fire protection.

92. Notwithstanding Section 91, where a Water Service Connection branches off from a water line that provides water to a hydrant, water may be used for purposes other than fire protection as long as the branch line providing water for purposes other than fire protection is equipped with a Water Meter.

93. All fire hydrants within the Public Realm shall remain the property of the Tsuut'ina Nation.

94. Any Sub-Lessee who wishes to have a Tsuut'ina Nation owned fire hydrant relocated may request in writing to Tsuut'ina Nation that the hydrant be relocated. If approved, the Sub-Lessee making the request shall pay in advance the estimated cost determined by Tsuut'ina Nation, subject to a refund or additional payment, depending upon the actual cost when the work has been completed.

95. Tsuut'ina Nation may require that a fire hydrant be installed on private property at the expense of the Sub-Lessee 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 applicable Taza Development Law, as amended from time to time.

96. No Sub-Lessee of a parcel or Premises on which a private fire hydrant is situated shall paint such hydrant or allow such hydrant to be painted any color except the approved color as set out in Taza Infrastructure Design Standards and Specifications, as amended from time to time.

Obstruction of Hydrants

97. No Sub-Lessee of a parcel or Premises shall allow the access to a fire hydrant located on or adjacent to that parcel or Premises to be obstructed in any manner, including the building or erection of any thing or the accumulation of any building material, rubbish or other obstruction.

98. No Sub-Lessee of a parcel or Premises shall allow anything on the parcel or Premises to interfere with the operation of a fire hydrant located on or adjacent to that parcel or Premises.

99. All Sub-Lessee property on which a fire hydrant is located on or which is adjacent to the Tsuut'ina Nation Public Realm on which a fire hydrant is located:

    (a) Shall maintain a two (2) metre clearance on each side of a fire hydrant and one (1) metre clearance on the side of a fire hydrant farthest from the nearest adjacent street, as set out in Schedule 'D' to this Law,

    (b) Shall not permit anything to be constructed, erected, or placed within the clearance provided in Section 99(a), and

    (c) Shall not permit anything except grass to be planted within the clearance area set out in Section 99(a).

Permission to Use Water from Fire Hydrants

100. Tsuut'ina Nation may authorize the use of fire hydrants and the use of water from fire hydrants on a temporary basis where no other supply of water can be conveniently obtained.

101. Tsuut'ina Nation 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.

Hydrant Connection Units

102. Tsuut'ina Nation may require that any Sub-Lessee authorized to use a fire hydrant or draw water from a fire hydrant pursuant to Sections 100 and 101 shall:

    (a) Enter into a Hydrant Connection Unit rental agreement with Tsuut'ina Nation,

    (b) Have any vehicle to which a Hydrant Connection Unit is attached and its equipment inspected and approved by Tsuut'ina Nation, where required pursuant to the agreement, prior to withdrawing water from a fire hydrant,

    (c) Use the Hydrant Connection Unit in the manner required pursuant to the agreement at all times while drawing water from a fire hydrant or while connected to a fire hydrant, and ensure that no Backflow, Wastewater or other substance can enter the Water System,

    (d) Ensure that a copy of the Hydrant Connection Unit Rental Agreement, and the Hydrant Connection Rental Agreement Receipt is kept in the vehicle at all times that the Hydrant Connection Unit is attached to such vehicle, and

    (e) Produce the Hydrant Connection Unit Rental Agreement and the Hydrant Connection Rental Agreement Receipt to an Officer or any employee of Tsuut'ina Nation for inspection, upon demand.

103. No Sub-Lessee authorized to use a fire hydrant or draw water from a fire hydrant pursuant to Sections 100 and 101 shall break or allow to be broken a seal placed on a Hydrant Connection Unit.

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104. Any Sub-Lessee who fails to comply with the requirements of this Section commits an offence.

Tsuut'ina Nation Exemption

105. This Part shall not apply to members of the Tsuut'ina Nation Fire and Rescue Services acting in the course of their employment or any Tsuut'ina Nation Fire Department activities associated with the flushing of Water Mains and the maintenance of fire hydrants.

Alternate Sources of Water

106. No Sub-Lessee shall use any source of water supply water to any residential, commercial, industrial or institutional Premises through a plumbing system, other than the Water System without the written consent of Tsuut'ina Nation.

107. Tsuut’ina Nation may authorize the use of an alternate source of water and may set a limit on the period of time for which an alternate supply of water may be used.

108. No Sub-Lessee who has been granted permission by Tsuut’ina Nation to use an alternate source of water shall allow that alternative source of water, or any pipes or devices connected to such alternate water source, to be connected to the Water System.

109. Tsuut’ina Nation shall not be responsible for the quality of water obtained from any alternate source of water.

110. Unless authorized by Tsuut’ina Nation in writing, no Sub-Lessee 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.

Wastewater

General

Obligations of the Sub-Lessee

111. If a Wastewater Service Connection is made or continued pursuant to this Law, a Sub-Lessee of a Premises must do all of the following:

(a) Provide the Wastewater Connection from the property line or from the boundary of an easement granted by Tsuut'ina Nation for the Wastewater System to the Sub-Lessee's Plumbing System,

(b) Ensure that the Wastewater Connection referred to in this Section 111 complies with the provisions of this Law,

(c) Ensure that the Wastewater Connection referred to in this Section 111 and the remainder of the Sub-Lessee's Plumbing System complies with the Safety Codes Act, as amended from time to time,

(d) Ensure that any permits, inspections or approvals required pursuant to the *Safety Codes Act*, the *Environmental Protection and Enhancement Act*, R.S.A. 2000, c. E-12 or any law or any other applicable legislation as amended from time to time, have been conducted or obtained and are valid and subsisting prior to connection to the Wastewater System.

112. Any Sub-Lessee of a Premises that is serviced by a Wastewater Connection must notify Tsuut'ina Nation in writing when the Wastewater Connection is being discontinued and requires disconnection.

113. A Sub-Lessee is responsible for all costs associated with any of the following:

(a) The implementation of any measures taken, or required to be taken, by either the Sub-Lessee or Tsuut'ina Nation to meet the requirements of this Law,

(b) Damage or harm to the Wastewater System resulting from the Sub-Lessee's contravention of the requirements of this Law.

Obligation to Report

114. A Sub-Lessee is required to report to Tsuut'ina Nation any Connections or equipment located on a Premises that do not comply with the requirements of the Safety Codes Act as amended from time to time, or this Law.

Requirements of Written Approvals or Agreements

115. A written approval or permit given by Tsuut'ina Nation pursuant to this Law, or an agreement entered into by Tsuut'ina Nation pursuant to this Law, must be available for inspection on the request of Tsuut'ina Nation or on the request of an Officer.

116. A Sub-Lessee is guilty of an offence pursuant to this Law if the Sub-Lessee does any one or more of the following:

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(a) Contravenes a requirement of Tsuut'ina Nation,

(b) Contravenes a requirement or condition of a written approval or permit given by Tsuut'ina Nation,

(c) Contravenes a requirement or condition of an agreement entered into by Tsuut'ina Nation with the Sub-Lessee.

117. Every Sub-Lessee who relies on a written approval or permit issued pursuant to this Law has the onus of proving that they were the holder of a valid and subsisting approval or permit.

Disconnections

118. Tsuut’ina Nation may do either, or both, of the following:

(a) Take any action required to prevent a release from entering the Wastewater system, including shutting off, disconnecting or sealing off the Wastewater line at the Premises from which the release is made,

(b) Continue any action taken under this Section 118 until the Sub-Lessee of the Premises produces sufficient evidence, as may be required by Tsuut'ina Nation, that a Release having an Adverse Effect will not be made to the Wastewater System from the Premises.

119. Any Sub-Lessee of Premises from which a Release having an Adverse Effect enters the Wastewater System is responsible for all costs associated with Tsuut’ina Nation actions taken pursuant to Section 118(a).

120. Tsuut'ina Nation may shut off, disconnect or seal off the Wastewater line at the property line of a Premises and continue to refuse to provide Wastewater Services to the Premises if any one or more of the following occurs:

(a) The Sub-Lessee of the Premises provides false information in an application for a Wastewater Connection,

(b) The Sub-Lessee of a Premises refuses to allow the installation of an Effluent Meter, or other equipment that Tsuut'ina Nation requires to be installed,

(c) The Sub-Lessee of a Premises fails to comply with a term or condition of a Wastewater Agreement, or other written approval issued pursuant to this Law, or

(d) An unsafe condition exists.

