TOWN OF COCHRANE

BYLAW 16/2026

Being a Bylaw of the Town of Cochrane in the Province of Alberta, Canada to authorise, regulate, and control storm sewers, stormwater, and surface drainage in the Town of Cochrane.

WHEREAS: the *Municipal Government Act* (R.S.A. 2000, c. M-26) authorizes a municipality to pass Bylaws for municipal purposes respecting public utilities and services provided by the municipality;

AND WHEREAS: the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting the safety, health, and welfare of people and the protection of people and property;

AND WHEREAS: the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting people, activities, and things in, on, or near a public place or place that is often open to the public;

AND WHEREAS: the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting nuisances;

AND WHEREAS: the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting systems of licenses, permits, or approvals;

AND WHEREAS: the *Municipal Government Act* authorizes a municipality to pass Bylaws for municipal purposes respecting the enforcement of bylaws including providing for inspections to determine if bylaws are being complied with;

AND WHEREAS: regulating storm sewers and stormwater within the Town of Cochrane is desirable;

AND WHEREAS: it is deemed expedient to update and consolidate the bylaws which control and regulate storm sewers and stormwater in the Town of Cochrane;

NOW THEREFORE: the Municipal Council of the Town of Cochrane in the Province of Alberta, duly assembled, hereby enacts as follows:

1. TITLE

1.1 This Bylaw may be referred to as the 'Surface Drainage Bylaw'.

2. PURPOSE

2.1 The purposes of this bylaw are:

(a) to protect the Stormwater Drainage System from damage, obstruction, interference, unauthorized use, alteration, installation or removal of connections to the Stormwater Drainage System, or the Release of prohibited materials;

(b) to protect The Town's employees, infrastructure, environment, and the public from exposure to dangerous conditions;

(c) to protect, control, and monitor the volume and ensure the quality of water entering the Stormwater Drainage System;

(d) to provide a system of rates, fees, and charges for various types of use of the Stormwater Drainage System; and

(e) to provide a system of permits or other permissions that facilitate the imposing of conditions on Releases to the Stormwater Drainage System.

3. INTERPRETATION AND DEFINITIONS

3.1 In this bylaw:

(a) **"Adverse Effect"** means impairment of or damage to, or the ability to cause impairment of or damage to:

(i) the Storm Drainage System;

(ii) human health or safety;

(iii) property; or

(iv) the environment.

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

(i) human anatomical waste;

(ii) infectious human waste;

(iii) infectious animal waste;

(iv) microbiological waste;

(v) blood and body fluid waste; and

(vi) medical sharps, such as needles, syringes, blades, or other clinical or laboratory materials capable of causing punctures or cuts.

(c) **"Building Grade Form"** means a document prepared and stamped by a Professional Engineer by or on behalf of an owner that discloses the final building grades for a lot, based upon a Building Grade Plan;

(d) **"Building Grade Plan"** means a plan prepared and stamped by a Professional Engineer on behalf of an owner of land and accepted by the Town that shows the final grades for a lot or lots;

(e) **"Bylaw Ticket"** means a ticket in an approved form issued in respect to a contravention of this Bylaw allowing a minimum payment to be made in lieu of prosecution.

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

(g) **"Decorative Pond"** means an artificial body of water for ornamental purposes but does not include fishponds.

(h) **"Drainage Easement"** means a document registered against the title to a lot or lots that restricts the rights of use and development in order to provide for the orderly drainage of surface water.

(i) **"Drainage and Site Servicing Plan"** means a plan that complies with the latest version of City of Calgary Stormwater Management and Design Manual, and the Town of Cochrane Design Guidelines.

(j) **"Erosion and Sediment Control Plan"** means a plan that complies with the Town of Cochrane Erosion and Sediment Control Guidelines.

(k) **"Final Grading"** means finished landscaping, contouring, or shaping of the surface of a lot or portion of it, by or on behalf of an owner in accordance with a Building Grade Form.

(l) **"Foundation Drainage"** means water collected beneath the surface of the ground by a foundation drain, weeping tile, sump pump or other similar means.

