

CITY OF GRANDE PRAIRIE

OFFICE CONSOLIDATION

BYLAW C-1167

**A Bylaw of the City of Grande Prairie
To Reaffirm or Establish Policies Regarding
Water and Sanitary Sewage Services
To Brochu Industrial Park**

(As Amended by Bylaw C-1167A)

WHEREAS:

- A. Aquatera Utilities Inc. (“Aquatera”) provides water and sanitary sewage services to the City (“City Water and Sewage Services”);
- B. The Portion of the Southwest Quarter of Section 28, Township 71, Range 6, West of the Sixth Meridian shown on Schedule “A” to this Bylaw known as “Brochu Industrial Park” is not serviced by Aquatera’s water and sanitary sewage systems;
- C. At the time the Brochu Industrial Park was developed, provision was made for limited facilities for the supply of water for fire fighting purposes (“Existing Facilities”), but these are grossly inadequate;
- D. It is not practicable to upgrade the Existing Facilities for financial and other reasons;
- E. Council is concerned about the City’s ability to fight fires in the Brochu Industrial Park in the absence of City water services;
- F. Council is also concerned that the lack of City Water and Sewage Services may have an impact on public health standards in Brochu Industrial Park;
- G. The City in 2003 gave notice of its intention to provide City water in the Brochu Industrial Park on a local improvement basis (“First Project”) with all costs to be paid by the owners of land in the Brochu Industrial Park by means of a local improvement tax assessment;
- H. The City in 2005 gave notice of its intention to provide City Water and Sewage Services in the Brochu Industrial Park on a local improvement basis (“Second Project”) with all costs to be paid by the owners of land in the Brochu Industrial Park by means of a local improvement tax assessment;
- I. Petitions against the First Project and Second Project were presented to the City within the time limits prescribed in the Municipal Government Act (Alberta) and such petitions were deemed sufficient;
- J. In consideration of all the circumstances Council does not consider it advisable at this time to take any further steps to require the owners of land in the Brochu Industrial Park to pay the cost of providing City Water and Sewage Services;

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- K. The City wishes to reaffirm its policy that City Water and Sewage Services, amongst other matters, should not be provided in the Brochu Industrial Park at the expense of general tax payers for the following reasons:
1. It is the Policy of the City to require developers and landowners to install or pay for the installation of municipal services and improvements benefiting their lands; and
 2. It is Council's opinion that it would be inappropriate and onerous to require the City's tax payers to pay for such installation;
- L. Council also wishes to reaffirm its policy that no subdivision of land in the Brochu Industrial Park be permitted unless the parcel to be subdivided is to receive City Water Services to supply water for fire fighting purposes.

(Bylaw C-1167A - December 14, 2020)

NOW THEREFORE, THE MUNICIPAL COUNCIL OF THE CITY OF GRANDE PRAIRIE, IN THE PROVINCE OF ALBERTA, DULY ASSEMBLED ENACTS AS FOLLOWS:

1. The City reaffirms and establishes the following policies:
 - a) The City will not provide City Water and Sewage Services in the Brochu Industrial Park at the expense of the City's general tax payers;
 - b) For financial and other reasons, the City will not take any other measures to:
 - i. improve its fire fighting capabilities in the Brochu Industrial Park including, without limiting the generality of the foregoing, providing alternate sources of water; or
 - ii. improve public health standards or facilities in the Brochu Industrial Park by installing a sanitary sewage system.
 - c) The City will not approve any subdivision in the Brochu Industrial Park unless the parcel to be subdivided is receiving or is to receive City Water Services to supply water for fire fighting purposes.

(Bylaw C-1167A - December 14, 2020)

2. While the City will continue to respond to fire incidents in the Brochu Industrial Park, land owners, occupants of land and the public are advised that the City's ability to fight fires may be substantially restricted by the lack of City water. Land owners and occupants of land should consider all the measures that they can take to improve fire protection on their respective properties.

- 3. Land owners, occupants of land and the public are further advised that the lack of City Water and Sewage Services in the Brochu Industrial Park may have an impact on public health. Land owners and occupants of land should consider measures that they can take to safeguard public health on their properties.
- 4. It is the intention of the City that, if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.
- 5. This bylaw shall take effect on the date it is passed.

READ a first time this 10 day of April , 2006.

READ a second time this 10 day of April , 2006.

“W. Ayling” (signed)
MAYOR

“J. Ferguson” (signed)
CITY CLERK

READ a third time and finally passed this 24 day of April , 2006.

“W. Ayling” (signed)
MAYOR

“J. Ferguson” (signed)
CITY CLERK

Schedule "A"

(Bylaw C-1167A - December 14, 2020)