Disposal

Wastewater

121. The Sub-Lessee of a Premises must release of Wastewater from the plumbing system in the Premises into the Wastewater System.

Clear Water Waste

122. A Sub-Lessee must not Release, or allow to be Released, any Clear Water Waste into the Wastewater System.

General Prohibitions

Access to Wastewater System

123. A Sub-Lessee must not, without prior written approval from the Appointed Authority, uncover, open into, break, alter, remove, damage, destroy, or tamper with, or allow the uncovering, opening into, breaking, altering, removing, damaging, destroying or tampering with any of the following:

    (a) Any part of the Wastewater System,

    (b) A Monitoring Access Point,

    (c) Any permanent or temporary device installed in or on the Wastewater System for the purposes of flow measuring, sampling, testing, or contamination prevention.

124. A Sub-Lessee must not obstruct or prevent access to a Monitoring Access Point, or act in a manner that obstructs or prevents access to a Monitoring Access Point, including doing any of the following actions:

    (a) Parking a vehicle of any kind over a Monitoring Access Point,

    (b) Planting shrubbery, trees or other plants that obstruct or prevent access to a Monitoring Access Point,

    (c) Constructing a fence or any other structure that obstructs or prevents access to a Monitoring Access Point,

    (d) Piling snow, wood, or any other material on top of a Monitoring Access Point, or

    (e) Enclosing a Monitoring Access Point.

125. A Sub-Lessee must not enter into any chamber, structure, or Premises associated with the Wastewater System without prior approval from Tsuut'ina Nation.

126. A Sub-Lessee who contravenes the requirements of this Law, and such contravention results in damage or harm to the Wastewater System, must compensate Tsuut’ina Nation for the cost of repair or replacement of any part, or parts, of the Wastewater System that the Sub-Lessee damaged or harmed.

Release of Substances

127. A Sub-Lessee must not without prior written approval from the Appointed Authority, Release or allow the Release of any Wastewater into the Wastewater System that:

    (a) Contains a Substance described in Schedule ‘A’: Prohibited Substances,

    (b) Contains a Substance that is above the approved concentration limit as described in Column 2 of the Schedule ‘B’ or Column 2 of Schedule ‘C’, or

    (c) Does not comply with the requirements of this Law.

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128. Despite Section 127(a), Tsuut'ina Nation may grant written approval to allow Wastewater that does not meet the requirements of Section 127(a) to enter the Wastewater System provided that the Wastewater does not have an Adverse Effect.

129. In granting written approval pursuant to Section 127-130, the Tsuut'ina Nation may impose any conditions that Tsuut'ina Nation deems necessary, including any one or more of the following:

(a) That the Wastewater is tested at regular intervals in accordance with the Tsuut'ina Nation's instructions,

(b) That in respect of extra strength Wastewater, a Wastewater Surcharge calculated in accordance with Schedule 'E',

(c) That the Sub-Lessee compensates Tsuut'ina Nation for all costs arising as a result of the Wastewater entering the Wastewater System,

(d) That the Sub-Lessee enters into a Wastewater Agreement with Tsuut'ina Nation subject to any conditions required by Tsuut'ina Nation.

130. A Sub-Lessee must not directly or indirectly dilute Wastewater for the purpose of complying with the requirements of this Law as set out in Schedules 'A', 'B', and 'C'.

Wastewater System Requirements

Service Connections

131. A Sub-Lessee making, altering, disconnecting or removing, or allowing the making, alteration, disconnection or removal of Wastewater Connection must:

(a) Obtain written approval from the Tsuut'ina Nation, Water Services, on any terms and conditions the Tsuut'ina Nation considers necessary, including compliance with all requirements of Tsuut'ina Nation before making, altering, disconnecting or removing the Wastewater Connection, or

(b) Not re-use a Wastewater Connection without obtaining prior written approval from Tsuut'ina Nation.

132. The Sub-Lessee must pay to Tsuut'ina Nation all costs of the installation, alteration, disconnection or removal of the Wastewater Connection as described in Section 123-136 before proceeding with the work.

Release Quality

133. For the purpose of Sections 134 and 135, "alter or expand' means the modification of any existing activity that may result in an increased Wastewater volume or an increased amount of Prohibited Substance, Restricted Substance or extra strength Wastewater Substance in the Wastewater.

134. Tsuut'ina Nation may require a Wastewater Information Report completed by a Qualified Professional whenever any Sub-Lessee carries on, alters or expands, or proposes to carry on or alter or expand an activity that is connected or proposed to be connected to the Wastewater System.

Wastewater Agreement

135. A Sub-Lessee required by the Tsuut'ina Nation to submit a Wastewater Information Report may be required to enter in a Wastewater Agreement with the Tsuut'ina Nation prior to releasing any Wastewater from the Premises into the Wastewater System.

Sector Specific Pre-Treatment

136. A Sub-Lessee of a restaurant or other Premises that is connected directly or indirectly to the Wastewater System, and where food is cooked, processed, prepared, or where fats, oil and grease (FOG) are released, must do all of the following:

    (a) Install a FOG interceptor at a directly accessible location on the upstream side of a Monitoring Access Point in or on the Premises that is designed and sized in accordance with CAN/CSA B481, and meets the requirements of the National Plumbing Code of Canada, as amended from time to time, to prevent FOG from passing into the Wastewater System,

    (b) Monitor, operate, properly maintain at all times and clean each FOG interceptor installed in or on the Premises in accordance with the requirements set by CAN/CSA B481 and in compliance with the manufacturer's instructions and specifications, and the direction of the Tsuut'ina Nation,

    (c) Ensure that all Wastewater does not exceed the concentration limits for FOG, as set out in Schedule 'C' of this Law, and

    (d) The Tsuut'ina Nation may prescribe the frequency of FOG interceptor cleanings.

137. A Sub-Lessee of a vehicle or equipment service station, repair shop or garage, or of a Premises where motor vehicles are repaired, lubricated, maintained or washed, must do all of the following:

    (a) Install an interceptor at a directly accessible location on the upstream side of a Monitoring Access Point in or on the Premises that is designed and sized in accordance with the requirements of the National Plumbing Code of Canada, as amended from time to time; to prevent hydrocarbons, flammable liquids and TSS from passing into the Wastewater System,

    (b) Monitor, operate, properly maintain at all times, and clean each interceptor installed in or on the Premises as required by the manufacturer's instructions and specifications,

    (c) Ensure that all Wastewater does not exceed the concentration limits for hydrocarbons, flammable liquids and TSS, as set out in Schedules 'A' and 'B' of this Law.

138. A Sub-Lessee or Premises from which dental amalgam may be released into the Wastewater System must install a dental amalgam separator on all fixtures that may release dental amalgam waste containing mercury to the Wastewater System, and the separator must be:

    (a) ISO 11143 certified, or meet the ISO 11143 efficiency standard,

    (b) Located at a directly accessible location on the upstream side of a Monitoring Access Point in or on the Premises, and

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(c) Monitored, operated, properly maintained and cleaned as required by ISO 11143 and as required by the manufacturer's instructions and specifications.

139. A Sub-Lessee must not use emulsifiers, enzymes, bacteria, solvents, hot water or any other agent to facilitate the passage of FOG or hydrocarbons through an interceptor.

Testing and Monitoring

Monitoring Access Points

140. A Sub-Lesse must:

(a) Provide one or more Monitoring Access Points for the monitoring of Wastewater, designed and located in a manner satisfactory to Tsuut'ina Nation, and

(b) Provide direct access to any Monitoring Access Point located on the Premises.

Monitoring

141. The Appointed Authority, its authorized inspectors, or any Peace Officer appointed by the Tsuut'ina Nation may order the monitoring, sampling, or testing of Wastewater Released from Premises connected to the Wastewater System.

142. If Tsuut'ina Nation determines that the characteristics of and qualities of the Wastewater Released from a Premises do not comply with the requirements of this Law, Tsuut'ina Nation may require the Sub-Lessee of the Premises from which the Wastewater is produced to do all of the following:

(a) Monitor Wastewater in compliance with any conditions specified by Tsuut'ina Nation,

(b) Install and utilize any monitoring equipment that the Tsuut'ina Nation decides is necessary, and

(c) Provide the results of the monitoring to the Tsuut'ina Nation.