(m) **"Front Yard"** means the portion of a Site abutting the front lot line extending across the full width of the Site, situated between the front lot line and the nearest wall of the principal building, not including projections.

(n) **"General Medical Waste"** means non-hazardous medical waste and includes, but is not limited to, soiled dressings, sponges, surgery drapes, lavage tubes, casts, catheters, disposable pads, disposable gloves, specimen containers, lab coats and aprons, tubings, filters, towels and disposable sheets, but excludes Biomedical Waste.

(o) **"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 and Regulations passed thereunder.

(p) **"Highway"** means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway, or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles, and includes: a sidewalk including a boulevard adjacent to the sidewalk), if a ditch lies adjacent to and parallel with the roadway, the ditch, and if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be a highway.

(q) **"Industrial Waste"** means waste generated by commercial or industrial activities that presents health, safety or environmental concerns, and includes, but is not limited to, lime, sulphur, asbestos, contaminated soils, empty chemical containers and drums, carbon, acids, caustics, sludge, and industrial sump water, but excludes Hazardous Substances and Biomedical Waste.

(r) **"Interceptor"** means a treatment system or device, approved by the Town that is designed to remove Substances or contaminants from Storm Drainage or water before passing into the Storm Drainage System.

(s) **"Lot Grade Certificate"** means a post construction Plot Plan bearing a stamp or seal of a:

(i) practitioner, as that term is used in the Land Surveyors Act and amendments;

(ii) professional engineer, as that term is used in the Engineering Geological and Geophysical Professionals Act and amendments; or

(iii) registered architect, as that term is used in the *Architects Act* and amendments.

(t) **"Negative Drainage"** means, 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.

(u) **"Parcel"** means the aggregate of one or more areas of land described in a certificate of title.

(v) **"Peace Officer"** means a person engaged by the Town as a Community Peace Officer, a Bylaw Enforcement Officer, or a member of the Royal Canadian Mounted Police to carry out the provisions of this Bylaw.

(w) **"Person Responsible"** means any of the following:

(i) an individual or person;

(ii) a legal entity, business entity, a firm, association, society, or corporation partnership;

(iii) a trustee, executor, administrator, agent, or employee of either (i) or (ii) above; or

(iv) a developer, builder, general contractor, Property Manager, owner, or occupant of the property/land.

(x) **"Plot Plan"** means an overhead plan view showing the location of the home on a lot and any other information as required in this Bylaw.

(y) **"Premises"** includes lands and buildings or both, or a part thereof.

(z) **"Prohibited Material"** means any substance that may, directly or indirectly, obstruct the flow of water within the Storm Drainage System or

may have an adverse effect on it.

(aa) **"Rear Yard"** means the portion of a Site abutting the Rear Lot Line extending across the full width of the Site, situated between the Rear Lot Line and the nearest wall of the principal building, not including projections.

(bb) **"Release"** means:

(i) to directly or indirectly introduce a Substance to the Storm Drainage System by spilling, discharging, disposing of, abandoning, depositing, leaking, seeping, pouring, draining, reuse, emptying, or by any other means; or

(ii) a spill, discharge, disposal, abandonment, deposit, leak, seep, pour, drain, or emptying of a Substance into the Storm Drainage System.

(cc) **"Reserve"** means a Parcel designated on its certificate of title as municipal reserve, school reserve, municipal and school reserve, environmental reserve, community services reserve, or public utility lot, or a Parcel administered by the Town as if it had such reserve designation.

(dd) **"Rough Grading"** means the shaping or contouring of a lot or part thereof by or on behalf of an owner in accordance with a Building Grade Form prior to the completion of Final Grading.

(ee) "**Service Connection**" means a service connection as defined in the Municipal Government Act and includes a Service Connection (Private) and a Service Connection (Town).

(ff) **"Side Yard"** means that portion the Site abutting the Side lot line extending from the Front Yard to the Rear Yard. The Side Yard is situated between the Side Lot Line and the nearest wall of the principal building, not including projections.

(gg) "**Site"** means an area of land consisting of one or more abutting lots which operate as one site for Development.

