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September 29, 2025

To: Members of the Town of Claresholm Municipal Council
Cc: Alberta Minister of Municipal Affairs - Dan Williams

Subject: Formal Request for Review of Water Metering Bylaw and Associated Revenue Practices

I am writing to formally request a comprehensive review of the municipal bylaw authorizing the installation of water meters in primary residences and the subsequent billing of residents based on water usage per cubic meter.

This request is made in light of the following concerns:

1. Disproportionate Revenue Generation

The municipality has reported generated significantly more revenue from water billing than projected, with surplus funds being transferred to discretionary reserves. This raises questions about the financial intent and transparency of the program, particularly when the stated goal was conservation rather than revenue generation.

2. Lack of Conservation Impact

Despite the implementation of metering, there is no measurable reduction in water consumption. This undermines the rationale for the program and suggests that its primary effect has been financial rather than environmental.

3. Conflict with Provincial Legislation

The Alberta Water Act (RSA 2000, cW-3) prioritizes conservation, stewardship, and equitable access to water. The use of metering as a revenue tool may be inconsistent with these principles. Specifically:

- **Section 2** outlines the Act's purpose as promoting conservation and responsible management
- **Section 18** requires licensing for water use, but does not authorize profit-making schemes.
- **Section 51** provides a statutory exemption of **1, 250 cubic meters per year** for household use from private sources, reinforcing the protected nature of domestic water access

4. Residential vs. Revenue-Generating Use

The Water Act distinguishes between household use and commercial use. Properties generating income – such as rental units – may be subject to different regulatory

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treatment. However, for owner-occupied primary residences with no business licensing or commercial activity, water use ~~should be recognised~~ as a **protected household right**, not a taxable commodity.

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5. Hierarchy of Water Allocation Properties

The Water Act establishes a priority system for water access:

1. Household Use
2. Agricultural Use
3. Municipal Use
4. Commercial/Industrial Use
5. Recreational Use

This hierarchy confirms that household use is the most protected category, and any municipal policy that undermines this principle should be carefully scrutinized.

6. Public Disclosure by the Mayor

At a 2024/2025 Coffee with Town Council Event, the Mayor publicly stated that “of the 34 communities that were considering implementing water metering, only 2 implemented the water metering” – one of which is our own. This disclosure raises important questions about why our municipality proceeded with this initiative when the overwhelming majority chose not to. It invites reflection on whether the decision was in the best interests of residents, especially given the financial outcomes and lack of measurable conservation.

7. Access to Private Residences

The current language in the bylaw granting the Town authority to enter private residences for water metering maintenance rises serious concerns. Under **Section 542 of Alberta’s Municipal Government Act**, entry into private property must be reasonable, justified, and preceded by notice – except in emergencies. Given the water meters are located inside the home, this access should be governed by **contractual consent**, not assumed by bylaw.

8. Proposal for Household Water Billing Exemption

Given **our community’s rural character and agricultural identity**, I respectfully propose that the Council consider amending the Water Metering Bylaw to include a **basic household water exemption** aligned with the Alberta Water Act’s statutory standard.

“The Town shall apply a yearly household water exemption of up to 1,250 cubic meters per residence, consistent with the statutory exemption recognised under the Alberta Water Act for domestic use. Water usage exceeding this threshold shall be subject to volumetric billing rates. This exemption shall apply only to primary residences not engaged in commercial or industrial activity.”

This amendment would **reflect the realities of rural living**, where water is used not only for indoor consumption but also for household gardens, pets, and small-scale livestock. It

would ensure that basic water needs are protected and not penalized under urban-style billing models.

9. Sewer Charges Based on Water Consumption

Additionally, residents are not only billed for the number of cubic meters of water consumed, but are also charged for **wastewater services based on 50% of that consumption** – regardless of whether the water actually enters the sewer system. In the rural communities like ours, where outdoor water use is common and much of it is absorbed into the ground or used for non-sewer purposes, this billing model may not reflect actual wastewater generation. I respectfully request that Council review this practice and consider whether a more accurate or equitable approach could be adopted.

Request for Action

In light of these concerns, I respectfully urge the Council to:

- Conduct a formal review of the water metering bylaw, including it's financial, legal, and environmental implications.
- Provide a public report detailing the revenue generated, reserve fund allocations, and conservation outcomes.
- Clarify the legal basis for using water billing as a revenue-generating mechanism under provincial law.
- Reassess the fairness and sustainability of the current billing structure, particularly for primary residences not engaged in commercial activity.
- Amend a bylaw to require contractual consent for entry into private residences for water meter servicing.
- Consider a household water exemption of 1,250 m3 yearly for primary residences consistent with provincial standards and rural community needs.
- Review the wastewater billing model to ensure it reflects actual sewer usage and does not unfairly penalize outdoor water use.

Residents deserve a system that is both equitable and transparent. I hope the Council will take these concerns seriously and initiate a review of the bylaw and its implications in light of provincial legislation and public trust.

Thank you for your attention to this matter. I look forward to your response and to a constructive dialogue on how we can better serve the interests of our community.

Sincerely,

Steven Frank Petek



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