Testing and Surcharges

143. Tsuut'ina Nation may, for the purpose of determining compliance with this Law, or for determining a Wastewater Surcharge, do one or more of the following:

(a) Enter upon Premises from which Wastewater is produced and conduct testing of Wastewater,

(b) Conduct testing of Wastewater at any Monitoring Access Point located in or on the Premises,

(c) Test discrete Wastewater streams within a Premises.

144. For the purpose of Section 143, Tsuut'ina Nation may use an automated sampling device to take samples of the effluent produced at a Premises.

145. Tsuut'ina Nation will conduct an analysis of the Wastewater on a composite of the grab samples from each day, and the results will be averaged to determine the characteristics and concentration of the effluent being released into the Wastewater System from the Premises.

146. Despite Sections 144 and 145, Tsuut'ina Nation may rely on a single grab sample taken in or on a Premises to determine if the Wastewater produced at the Premises meets the requirements of this Law.

147. If there is more than one Monitoring Access Point servicing a site, Tsuut'ina Nation may estimate proportions of samples collected from each Monitoring Access Point for the purpose of determining the Wastewater Surcharge.

148. Tsuut'ina Nation may use the results of testing performed on samples collected from a single Monitoring Access Point to determine the Wastewater Surcharge applied to all Premises connected to a common Wastewater Service if:

(a) A common Wastewater Service pipe connects multiple Premises, each served by a separate water meter, to the Wastewater System, and

(b) A single Monitoring Access Point is maintained for all the Premises.

149. All tests, measurements, analyses and examinations of Wastewater, its characteristics or contents pursuant to this Law shall be carried out by a Qualified Professional and Accredited Laboratory that is accredited for analysis of the particular substance using a method that is within the laboratory's scope of accreditation.

Release Reporting

150. Any Sub-Lessee who Releases or allows a Release of a Substance into the Wastewater System in contravention of this Law must take all reasonable measures to immediately notify:

(a) The 9-1-1 emergency telephone number if there is any damage or immediate danger to any one or more of the following:

i. Human health or safety,

ii. Property,

iii. The environment,

iv. The Wastewater System.

(b) Tsuut'ina Nation, in accordance with the contact information in the Level of Service Law,

(c) The Sub-Lessee of the Premises where the Release occurred, and

(d) Any other Sub-Lessee that may be affected by the Release.

151. A Sub-Lessee reporting the Release described in Section 150 must supply the following information:

(a) The name and contact information of the person reporting the Release,

(b) The time of the Release,

(c) The location of the Release,

(d) The type of material Released and any known associated hazards,

(e) The volume of material Released, and

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(f) Any corrective action being taken, or proposed to be taken, to control the Release.

152. Tsuut'ina Nation may require the Sub-Lessee, or the Sub-Lessee responsible for the Release to do either, or both, of the following:

(a) Compensate Tsuut'ina Nation for all costs incurred by Tsuut'ina Nation with respect to the Release, including containment, sampling, testing, removal, cleanup, disposal and any fines, surcharges, penalties, or damages levied against or payable by Tsuut'ina Nation to the City of Calgary or other regulatory authority.

(b) Submit to Tsuut'ina Nation a written report describing the cause of the Release and the steps or procedures to be taken to prevent or eliminate similar future Releases.

153. A Sub-Lessee who fails to submit a written report required by either the Tsuut'ina Nation pursuant to Section 152(b) is guilty of an offence under this Law.

154. A Sub-Lessee who Released or allows a Release of a Substance into the Wastewater System in contravention of this Law must immediately take all reasonable measures to mitigate the Release.

Wastewater Charges and Surcharges

Wastewater Charge

155. Tsuut'ina Nation shall set rates and fees for all Sub-Lessee for the following:

(a) Wastewater monthly service charges and wastewater usage rates, and

(b) Collection and cut-off fees.

156. Subject to Section 155, Tsuut'ina Nation may establish rates and fees for products and services provided pursuant to this Law, including the following:

(a) Fees for inspections, service connections, reconnections and disconnections,

(b) Fees for meter, hydrant and other equipment rentals, replacement and relocations, and

(c) Service fees for site visits, maintenance, testing and repairs.

157. Wastewater rates and fees pursuant to Section 155 shall be set out in Schedule 'E.

158. The Sub-Lessee shall pay to Tsuut'ina Nation a monthly charge of the aggregate of:

(a) The monthly Wastewater Charge as set out in Schedule 'E', and

(b) The Wastewater usage, as determined by the volume of water shown by the Water Meter as supplied for the applicable month at the usage rate specified as set out in Schedule 'E'.

159. In the event that information upon which a Wastewater Charge is based on proves to be in error, Tsuut'ina Nation may estimate the Wastewater Charge for the period during which the error occurred.

160. A reduction in the monthly Wastewater Charge will not be made as a result of an interruption or failure of the Wastewater System, however caused.

Billing of Wastewater Surcharges

161. A surcharge rate established pursuant to Section 127 to 130 must remain in effect for a minimum period of 3 months.

162. Where the concentration of contaminants in the extra strength Wastewater is determined from Wastewater sampled from a Monitoring Access Point that serves more than one Premises, and each of the Premises is individually metered, the surcharge rate will be applied to the utility bill of each of the Premises.

163. Where a Wastewater Surcharge is applied, the Wastewater Surcharge is shown as a separate item on the utility bill, forms part of the utility bill and is due and payable to Tsuut'ina Nation at the same time as the utility bill.

164. Despite Section 162, Tsuut'ina Nation may do either, or both, of the following:

(a) Adjust the Wastewater Surcharge if an abnormally high surcharge rate, relative to the statistical average surcharge rate, has been applied to a Sub-Lessee's utility bill and if the Sub-Lessee corrects the cause of the abnormally high surcharge rate to the satisfaction of the Tsuut'ina Nation,

(b) Prior to the expiration of the minimum 3-month period required under Section 161, order the establishment of a new surcharge rate if Tsuut'ina Nation has been provided with information, satisfactory to Tsuut'ina Nation, that a permanent change in Wastewater strength has occurred that justifies a new surcharge rate.

Payments

165. Tsuut'ina Nation shall establish a system for the billing and collecting of the rates, charges, fees and rents in relation to the Wastewater System including but not limited to charges for any work done or service or material supplied for the construction, installation, Wastewater Service Connection, disconnection or replacement of any apart of the Wastewater System, or any part of the Sub-Lessee's Plumbing System located on private property.

166. In default of payment of the rates set out in any of the schedules to this Law or any amount due and payable to Tsuut'ina Nation for anything done, or any amounts payable, pursuant to this Law, Tsuut'ina Nation may enforce the collection of such rates or payments by shutting off the Wastewater being supplied to the Sub-Lessee or by action in a Court of competent jurisdiction or both.

167. Where the Sub-Lessee owns a parcel of unit to which Wastewater is supplied or is available for the use of the Sub-Lessee, all sums payable by them under this Law, including rates set out in the Schedules hereto, are debts due and owing to Tsuut'ina Nation and the Tsuut'ina Nation may exercise all options available at law in the collection and enforcement of outstanding amounts.

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Exemptions

Irrigation

168. A water line used exclusively for irrigation purposes and metered in a manner satisfactory to Tsuut'ina Nation is exempted from all Wastewater Charges and Wastewater Surcharges.

Effluent Meters

169. Effluent Meters will not be required on the Taza Development, unless specifically required in writing by the Tsuut'ina Nation for high-volume commercial or industrial uses.

Enforcement

Inspections

170. The Appointed Authority, its authorized inspectors, or any Peace Officer appointed by the Tsuut'ina Nation may enter into or onto a Premises with reasonable notice to the Sub-Lessee or, without notice in the case of an Emergency, at a reasonable time for any one or more of the following:

(a) To carry out an inspection, enforcement or action authorized by this Law, including:

i. To inspect or repair any equipment connected to, or part of, the Wastewater System,

ii. To make observations, or to take tests, samples or photographs of equipment or Wastewater,

iii. To disconnect or to shut off the supply of water to the Premises.