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

(ii) **"Storm Drainage System"** means the system for collecting, transmitting, storing, treating, and disposing of Storm Drainage and Foundation Drainage, and includes:

(i) the catch basins, sewers and pumping stations that make up the storm drainage collection system;

(ii) the storm drainage facilities, structures, or appurtenances used for storage, management and treatment to buffer the effects of runoff or improve the quality of the Stormwater;

(iii) the sewers and pumping stations that transport storm drainage to the location where it is treated or disposed of;

(iv) the storm drainage outfall structures;

(v) the Surface Drainage Facilities;

(vi) approved diversions of Stormwater amenities; and

(vii) does not include plumbing or Service Connections in buildings.

(jj) **"Substance"** means:

(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), (iii), or (iv).

(kk) **"Surface Drainage Facility"** means any facility or facilities associated with drainage or control of Storm Drainage.

(ll) **"Town"** means the municipal corporation of the Town of Cochrane.

3.2 Nothing in this Bylaw relieves a Person Responsible from complying with any Federal or Provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.

4. SEVERABILITY

4.1 Each provision of this Bylaw 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 Bylaw remain valid and enforceable.

5. STORM DRAINAGE MANAGEMENT AND DISCHARGE CONTROL REQUIREMENTS

5.1 The CAO or designate may accept a rate of Release of Storm Drainage for a lot.

5.2 The CAO or designate may determine and specify the location or locations of Release of Storm Drainage and subsurface drainage on or from a lot, including, but not limited to, requiring that Storm Drainage and Foundation Drainage from a building be discharged into a Service Connection, or to a designated point.

5.3 Where a rate of Release of Storm Drainage has been established pursuant to Section 5.1:

(a) the CAO or designate may refuse to accept a Drainage and Site Servicing Plan or Building Grade Form if the Drainage and Site Servicing Plan, Erosion and Sediment Control Plan, or Building Grade Form does not comply with the rate of Release of Storm Drainage; and

(b) the Person Responsible shall erect all Surface Drainage Facility and Storm Drainage storage areas shown on the approved Drainage and Site Servicing Plan, or Erosion and Sediment Control Plan; and

(c) the Person Responsible shall maintain and keep in good repair all Surface Drainage Facility and Storm Drainage storage areas as shown on the approved Drainage and Site Servicing Plan or Erosion and Sediment Control Plan.

5.4 Where the CAO or designate has specified a location for the Release of Storm Drainage or subsurface drainage on or from a lot pursuant to section 5.2:

(a) The CAO or designate may refuse to accept a Drainage and Site Servicing Plan or Building Grade Form until the Person Responsible has made provision on the Drainage and Site Servicing Plan, Erosion and Sediment Control Plan, or Building Grade Form for the release of Stormwater and or Foundation Drainage at the location specified; and

(b) the Person Responsible shall at all times comply with the specified location or locations for Release of Storm Drainage or Foundation Drainage.

6. ESTABLISHMENT, INSPECTION, AND MAINTENANCE OF SURFACE GRADES

6.1 The CAO or designate may accept confirmation of the surface elevations and surface grades of a lot in two stages:

(a) Stage 1: Approval of Rough Grading; and

(b) Stage 2: Approval of Final Grading.

6.2 Rough Grading and Final Grading of a lot shall conform to the Building Grade Form or the Drainage and Site Servicing Plan for the lot.

6.3 Rough Grading and Final Grading of a lot shall conform to the tolerances identified in "Schedule B" for the lot.

6.4 Within 30 days of completion of Rough Grading or Final Grading, as the case may be, the Person Responsible shall submit to the CAO or designate a Plan of Certification of As-Built Grades or Lot Grade Certificate relating to the Rough Grading or the Final Grading.

6.5 The CAO or designate relies entirely on the Drainage and Site Servicing Plan, Building Grade Form, Plan of Certification of As-Built Grades, and Lot Grade Certificate supplied by or on behalf of the Person Responsible in respect to a lots compliance with the requirements of this Bylaw.

6.6 The Town assumes no responsibility or liability for any inaccuracy, mistake, or error of law or fact arising from a Drainage and Site Servicing Plan, Building Grade Form, Plan of Certification of As-Built Grades, or Lot Grade Certificate supplied by or on behalf of the Person Responsible.