(b) To require the production, for inspection purposes, of any document or anything relevant to the inspection:

i. To remove any document or any thing relevant to the inspection for the purpose of making copies,

ii. To determine whether this Law is being complied with.

171. Before entering in or on Premises pursuant to Section 170, the Tsuut'ina Nation or the Tsuut'ina Nation's designate must provide both reasonable notice and identification to the Sub-Lessee of the Premises.

172. Despite Sections 170 and 171, in an emergency, or in extraordinary circumstances, Tsuut'ina Nation need not enter at a reasonable hour or give reasonable notice before entering a Premises, and may carry out any of the purposes described in Section 171 without obtaining the consent of the Sub-Lessee.

Obstructing an Inspection

173. A Sub-Lessee must not obstruct, or attempt to obstruct, in any manner, an Officer, or Tsuut'ina Nation employee, or their designates, contractors, servants or agents, in the exercise of their powers or duties as authorized or required by this Law.

174. For the purposes of Section 173, “obstruct” means to hinder, delay, interfere with, or prevent, or attempt to prevent the execution of a power or duty, and includes any of the following:

(a) Providing false or misleading information or making a false claim or statement to a Tsuut'ina Nation employee of an Officer,

(b) Preventing, barring or delaying, or attempting to prevent, bar or delay entry or inspection by a Tsuut'ina Nation employee of an Officer in accordance with this Law,

Failing to provide, on the request of a Tsuut'ina Nation employee or an Officer, any information, documents or things relevant to an inspection, including any documents specifically required to be kept or provided under this Law.

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Stormwater System

Prohibited

175. No Sub-Lessee shall Release, or allow to be Released, any Prohibited Material into the Stormwater System, except as permitted in Section 177.

Restricted

176. No Sub-Lessee shall Release, or allow to be Released, any Water into the Stormwater System that has been Impounded either passively or actively, except as permitted in Section 177.

Permitted

177. Permitted:

(a) Foundation Drainage,

(b) Water from a portable swimming pool, Decorative Pond or foundation, having a capacity of three (3) cubic meters (3,000 litres) or less,

(c) Subject to the restrictions in the Water Section of this Law, Water resulting solely from:

i. Irrigating or otherwise watering a lawn, garden and trees or other landscaping, or

ii. Washing of semi-detached homes with potable Water.

(d) Water resulting from extinguishing fires,

(e) Water in accordance with a permit or written approval from the Tsuut'ina Nation, and

(f) Water in accordance with an approval pursuant to Section 189.

Released of Prohibited Materials

178. Any Sub-Lessee who Releases, or causes or allows to be Released, any Prohibited Materials into the Stormwater System in contravention of this Law must take all reasonable measures to immediately notify:

(a) The 9-1-1 emergency telephone number if there is any damage or immediate danger to any one or more of the following:

iii. Human health or safety,

iv. Property,

v. The environment,

vi. The Stormwater System.

(b) Tsuut'ina Nation, in accordance with the contact information in the Level of Service Law,

(c) The Sub-Lessee of the Premises where the Release occurred, and

(d) Any other Sub-Lessee that may be affected by the Release.

179. The Sub-Lessee reporting the Release described in Section 178(a) must provide the following information:

    (a) The name and contact information of the Sub-Lessee reporting the Release,

    (b) The time and location of the Release,

    (c) The type of material Released and any known associated hazards,

    (d) The volume of material Released, and

    (e) Any corrective action taken, or proposed to be taken, to control the Release.

180. Tsuut'ina Nation may require the Sub-Lessee responsible for the Release described in Section 178 to:

    (a) Compensate Tsuut'ina Nation for any costs incurred by the Tsuut'ina Nation to mitigate the effects of the Release, and any fines, surcharges, penalties, or damages levied against or payable by Tsuut’ina Nation to the City of Calgary or other regulatory authority; and

    (b) Submit to Tsuut'ina Nation a plan setting out how the risk of future similar Releases will be prevented or eliminated.

181. Any Sub-Lessee who Releases, or causes or allows to be Released, any Prohibited Material into the Stormwater System in contravention of this Law must immediately take all reasonable measures to:

    (a) Mitigate the Release, including but not limited to taking measures to prevent the obstruction of the Stormwater System or measures to prevent an Adverse Effect, and

    (b) Cover and clearly mark all hoses used to direct Water to the Stormwater System to protect the public from injury.

182. Nothing in this Section relieves a Sub-Lessee from complying with the requirements of any federal or provincial law or regulation, agency, organization, other Law or any requirements of any lawful permit, order or licence.

Directing Storm Drainage

183. Except where an entire Premises has Negative Drainage, no Sub-Lessee shall allow downspouts, eavestroughing, piping or other means of directing Storm Drainage or Foundation Drainage on a Premises to terminate within 2 metres of the Public Realm.

184. No Sub-Lessee shall directly connect or allow direct connection of downspouts, eavestroughing, piping or other means of directing roof drainage to a foundation drain or weeping tile unless authorized to do so by Tsuut'ina Nation.

185. Except in an emergency, no Sub-Lessee shall direct, pump or Release Impounded Water from a Premises to the Stormwater System or to property owned or occupied by the Tsuut'ina Nation without written consent of the Tsuut'ina Nation.

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Retention and Treatment

186. Tsuut'ina Nation may permanently or temporarily require the Sub-Lessee of a Premises to treat, restrict, impound, manage or otherwise retain water on such Premises:

(a) If Prohibited Materials are likely to directly or indirectly enter the Stormwater System from the Premises, or

(b) If the Water from the Premises is likely to directly or indirectly cause erosion, damage or other Adverse Effect to property owned or occupied by Tsuut'ina Nation, or

(c) In order to:

i. Control the volume, or

ii. Ensure the water quality of water directly or indirectly entering the Stormwater System.

Interceptors, Devices and Practices

187. Any Sub-Lessee who owns or occupies a Premises on which Tsuut'ina Nation has, pursuant to Section 186, directed an Interceptor, device or practice be implemented in order to control or reduce the amount of runoff or improve water quality or infiltration must:

(a) Keep the Interceptor, device or practice in good condition at all times,

(b) Service the Interceptor, device or practice often enough so that is does not become overloaded, and

(c) Keep a maintenance or inspection record and provide such maintenance or inspection record to Tsuut'ina Nation upon request

188. No Sub-Lessee shall deposit, or cause or allow to be deposited, any residue from an Interceptor, device or practice into the Stormwater System.

Use and Re-Use of Storm Drainage or Foundation Water

189. Storm Drainage or Foundation Drainage must not be used or re-used for any purpose without written approval from Tsuut'ina Nation.

190. Tsuut'ina Nation may impose conditions on an approval granted for Storm Drainage or Foundation Drainage re-use, including any of the following:

(a) Limits on the types of applications for which Storm Drainage or Foundation Drainage may be re-used,

(b) Requirements on applications, risks, volumes, and any other information Tsuut'ina Nation may require.

191. Notwithstanding Section 189 and 190, the approval of Tsuut'ina Nation is not required for the use of Storm Drainage captured by one or more water barrels located above ground and intended for outdoor use.

Interference with the Stormwater System

192. Any Sub-Lessee who owns or occupies Premises on which a Surface Drainage Facility is located must ensure that:

    (a) No building or other structure is constructed, erected, placed or allowed to remain on or over the Surface Drainage Facility, and

    (b) The Surface Drainage Facility remains clear of soil, silt, yard waste, debris, ice, snow or other matter which may obstruct, restrict or prevent the flow of Storm Drainage within the Surface Drainage Facility or the Stormwater System.

193. Notwithstanding Section 192, a fence may be constructed over a Surface Drainage Facility provided there is a vertical clearance over the top of the Surface Drainage Facility of at least 0.15 meters (6 inches).

194. No Sub-Lessee, unless authorized in writing by the Appointed Authority, shall obstruct, restrict or prevent:

    (a) Access to the Stormwater System; or

    (b) Flow of Storm Drainage into or within the Stormwater System.

195. No Sub-Lessee, unless authorized in writing by the Appointed Authority, shall alter, remove or change, either temporarily or permanently, any part of the Stormwater System.

196. A Sub-Lessee must not, unless authorized in writing by the Appointed Authority, make or create a Surface Drainage Facility that connects to the Stormwater System.

197. A Sub-Lessee must not, unless authorized in writing by the Appointed Authority, enter any facility or structure that is part of the Stormwater System, including a storm pond.

Compliance with Instruments Registered on Title

198. The Sub-Lessee of a Premises shall comply with the terms and conditions of any easement, utility, right-of-way, caveat, restrictive covenant, or any other document that has been registered on the title of the Premises to protect the Stormwater System, including a drainage structure, swale, ditch or other Surface Drainage Facility, or the stability of a slope.

Connections

199. No Sub-Lessee shall make, alter or remove, or permit the making, alteration or removal of, any Stormwater Connection without the written approval of Tsuut’ina Nation.

200. Applications for the installation, alteration or removal of a Stormwater Connection shall be made in writing to Tsuut'ina Nation.

201. Tsuut'ina Nation may approve the installation, alteration or removal of a Stormwater Connection upon such terms and conditions as Tsuut’ina Nation considers necessary including but not limited to compliance with the *Taza Development Infrastructure Design Standards and Specifications* as amended from time to time and the payment in advance of the cost or estimated cost of the installation, alteration or removal of the Stormwater Connection.

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202. The installation, alteration or removal of a Stormwater Connection shall be carried out at the expense of the applicant.

203. No Sub-Lessee shall re-use a Stormwater Connection that has been discontinued, altered or removed without first obtaining the written consent of Tsuut'ina Nation.

204. Where the use of a Stormwater Connection is discontinued, the Sub-Lessee of the Premises which was serviced by such Stormwater Connection shall immediately notify the Tsuut'ina Nation in writing and the Sub-Lessee shall pay to Tsuut'ina Nation, in advance, the cost of disconnection.

205. A Sub-Lessee is required to report to Tsuut'ina Nation any Stormwater Connection or equipment located on a Premises that does not comply with the requirements of this Law.

Disconnections

206. Tsuut'ina Nation may, in addition to any other remedy available, disconnect or seal off the Premises from the Stormwater System or take such other action as is necessary to prevent a Release of Storm Drainage, Foundation Drainage or Water from entering the Stormwater System where the “Release”:

(a) Contains a Prohibited Material,

(b) Creates an immediate danger to any Sub-Lessee,

(c) Interferes with or endangers the operation of the Stormwater System, or

(d) May otherwise cause or result in an Adverse Effect.

207. Where Tsuut'ina Nation has taken action pursuant to Section 206, such action may be maintained or continued until evidence satisfactory to Tsuut'ina Nation has been produced to assure that no further harmful “Release” will be made.

208. Where Tsuut'ina Nation has taken action pursuant to Section 206, Tsuut'ina Nation may, by notice in writing, advise the Sub-Lessee or occupier of the Premises from which the “Release” was emanating, of the cost of taking such action and the Sub-Lessee or occupier shall forthwith reimburse Tsuut'ina Nation for all such costs which were incurred.

Authority of Appointed Authority

209. The Appointed Authority may establish any conditions or requirements of an approval or permit to Release of water to the Stormwater System, including but not limited to:

(a) Testing, monitoring or reporting requirements,

(b) Equipment or equipment maintenance or inspection requirements,

(c) Filtration, settling or other treatment requirements,

(d) Order the testing of any Release to the Stormwater System,

(e) Establish fees for approvals or permits,

(f) Require the Sub-Lessee or occupier of a Premises to submit a plan setting out how Releases from the Premises will not cause an Adverse Effect, and

(g) Impose conditions upon the Sub-Lessee or occupier of a Premises to prevent Releases from the Premises from causing an Adverse Effect.

210. Notwithstanding any other provision in this Law, the Appointed Authority may establish rates, volumes, locations or other conditions for Releases, including but not limited to:

(a) Overland flows to a Tsuut'ina Nation land,

(b) Releases into Stormwater System, and

(c) Releases to a Street.

Stormwater Service Charge

211. Tsuut'ina Nation has set rates and fees for all Sub-Lessees for the following:

(a) Stormwater monthly service charges, and

(b) Collection and cut-off fees.

212. Subject to Section 211, Tsuut'ina Nation may establish rates and fees for products and services provided pursuant to this Law, including the following:

(a) Fees for inspections, service connections, reconnections and disconnections,

(b) Fees for other equipment rentals, replacement and relocations, and

(c) Service fees for site visits, maintenance, testing and repairs.

213. Stormwater rates and fees pursuant to Section 211 shall be set out in Schedule ‘E’.

214. The Sub-Lessee shall pay to Tsuut'ina Nation a monthly Stormwater Service charge set out in Schedule ‘E’.

215. Tsuut'ina Nation may establish a system for the billing and collection of any rates, charges and fees in connection with the Stormwater System.

216. Tsuut'ina Nation may establish rates, charges or fees for any work done or service or material supplied for the construction, installation, connection, disconnection or replacement of any of the following:

(a) Any part of the Stormwater System,

(b) Any part of a Sub-Lessee’s drainage system located on the Sub-Leased lands.

Payments

217. Tsuut'ina Nation shall establish a system for the billing and collecting of the rates, charges, fees and rents in relation to the Water System including but not limited to charges for any work done or service or material supplied for the construction, installation, Water Service Connection, disconnection or replacement of any apart of the Water System, or any part of the Sub-Lessee’s Plumbing System located on private property.

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218. In default of payment of the rates set out in any of the schedules to this Law or any amount due and payable to Tsuut'ina Nation for anything done, or any amounts payable, pursuant to this Law, Tsuut'ina Nation may enforce the collection of such rates or payments by shutting off the water being supplied to the Sub-Lessee or by action in a Court of competent jurisdiction or both.

219. Where the Sub-Lessee owns a parcel of unit to which water is supplied or is available for the use of the Sub-Lessee, all sums payable by them under this Law, including rates set out in the Schedules hereto, are debts due and owing to Tsuut'ina Nation and the Tsuut'ina Nation may exercise all options available at law in the collection and enforcement of outstanding amounts.

Approvals and Requirements

220. A Sub-Lessee to whom a written approval or requirements has been issued pursuant to this Law shall ensure every provision and condition of that approval or requirement is complied with.

221. Every Sub-Lessee who relied on a written approval issued pursuant to this Law has the onus of proving that they were the holder of a valid and subsisting approval.

222. A written approval given by Tsuut'ina Nation pursuant to this Law, or an agreement entered into by Tsuut'ina Nation pursuant to this Law, must be available for inspection on the request of either of Tsuut'ina Nation or on the request of an Officer.

Inspections

223. A designated Peace Officer or employee of Tsuut'ina Nation may inspect, observe, measure, sample and test the water drainage, Foundation Drainage or Storm Drainage on any Premises in order to determine whether or not this Law or an approval granted pursuant to this Law is being complied with.

Interference

224. No Sub-Lessee shall hinder, interrupt or cause to be hindered any employee of Tsuut'ina Nation or its contractors, servants and agents or workers, in the exercise of the powers or duties as authorized or required in this Law.

Recovery of Costs

225. The Sub-Lessee or occupier of a Premises is responsible for all costs associated with any of the following:

(a) The implementation of any measures taken, or required to be taken with respect to the Premises, to meet the requirements of this Law with respect to the Premises or to remediate, mitigate or prevent an Adverse Effect, or

(b) Damage or harm to the Stormwater System resulting from the Sub-Lessee's or occupier's contravention of the requirements of this Law.

Remedial Orders

Water

Remedial Orders

226. Where Tsuut'ina Nation or a Peace Officer or Tsuut'ina Nation employee believes a Sub-Lessee has contravened any provision of this Law, Tsuut'ina Nation may issue to the Sub-Lessee a Remedial Order to remedy the infraction.

227. Where a Remedial Order is issued to the Sub-Lessee of a parcel or Premises and if that Sub-Lessee to whom the Remedial Order is issued pursuant to this Section fails to comply with the Remedial Order within the time specified, employees of Tsuut'ina Nation may do anything required by the Remedial Order and the costs of doing so are an amount owing to Tsuut'ina Nation and may be added to the tax roll of the parcel.

228. A Sub-Lessee to whom a Remedial Order is issued pursuant to this Law who fails to comply with such Remedial Order or fails to comply with the time set out for compliance within that Remedial Order commits an offense.