7. RELEASES TO THE STORM DRAINAGE SYSTEM

7.1 No Person shall Release, or cause to be Released, any Prohibited Material into the Storm Drainage System, except as permitted in Section 7.3.

7.2 No Person shall Release, or cause to be Released, any water into the Storm Drainage System that has been impounded either passively or actively, except as permitted in Section 7.3

7.3 The following may be Released into the Storm Drainage System:

(a) Foundation Drainage;
(b) water from a portable swimming pool, Decorative Pond or fountain, which does not use chemical agents for maintenance (sanitizers, algae control, and acidic/alkaline balance);

(c) water resulting solely from:

(i) irrigating or otherwise watering a lawn, garden and trees or other landscaping; or

(ii) washing of single-family or semi-detached homes with potable water.

(d) water resulting from extinguishing fires;

(e) water in accordance with a permit or written approval from the CAO or designate; and

(f) water in accordance with an approval pursuant to Section 8.

8. RELEASE OF PROHIBITED MATERIALS

8.1 Any Person who Releases, or causes or allows to be Released, any Prohibited Material into the Storm Drainage System in contravention of this Bylaw 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:

(i) human health or safety;

(ii) property;

(iii) the environment; or

(iv) the Storm Drainage System.

(b) Alberta Environment pursuant to the *Environmental Protection and Enhancement Act*;

(c) Town of Cochrane Operations Department;

(d) the owner of the Premises where the Release occurred; and

(e) any other person that may be affected by the Release.

8.2 The Person Responsible for the Release must file a report with the Town within 7-10 days of the Release providing the following information:

(a) Alberta Environment file identification number;

(b) date and time of the Release;

(c) location of the Release;

(d) duration of the Release;

(e) rate and volume of Release;

(f) composition of the Release, including the composition and amount of each type of Prohibited Material in the Release and any known associated hazards;

(g) circumstances leading to the release;

(h) steps taken to minimize, control or stop the Release;

(i) procedures that will be implemented to prevent similar Releases in the future;

(j) a summary of the Adverse Effect caused by the Release; and

(k) such other information as may be required by the CAO or designate.

8.3 The CAO or designate may require the owner or Person responsible for the Release described in Subsection (8.1) to:

(a) compensate the Town for any costs incurred to mitigate the effects of the Release; and
(b) submit to the Town a plan setting out how the risk of future similar Releases will be prevented or eliminated.

8.4 Any Person Responsible who Releases, or causes or allows to be Released, any Prohibited Material into the Storm Drainage System in contravention of this Bylaw must immediately take all reasonable measures to stop, contain, mitigate, and remediate the Release, including but not limited to taking measures to prevent the obstruction of the Storm Drainage System or measures to prevent an Adverse Effect.

9. DIRECTING STORM DRAINAGE

9.1 If a sump pump is required in any new building, the Person Responsible shall install at the time of construction, a sump pump discharge as part of the building's foundation drain so as to allow discharge directly to the storm sewer.

9.2 The sump pump discharge shall comply with all Town bylaws, and other applicable legislation and regulations. The Person Responsible shall be solely responsible for ensuring the sump pump discharge is properly designed, installed, operated, and maintained.

9.3 Except where an entire parcel has negative drainage, no person responsible shall allow downspouts, eaves troughing, piping, or other means of directing storm drainage or foundation drainage on a parcel to terminate within 2 metres of:

(a) The front or rear property line; or

(b) A location or in such a manner that the discharge causes or has the potential to cause nuisance, hazard or damage unless authorized to do so by the CAO or designate.

9.4 No Person Responsible shall suffer or permit roof drainage or pumped subsurface drainage from a building to be discharged directly onto an adjacent Lot, or a Town right-of-way.

9.5 No Person Responsible shall directly connect or allow direct connection of downspouts, eaves troughing, piping or other means of directing roof drainage to a foundation drain or weeping tile.

9.6 No Person Responsible shall allow roof drainage or pumped subsurface drainage from a building to be discharged to a location where the flow of water or accumulation of water would adversely affect or have potential to adversely affect the stability of an adjacent or neighboring slope.