Recovery of Costs

229. A Sub-Lessee is responsible for all costs associated with any of the following:

(a) The implementation of any measures taken, or required to be taken, by either the Sub-Lessee or Tsuut'ina Nation to meet the requirements of this Law, and

(b) Damage or harm to the Water System resulting from the Sub-Lessee’s contravention of the requirements of this Law.

Wastewater/Stormwater

Remedial Orders

230. A Remedial Order issued with respect to this Law must:

(a) Indicate the Sub-Lessee to whom it is directed,

(b) Identify the Premises to which the Remedial Order relates either by address or legal description,

(c) Identify the date on which it is issued,

(d) Identify the specific provisions of this Law that have been contravened,

(e) Identify the nature of the remedial action required to be taken to remedy the contravention of this law,

(f) Identify the time period within which the remedial action must be completed,

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(g) indicate that if the required remedial action is not completed within the time specified in the Remedial Order, Tsuut'ina Nation may take whatever action or measures are necessary to remedy the contravention,

(h) indicate that the expenses and costs of any action or measures taken by Tsuut'ina Nation under this Section are an amount owing to Tsuut'ina Nation by the Sub-Lessee to whom the Remedial Order is directed,

(i) indicate that the expenses and costs referred to in this Section may be attached to the tax roll of the property if such costs are not paid by a specific time.

231. A Remedial Order issued pursuant to this Law may be served:

(a) In this case of an individual, by any of the following methods:

i. By delivering it to the individual,

ii. By leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age,

iii. By delivering it by registered mail to the individual at their apparent place of residence.

(b) In the case of a corporation, by any of the following methods:

i. By delivering it to any Sub-Lessee apparently in charge of an office of the corporation at the address held out by the corporation to be its address,

ii. By registered mail addressed to the registered office of the corporation.

232. A Remedial Order issued pursuant to this Law may be appealed to Tsuut'ina Nation not later than 14 days after the day on which the Remedial Order was issued.

233. Tsuut'ina Nation may shut off Wastewater Services to a Premises if a Remedial Order has been issued to the Sub-Lessee of that Premises pursuant to this Law and either of the following applies:

(a) The Sub-Lessee of the Premises fails to comply with the requirements of the Remedial Order, or

(b) The Sub-Lessee of the Premises fails to comply with the requirements of the Remedial Order within the time period set out in the Remedial Order.

234. Tsuut'ina Nation may do anything, or carry out any work required by a Remedial Order issued and the costs associated with carrying out the work, are an amount owing to Tsuut'ina Nation and may added to the tax roll of the Premises if a Remedial Order has been issued to the Sub-Lessee of that Premises pursuant to this Law, and:

(a) The Sub-Lessee of the Premises fails to comply with the requirements of the Remedial Order, or

(b) The Sub-Lessee of the Premises fails to comply with the requirements of the Remedial Order within the time period set out in the Remedial Order.

A Sub-Lessee who fails to comply with the requirements of a Remedial Order issued pursuant to this Law within the time period set out in the Remedial Order commits and offence.

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Offences and Penalties

Offences

235. Any Sub-Lessee who contravenes any provision of this Law by doing any act which the Sub-Lessee is prohibited from doing, or by failing to do any act or thing the Sub-Lessee is required to do, including:

(a) Failing to comply with a requirement imposed by the Appointed Authority,

(b) failing to comply with a requirement or condition of a written approval or permit given by the Appointed Authority, or

(c) failing to comply with a requirement or condition of an agreement entered into by the Appointed Authority with the Sub-Lessee,

is guilty of an offence.

236. Any offence created pursuant to this Law is a strict liability offence for the purposes of prosecution under this Law.

237. Offences may be reviewed and amended annually by the Tsuut'ina Nation.

Penalties

238. Any Sub-Lessee who is convicted of an offence pursuant to this Law is liable for every day or part thereof upon which such offence occurs or continues, on summary conviction to a fine not exceeding $10,000 or imprisonment for not more than one year, or both, and in default of payment of any fine imposed, to imprisonment for a term not exceeding one (1) year.

239. Where an Officer believes that a Sub-Lessee has contravened any provision of this Law, the Officer may, in addition to any other remedy at law, serve upon the Sub-Lessee a violation ticket.

240. Where there is a specified penalty listed for an offence in Schedule 'F', that amount is the specified penalty for the offence.

241. Notwithstanding specified and minimum penalties set out in Schedule 'F':

(a) Where a Sub-Lessee contravenes the same provision of this Law twice within one twelve-month period, the specified penalty payable in respect of the second contravention shall be double the amount of the specified penalty for a first offence,

(b) Where a Sub-Lessee is convicted of the same provision of this Law twice within one twelve-month period, the minimum penalty for the second conviction shall be twice the amount of the minimum penalty for a first offence,

(c) Where a Sub-Lessee contravenes the same provision of this Law three or more times within one twelve-month period, the specified penalty payable in respect of the third and subsequent contraventions shall be triple the amount of the specified penalty for a first offence, and

(d) Where a Sub-Lessee is convicted of the same provision of this Law three or more times within one twelve-month period, the minimum penalty for the third and subsequent convictions shall be triple the amount of the minimum penalty for a first offence.

242. The levying and payment of any fine or the imprisonment for any period provided in this Law shall not relieve a Sub-Lessee from the necessity of paying any fees, charges or costs from which that Sub-Lessee is liable under the provisions of this Law or any other Law.

243. Notwithstanding the provisions of Sections 238 to 242, any Sub-Lessee who contravenes any provision of this Law may forfeit the right to be serviced by the Water, Wastewater and Stormwater Systems.

244. Penalties may be reviewed and amended annually by the Tsuut'ina Nation.

Liability for Fees

245. The levying and payment of any fine or the imprisonment for any period provided in this Law shall not relieve a Sub-Lessee from the necessity of payment any fees, charges or costs from which that Sub-Lessee is liable under the provision of this Law or any other Law.

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Amendments to this Law

Amendments

246. Amendments to this Law shall be made in accordance with the *Legislative Process Act*, as amended from time to time, and Head Chief and Minor Chiefs may amend any Schedule to this Law by Regulation made by Motion under that law.

L.WW.2611

Taza Development Water, Wastewater, Stormwater Law

Appendix

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Schedule ‘A’ - Prohibited Substances

The following must not be released into the Wastewater System:

(a) A Substance that causes or will cause an Adverse Effect,

(b) A Substance that will interfere, or does interfere with the operation of the Wastewater System,

(c) A Substance that will cause a violation or non-compliance event with respect to Tsuut'ina Nation Wastewater operations,

(d) An explosive Substance, including solvents or petroleum derivatives such as gasoline, diesel fuel, naptha or fuel oil, of a quantity such that:

i. Wastewater from the Premises will exhibit the characteristics of a flammable liquid, or

ii. The explosive Substance could cause or contribute to an explosion or support combustion in the Wastewater System, by itself or in combination with other Wastewater.

(e) A substance, including carbon disulphide or other reduced sulphur compounds, but not including domestic wastewater, which by itself or in combination with other substances is capable of creating:

i. odours;

ii. a health or safety hazard to the public; or

iii. a health or safety hazard to a worker operating, maintaining, repairing or otherwise working on the wastewater system;

iv. hydrogen sulphide.

(f) A solid or viscous Substance in a quantity, or of such size, as to be capable of causing obstruction to the flow in a Wastewater System, including ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, animals or animal parts, animal feces and blood,

(g) Wastewater containing a Substance that on its own, or in combination with another Substance, creates a taste or an odour in the drinking water supply and makes drinking water unpalatable after conventional water purification treatment,

(h) Wastewater containing a Substance that on its own, or in combination with another Substance, becomes highly coloured and passes through the Wastewater System, discoloring the effluent,

(i) Wastewater this is released in layers or forms layers upon interaction with other Wastewater,

(j) Wastewater having a pH less than 5.5 or greater than 10,

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(k) Wastewater having a temperature in excess of 75 degree Celsius

(l) Radioactive materials,

(m) Corrosive or toxic Wastewater that causes or will cause an Adverse Effect,

(n) Biological Substances,

(o) Unused or waste pharmaceuticals,

(p) Unused or waste chemical Substances,

(q) Hazardous Substances,

(r) Pesticides,

(s) Grit removed from car wash establishments, automobile garages and restaurant sumps or from Interceptors.

Schedule ‘B’ – Restricted Substances

Wastewater containing the following materials in excess of the following concentrations is restricted:

Column 1 **Substance**	**Column 2** **Concentration Limit (mg/L)**
Aluminum, total	50
Antimony, total	5
Arsenic, total	1
Benzene	0.5
Beryllium, total	1
Bismuth, total	5
Boron, total	5
BTEX	1
Cadmium, total	0.7
Chloride	1500
Chlorform	0.05
Chromium, total	3
Cobalt, total	5
Copper, total	2
Cyanide	1.2
Dichlorobenzene (1,2-)	1
Dichlorobenzene (1,4)	1
Ethlybenzene	0.5
Fluride	10

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Hexachlorobenzene	0.06
Hydrocarbons	50
Iron, total	50
Lead, total	0.7
Manganese, total	5
Mercury, total	0.01
Methylene chloride (dichloromethane)	0.09
Molybdenum, total	5
Nickel, total	2
PCBs (chlorobiphenyls)	0.004
Phenolic Compounds	1
Selenium, total	1
Silver, total	0.5
Sulphate	1500
Sulphides	1
Tetrachloroethane (1,1,2,2-)	0.06
Tetrachloroethylene	0.06
Thallium, total	0.5
Tin, total	5
Titanium, total	5
Toluene	0.5
Total Nitrogen	50
Trichloroethylene	0.054

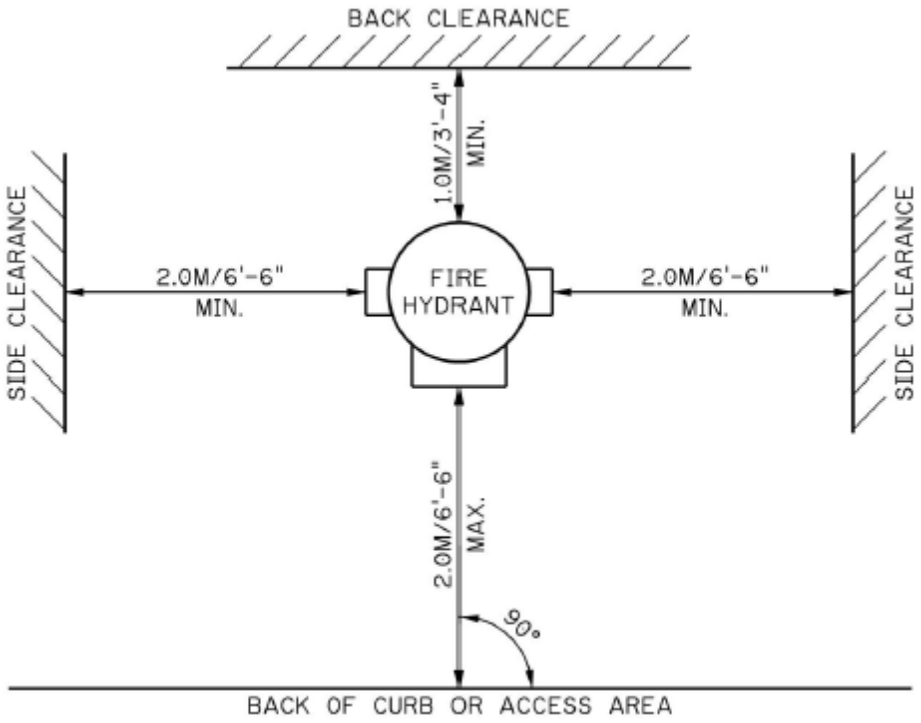
Vanadium, total	5
Xylenes, total	0.5
Zinc, total	2

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Schedule ‘C’ – Surcharge Substances

Column 1 **Substance**	**Column 2** **Concentration Limit (mg/L)**
BOD	300
COD	600
TSS	300
FOG	100
TP	10
TKN	50

Schedule ‘D’ – Regulations Respecting the Obstruction of Fire Hydrants



N.T.S.

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Schedule ‘E’ – Service Rates

Rates and fees in this Schedule apply for 2026 and shall automatically adjust annually to match prevailing City of Calgary rates for equivalent services, unless otherwise amended by resolution of Head Chief and Minor Chiefs.

Water

The rates or charges described in this Schedule are shown for the years 2026, and shall apply in the calendar year indicated (From January 1 to December 31, inclusive).

Table 1 – Water Service Charges				
	2026	**2027**	**2028**	**2029**
Residential	$15.55			
Commercial / Retail	$15.55			

Table 2 – Water Usage Rates (Metered)				
Water Usage	**2026**	**2027**	**2028**	**2029**
Residential Metered ($ per cubic metre)	$1.56			
Multi-Family Residential Metered ($ per cubic metre)	$1.56			
Non-Residential/Commercial Metered ($ per cubic metre, based on size of meter) Less than 75mm Equal to or greater than 75mm	 $1.56 $1.56			
Bulk Water (construction, irrigation, and truck supply via water plant or hydrant connection)	$5.00			

Table 3 –Water Usage Rates (Flat Rate / Non-Metered)

Water Usage	2026	2027	2028	2029
Minimum Monthly Rate	$46.17			
$ per thousand sqft of actual lot area	$6.1240			
$ per thousand sqft of Gross Building Area	$19.0978			

**If the total charge falls below the minimum monthly rate, the customer will be charged the monthly minimum rate and this amount will be used to calculate the wastewater charge.*

Wastewater

The rates or charges described in this Schedule are shown for the years 2026, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

Table 4 – Wastewater Service Charges/Usage Rates (Residential Metered)				
	2026	2027	2028	2029
Service Charge (Monthly)	$29.81			
Usage rate ($ per cubic metre)	$1.69			

Table 5 – Wastewater Service Charges/Usage Rates (Multi-Family Residential Metered)				
	2026	2027	2028	2029
Service Charge (Monthly)	$29.81			
Usage rate ($ per cubic metre)	$1.69			

Table 6 – Wastewater Service Charges/Usage Rates (Non-Residential/Commercial Metered)				
	2026	2027	2028	2029
Service Charge Monthly	$29.81			
Usage rate ($ per cubic metre)	$1.69			

Table 7 – Wastewater Service Charges (Water Flat Rate Customers)

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	2026	**2027**	**2028**	**2029**
Percentage of water charge (%)	144.46			

Monthly Wastewater Surcharge

The rates or charges described in this Schedule are shown for the years 2026, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

The formula for determining the surcharge to be levied is:

R = 0.1443 B + 0.1147 S + 0.1947 G

Where ‘R’ means rate in cents per cubic metre, and

‘B’ means the amount in milligrams per litre by which the *BOD* of the *Wastewater* tested exceeds three hundred milligrams per litre,

‘S’ means the amount in milligrams per litre by which the *TSS* of the *Wastewater* exceeds three hundred milligrams per litre, and

‘G’ means the amount expressed in milligrams per litre by which the *FOG* content of the *Wastewater* tested exceeds one hundred milligrams per litre.

Stormwater

The rates or charges described in this Schedule are shown for the years 2026, and must apply in the calendar year indicated (from January 1 to December 31, inclusive).