9.7 No Person Responsible shall grade or alter the existing grades of a parcel so that they adversely affect the drainage of a neighboring Lot.

9.8 No Person Responsible without authorization from the Town shall install a culvert or driveway within a public right-of-way.

9.9 The Person Responsible is responsible for erecting and maintaining any Erosion Prevention/Protection measures during excavation, stripping, stockpiling, building construction, or other development activity that may be required to protect the Lot and neighboring Lots from damage due to erosion.

9.10 The Person Responsible shall comply with any applicable Erosion and Sediment Control Plan, approved drainage plan, development approval, Town standard, or direction issued by the Town.

9.11 The Person responsible for a Lot is required to either landscape or erect erosion control measures on a lot within 30 days of Final Grade completion.

9.12 No Person Responsible shall direct or pump impounded Water from a Parcel to the Storm Drainage System without written consent of the Town.

10. RETENTION AND TREATMENT

10.1 The CAO or designate may permanently or temporarily require the owner or occupant of a Parcel to treat, restrict, impound, manage or otherwise retain Storm Drainage on a Parcel:

(a) if Prohibited Materials are likely to enter the Storm Drainage System from the Parcel; or

(b) if the Storm Drainage from the Parcel is likely to cause erosion, damage, or other Adverse Effect to adjacent property; or

(c) if the Storm Drainage from the Parcel is likely to cause erosion, damage or other Adverse Effect to property owned or occupied by the Town; or

(d) in order to:

(i) control the volume; or

(ii) ensure the water quality;

of Storm Drainage entering the Storm Drainage System.

11. INTERCEPTORS, DEVICES, AND PRACTICES

11.1 Any Person who owns or occupies a Parcel on which the CAO or designate has, pursuant to Section 11, 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 working condition at all times;

(b) service the Interceptor, device or practice often enough so that it does not become overloaded; and

(c) keep a maintenance record at the frequency specified in the approved Operations and Maintenance Plan, manufacturer's requirements, or as otherwise directed by the CAO or designate; and

(d) Retain the records required under subsection (c) and provide such maintenance record to the Town upon request.

11.2 No Person shall deposit or cause or allow to be deposited any residue from an Interceptor, device, or practice into the Storm Drainage System.

12. DIVERSION, USE, AND RE-USE OF STORM DRAINAGE

12.1 Storm Drainage must not be diverted, used, or re-used for any purpose without written approval from the CAO or designate and the applicable Provincial and Federal agencies.

12.2 The CAO or designate may impose conditions on an approval granted for Storm Drainage re-use, including any of the following:

(a) limits on the types of applications for which Storm Drainage may be re-used; and

(b) requirements on applications, risks, volumes, and any other information the CAO or designate may require.

12.3 Notwithstanding sections 12.1 and 12.2, the approval of the Town is not required for the use of Storm Drainage captured by water barrels located above ground and intended for outdoor use.

13. INTERFERENCE WITH THE STORM DRAINAGE SYSTEM

13.1 Any Person who owns or occupies a Parcel on which a Surface Drainage Facility is located must ensure that:

(a) no building, landscaping feature, 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, Prohibited Material, debris, ice, snow, or other matter which may obstruct, restrict, or prevent the flow of Storm Drainage within the Surface Drainage Facility or the Storm Drainage System.

13.2 Notwithstanding Section 13.1, a fence may be constructed laterally over a Surface Drainage Facility provided there is a vertical clearance from the invert of the Surface Drainage Facility of at least 15cm (6 inches) to the bottom of the fence.

13.3 No Person, unless authorized by the CAO or designate, shall obstruct, restrict, or prevent:

(a) access to the Storm Drainage System; or

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

13.4 No Person, unless authorized by the CAO or designate, shall alter, remove, or change, either temporarily or permanently, any part of the Storm Drainage System.

13.5 A Person must not, unless authorized by the CAO or designate, create a Surface Drainage Facility that connects to the Storm Drainage System.

13.6 Person Responsible of a lot is responsible for all maintenance of Surface Drainage Features located on the lot unless otherwise notified by the CAO or designate.