Table 8 – Stormwater Service Charges				
Water Usage	**2026**	**2027**	**2028**	**2029**
Stormwater Service Charge Monthly	$17.19			

Schedule ‘F’ – Penalties

Water

Section	Description of Offence	Penalty
19	Provide false information	$1,000
35	Fail to install Low Flow Plumbing Fixtures	$500
36(a)	Allow Potable Water to run off parcel for 30 metres or more	$200
36(b)	Allow Potable Water to run off parcel directly to catch basin	$200
36(c)	Allow spray or stream of Potable Water to run into street or sidewalk or parcel	$200
44	Breach of outdoor water use restriction	$1,500
45(a)	Damage, destroy, remove, interfere with Water System	$1,500
45(b)	Interfere with another Customer’s use of Water System	$1,500
45(c)	Use of boosting device to increase water pressure	$1,500
45(d)	Prohibited installation upstream of Water Meter	$1,500
45(e)	Prohibited installation upstream of Premises-Isolating Cross Connection Control Device	$1,500
45(f)	Tamper, break or remove seal on Water Service Connection or Water Meter	$1,500
45(g)	Prohibited connection to Water System	$1,500
47	Hinderance of Tsuut’ina Nation Employee or agent	$1,000
59(e)	Failure to notify of damaged Water Meter	$1,000
59(i)	Failure to notify of broken seal on bypass valve or Water Meter with 24 hours	$1,000
61(a)	Interfere or tamper with Mater Meter or reading device	$1,000
61(b)	Prohibited opening of bypass valve or metering installation	$1,000
63(a)	Failure to provide meter reading	$500

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72(a)	Failure to maintain Master Control Valve	$1,500
73	Unauthorized operation of Water Service Valve	$1,500
74	Allow unauthorized operation of Water Service Valve	$1,500
76	Unauthorized Cross Connection	$1,500
79	Failure to install Cross Connection Control Device	$2,000
84	Failure to test Cross Connection Control Device	$1,500
85	Fail to retain test records on-site of Cross Connection Control Device	$500
86(a)	Faile to file passed Testable Cross Connection Control Device test report	$500
88	Fail to replace Testable Cross Connection Control Device within five days	$1,500
91(a)	Unauthorized opening or closing of hydrant or hydrant valve	$1,500
91(b)	Unauthorized connection to fire hydrant	$1,500
91(c)	Unauthorized use of water from fire hydrant	$1,500
96	Paint or allow to be painted a fire hydrant unauthorized color	$100
97	Allow obstruction of fire hydrant	$1,500
98	Interfere with operation of fire hydrant	$1,500
104	Failure to comply with fire hydrant connection unit requirements	$1,500
106	Unauthorized use of alternate source of water	$1,500
108	Unauthorized connection of alternate water source to Water System	$1,500
110	Prohibited sharing of Water Supply between premises	$1,500
228	Failure to comply with Remedial Order	$1,000
227	Failing to comply with a requirement or condition of a written approval or permit	$1,500

Wastewater

Section	Description of Offence	Penalty
111(c)	Failing to ensure that the connection and owner's plumbing system comply with SCA	$1,000
111(d)	Failing to ensure that any required permits, inspections or other approvals required by the SCA or EPEA or by other legislation are valid and subsisting prior to connection to the wastewater system	$1,000
115	Failing to have a written approval, permit or agreement available for inspection on request	$200
116(a)	Failing to comply with a requirement of the Tsuut'ina Nation	$1,500
116(b)(c)	Failing to comply with a requirement or condition of a written approval, agreement or permit	$1,500
121	Failing to release of wastewater from a premises into the wastewater system	$1,000
122	Directing, or allowing clear water waste to be directed, into the wastewater system	$1,500
123(a)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with any part of the wastewater system, or allowing same	$1,500
123(b)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with a monitoring access point, or allowing same	$1,500
123(c)	Uncovering, opening, breaking, altering, removing, damaging, destroying or tampering with any device installed in or on the wastewater system for flow measuring, sampling testing or contamination prevention, or allowing same	$1,500
124	Obstructing or preventing access to a monitoring access point or acting in a manner that obstructs or prevents access to a monitoring access point	$500
125	Entering to a chamber, structure or premises associated with the wastewater system without approval	$1,500
127(a)	Releasing, or allowing the release of wastewater that contains a prohibited substance into the wastewater system	$3,000

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127(b)	Releasing, or allowing the release of wastewater into the wastewater system that contains a substance that is over the concentration limit as described in Column 2 of the Schedule “B” or Column 2 of Schedule ‘”C”	$3,000
127(c)	Releasing, or allowing the release, of wastewater that does not comply with all other requirements of this Law into the wastewater system	$3,000
128	Failing to comply with a condition in a written approval for allowing wastewater to enter the wastewater system	$1,500
130	Diluting wastewater for the purpose of complying with the requirements of this Law	$1,000
131(a)	Failing to obtain approval before making, altering, disconnecting or removing a connection to the wastewater system	$1,500
131(b)	Failing to obtain written approval before re-using a connection	$1,500
136(a)	Failing to install a FOG interceptor if required	$2,000
136(b)	Failing to monitor, operate, properly maintain and clean each FOG interceptor	$1,500
136(c)	Failing to ensure that wastewater does not exceed the maximum allowable concentration limits for FOG set out in Schedule ‘C’ of this Law	$3,000
137(a)	Failing to install an interceptor as required by section 146(a)	$2,000
137(b)	Failing to monitor, operate, properly maintain and clean each interceptor as required by section 146(b)	$1,500
137(c)	Failing to ensure that all wastewater does not exceed the maximum allowable concentration limits for hydrocarbons, flammable liquids and TSS as set out in Schedule “A” and “B” of this Law.	$3,000
138(a)	Failing to install a dental amalgam separator on a fixture that may release dental amalgam waste containing mercury into the wastewater system	$2,000
138(b)	Failing to install a dental amalgam separator on a fixture that may release dental amalgam waste containing mercury into the wastewater system	$2,000
138(c)	Failing to monitor, operate, maintain and clean a dental amalgam separator	$1,500
139	Using emulsifiers, enzymes, bacteria, solvents, hot water or other agent to facilitate the passage of FOG or hydrocarbons through an interceptor	$1,000

140(a)	Failing to provide one or more monitoring access points for the monitoring of wastewater	$2,000
140(b)	Failing to provide direct access to any monitoring access point located on the premises	$1,000
150	Failing to immediately notify Tsuut'ina Nation where a substance is released into the wastewater system in contravention of this Law	$1,000
153	Failing to submit a written report about a release	$1,500
154	Failing to take all reasonable measures to mitigate the release of a substance in contravention of this Law	$3,000
173	Obstructing an Officer, or Tsuut'ina Nation employee, or their designates, contractors, servants or agents in the exercise of their powers or duties	$1,000
234	Failing to comply with a Remedial Order	$1,000

Stormwater

Section	Description	Penalty
175	Release of a Prohibited Material into the Stormwater System	$3,000
185	Release impounded water	$1,500
176	Release of water exceeding 3,000 L into the Stormwater System	$500
181(a)	Fail to mitigate Release of Prohibited Material into the Stormwater System	$3,000
181(b)	Fail to cover or clearly mark hoses	$200
183	Allow termination within 2 meters	$300
184	Connection directly to foundation drain or weeping tile without prior approval	$500
186	Fail to treat, restrict, impound, manage or retain as required by the Appointed Authority	$3,000
187(a)	Fail to maintain Interceptor, device or practice	$1,500
187(b)	Fail to service Interceptor, device or practice	$1,500

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187(c)	Fail to keep or provide a record	$200
188	Deposit residue	$3,000
189	Unauthorized use of Storm Drainage	$1,000
192(a)	Placement of structure on or over a Surface Drainage Facility	$1,500
192(b)	Failure to ensure Surface Drainage Facility remains clear of debris	$1,500
193	Insufficient clearance over a Surface Drainage Facility	$1,500
194(a)	Restricting or prohibiting Tsuut'ina Nation employees or their agent access to the Stormwater System	$1,500
194(b)	Restricting Flow into or within Stormwater System	$1,500
195	Altering, removing or changing Stormwater System or a Stormwater Facility	$1,500
196	Make or create Surface Drainage Facility	$1,500
197	Unlawful/unpermitted entry into a Stormwater System structure or Facility	$1,500
198	Failing to comply with the requirements/covenants of an easement	$500
199	Unauthorized Connection to Stormwater System	$1,500
203	Unauthorized re-use of Connection	$1,500
204	Fail to notify Tsuut'ina Nation of discontinuation	$300
220	Failing to comply with a requirement or condition of a written approval, agreement or permit	$1,500
222	Fail to produce written approval	$200
224	Hindering authorized Tsuut'ina Nation contractors, servants and agents or workers	$1,000
234	Fail to comply with Remedial Order	$1,000

Head Chief and Minor Chiefs Signatory Page

THIS LAW IS HEREBY made at this duly convened meeting of the Head Chief and Minor Chiefs of the Tsuut'ina Nation this 4th day of November, 2026 by Nation Council Resolution.

Voting in favour of the Taza Development Water, Wastewater, Stormwater Law, as evidenced by signatures, are the following members of the Head Chief and Minor Chiefs:

Tsuut'ina Nation Head Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

Tsuut'ina Minor Chief

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