14. COMPLIANCE WITH INSTRUMENTS REGISTERED ON TITLE

14.1 The owner of a Parcel 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 Parcel to protect the Storm Drainage System, including a drainage structure, swale, ditch or other Surface Drainage Facility, or the stability of a slope.

15. CONNECTIONS

15.1 No Person shall make, alter or remove, or permit the making, alteration or removal of, any Connection to the Storm Drainage System without the written approval of the CAO or designate.

15.2 Applications for the installation, alteration or removal of a Connection shall be made in writing to the CAO or designate.

15.3 The Town may approve the installation, alteration or removal of a Connection upon such terms and conditions as the CAO or designate considers necessary including but not limited to compliance with Site Servicing standards. Permits for the work to be completed are required and include the cost or estimated cost of the work to be completed in way of cheque irrevocable Letter of Credit (LOC) for installation, alteration or removal of the Connection.

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

15.5 No Person shall re-use a Connection that has been discontinued, altered or removed without first obtaining the written consent of the CAO or designate.

15.6 Where the use of a Connection is discontinued, the owner of the Premises which was serviced by such Connection shall immediately notify the CAO or designate in writing and the owner shall pay in advance, the cost of disconnection.

15.7 A Person is required to report to the CAO or designate any Connection or equipment located on a Premises that does not comply with the requirements of this bylaw.

16. DISCONNECTIONS

16.1 The CAO or designate may, in addition to any other remedy available, disconnect or seal off the Parcel from the Storm Drainage System or take such other action as is necessary to prevent a discharge of Storm Drainage, Foundation Drainage or water from entering the Storm Drainage System where the discharge:

(a) contains a Prohibited Material;

(b) creates an immediate danger to any Person;

(c) interferes with or endangers the operation of the Storm Drainage System; or

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

16.2 Where the CAO or designate has taken action pursuant to Section 16.1, such action may be maintained or continued until satisfactory evidence has been produced to assure that no further harmful discharge will be made.

16.3 Where the CAO or designate has taken action pursuant to Section 16.1, the CAO or designate may, by notice in writing, advise the owner or occupier of the Premises from which the discharge was emanating, of the cost of taking such action and the owner or occupier shall be responsible for all costs incurred by the Town.

17. AUTHORITY OF THE TOWN

17.1 Without restricting any other power, duty, or function granted by this Bylaw, the CAO or designate may:

(a) carry out any inspection to determine compliance with this Bylaw;

(b) take any steps or carry out any actions required to enforce the Bylaw;

(c) take any steps or carry out any actions required to remedy a contravention of this Bylaw;

(d) establish forms for the purpose of this Bylaw;

(e) issue permits and approvals with such terms and conditions as are deemed appropriate;

(f) establish criteria to be met for a permit or approval to be used pursuant to this Bylaw;

(g) waive or vary any fee payable pursuant to this Bylaw;

(h) revoke, suspend, refuse to issue, vary or impose conditions on any permit or approval if, in the opinion of the CAO or designate, it is in the public interest to do so; and

(i) delegate any powers, duties, or functions under this bylaw to an employee of the Town.

17.2 Notwithstanding any other provision in this Bylaw, the CAO or designate may establish rates, volumes and locations of Releases, including but not limited to:

(a) overland flows to a Town owned Parcel, including a Reserve.

(b) Release into a Storm Drainage System, and

(c) Release to a Highway.

18. APPROVALS AND REQUIREMENTS

18.1 A Person to whom a written approval or requirement has been issued pursuant to this Bylaw shall ensure every provision and condition of that approval or requirement is complied with.

18.2 Every Person who relies on a written approval issued pursuant to this Bylaw has the onus of proving that they were the holder of a valid and subsisting approval.

18.3 A written approval given by the CAO or designate or Peace Officer pursuant to this Bylaw, or an agreement entered into pursuant to this Bylaw, must be available for inspection on the request of an employee of the Town.

19. INSPECTIONS

19.1 The CAO or designate or may inspect, observe, measure, sample and test the water, Foundation Drainage or Storm Drainage on any Premises in order to determine whether or not this Bylaw or an approval granted pursuant to this Bylaw is being complied with.

20. OBSTRUCTION

20.1 No Person shall hinder, interrupt or cause to be hindered any employee of the Town or its contractors, servants, agents, or workers, in the exercise of the powers or duties as authorized or required in this Bylaw.

21. ENFORCEMENT – OFFENCE

21.1 Any person who contravenes any provision of this Bylaw by doing any act or thing which the person is prohibited from doing, or by failing to do any act or thing the person is required to do, is guilty of an offence pursuant to this Bylaw and subject to the penalties listed in Schedule A.

21.2 If a Person has been convicted of a contravention of the same provision of this Bylaw within the past TWELVE (12) month period, the specified penalty or penalty in lieu of prosecution in respect of a second or subsequent contravention of this Bylaw shall be double the amount set out in Schedule "A" of this Bylaw.

22. ENFORCEMENT – CONTINUING OFFENCE

22.1 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence and subject to the penalties listed in Schedule A.

23. ENFORCEMENT – BYLAW TICKET

23.1 Where a Peace Officer believes that a person has contravened any provision of this Bylaw, the Officer may issue a Bylaw Ticket in lieu of prosecution and subject to the penalties listed in Schedule A.

24. ENFORCEMENT – VIOLATION TICKET

24.1 Where a Peace Officer believes that a person has contravened any provision of this Bylaw, the Officer may commence proceedings against the person by issuing a violation ticket in accordance with the *Provincial Offences Procedure Act*, R.S.A. 2000, c.P-34 and subject to the penalties listed in Schedule A.

25. ENFORCEMENT – SPECIFIED PENALTY

25.1 Where there is a specified penalty listed for an offence in Schedule "A" to this Bylaw, that amount is the specified penalty for the offence.

25.4 This section shall not prevent a Peace Officer from issuing a summons requiring a court appearance of the defendant, pursuant to the *Provincial Offences Procedures Act* or from laying an information instead of issuing.

25.5 A person who is found guilty of an offence under this Bylaw is liable, on summary conviction, to a fine of not more than $10,000.00 or to imprisonment for not more than one year, or to both fine and imprisonment.

25.6 The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a Person from the necessity of paying any fees, charges or costs from which that Person is liable under the provisions of this Bylaw or any other bylaw.

26. TRANSITIONAL REPEALS – BYLAWS REPLACED

26.1 Town of Cochrane Surface Drainage Bylaw 13-2005.

27. EFFECTIVE DATE

27.1 This Bylaw comes into full force and effect upon third and final reading.

Read a First time: October 19, 2026

Read a Second time: November 2, 2026

Read a Third time: November 2, 2026

_____Signature on File___
Mayor

_____Signature on File___
Manager, Legislative Services

SCHEDULE "A"

Minimum and Specified Penalties

OFFENCE SECTION	DESCRIPTION	MINIMUM PENALTY	SPECIFIED PENALTY
General	All Bylaw sections not specified in this schedule	$300	$700
	5. STORM DRAINAGE MANAGEMENT AND DISCHARGE CONTROL REQUIREMENTS		
5.3(b)	Failing to erect all Surface Drainage Facilities and Storm Drainage storage areas shown on an approved Drainage and Site Servicing Plan or Erosion Sediment Control Plan.	$500	$1,000
5.3(c)	Failing to maintain all Surface Drainage Facilities and Storm Drainage storage areas shown on an approved plan.	$500	$1,000
5.4(b)	Failing to comply at all times with the location or locations specified by the Town for release of Storm Drainage or subsurface drainage.	$500	$1,000
	8. RELEASE OF PROHIBITED MATERIALS		
8.1(b)	Failing to take all reasonable measures to immediately notify Alberta Environment pursuant to the Environmental Protection and Enhancement Act after releasing, causing or allowing a Release of Prohibited Material contrary to this Bylaw.	$300	$700
8.1(c)	Failing to take all reasonable measures to immediately notify the Town of Cochrane Operations Department after releasing, causing or allowing a Release of Prohibited Material contrary to this Bylaw.	$500	$1,000
	10. RETENTION AND TREATMENT		
10.1	Failing to treat, restrict, impound, manage or otherwise retain Storm Drainage on a Parcel.	$500	$1,000
	11. INTERCEPTORS DEVICES AND PRACTICES		

OFFENCE SECTION	DESCRIPTION	MINIMUM PENALTY	SPECIFIED PENALTY
11.1(a)	Failing to keep a Town-directed Interceptor, device or practice in good working condition.	$500	$1,000
11.1(b)	Failing to service a Town-directed Interceptor, device or practice often enough to prevent overloading.	$500	$1,000
11.1(c)	Failing to keep an annual maintenance record for a Town-directed Interceptor, device or practice, or to provide that record to the Town on request.	$300	$700
11.2	Depositing, causing or allowing the deposit of residue from an Interceptor, device or practice into the Storm Drainage System.	$500	$1,000
	13. INTERFERENCE WITH THE STORM DRAINAGE SYSTEM		
13.4	Temporarily or permanently altering, removing or changing any part of the Storm Drainage System without Town authorization.	$500	$1,000
13.5	Creating a Surface Drainage Facility that connects to the Storm Drainage System without Town authorization.	$500	$1,000
	15. CONNECTIONS		
15.1	Making, altering, removing, or permitting the making, alteration or removal of, a connection to the Storm Drainage System without written Town approval.	$500	$1,000
15.2	Failing to make an application for installation, alteration or removal of a Connection in writing to the Town.	$500	$1,000
15.3	Failing to obtain the required permit for Connection work or provide the cost or estimated cost of that work in the form required by section 15.3.	$500	$1,000
15.3	Failing to comply with terms or conditions of a written Town approval for installation, alteration or removal of a Connection.	$500	$1,000

OFFENCE SECTION	DESCRIPTION	MINIMUM PENALTY	SPECIFIED PENALTY
15.4	As applicant, failing to bear the expense of installation, alteration or removal of a Connection.	$500	$1,000
15.5	Re-using a discontinued, altered or removed Connection without first obtaining written Town consent.	$500	$1,000
15.6	Owner, failing to immediately notify the Town in writing when use of a Connection is discontinued, or failing to pay the disconnection cost to the Town in advance.	$500	$1,000
15.7	Failing to report to the Town a connection or equipment on Premises that does not comply with this Bylaw.	$500	$1,000
	16. DISCONNECTIONS		
16.3	Owner or occupier, failing to forthwith reimburse the Town for costs incurred under section 16.1 after written notice of those costs.	$500	$1,000
	18. APPROVALS AND REQUIREMENTS		
18.1	Failing to ensure compliance with every provision and condition of a written approval or requirement issued under this Bylaw.	$500	$1,000
	20. OBSTRUCTION		
20.1	Hindering, interrupting or causing a Town employee, contractor, servant, agent or worker to be hindered in exercising powers or duties authorized or required by this Bylaw.	$500	$1,000

SURFACE DRAINAGE BYLAW 16/2026

SCHEDULE "B"

The following tolerances and minimum grades apply to the construction of a Semi-detached or Single-detached dwelling.

ITEM	ACCEPTABLE GRADE TOLERANCES BETWEEN BUILDING GRADE FORM & AS BUILT	OVER-RIDING MINIMUM GRADES	OTHER
Top of Footing	± 0.15 meters (6 inches)	Top of footing must not be lower than the recommended lowest top of footing per Grade Slip	Alternative design required from Developer's Engineer authorized for construction by the Town of Cochrane Engineering Services Department.
Side yard gradient		5% grade	Alberta Building Code requires that exterior walls must extend not less than 150 mm (6 inches) above finished ground level
Front and rear lot gradient		2% grade	Alberta Building Code requires that exterior walls must extend not less than 150 mm (6 inches) above finished ground level
Concrete driveways, sidewalks and patios		2% grade from garage entrance or house or building foundation wall to back of curb edge of pavement or sidewalk	Not applicable to driveways in cases where below-grade garages are approved pursuant to a development permit
Walkout Foundations Only - Rear grade to the top of walkout wall	Minimum 0.15 meters (6 inches)	Minimum 0.15 meters (6 inches) and a 2% grade	Alberta Building Code requires that exterior walls must extend not less than 150 mm (6 inches) above finished ground level