

**THE CITY OF EDMONTON**  
**BYLAW 20914**  
**DOWNTOWN DISTRICT ENERGY UTILITY BYLAW**

Edmonton City Council enacts:

**PART I - INTERPRETATION**

- |                    |   |   |
|--------------------|---|---|
| <b>PURPOSE</b>     | 1 | The purpose of this bylaw is to <ol style="list-style-type: none"><li>(a) regulate connections between building mechanical systems and the DES;</li><li>(b) regulate the access to DES;</li><li>(c) prevent damage or misuse of the DES; and</li><li>(d) prescribe fees and charges related to the DES.</li></ol>   |
| <b>DEFINITIONS</b> | 2 | <ol style="list-style-type: none"><li>(1) Unless otherwise specified, words used in this bylaw have the same meaning as defined in the <i>Municipal Government Act</i>, RSA 2000, c M-26.</li><li>(2) In this bylaw:<ol style="list-style-type: none"><li>(a) <b>“building”</b> means any structure used or intended for supporting or sheltering a use or occupancy, such as residential, commercial, institutional, and industrial buildings;</li><li>(b) <b>“building mechanical system”</b> means a mechanical system, including an internal space heating, space cooling and heating of domestic hot water distribution system for a building;</li><li>(c) <b>“City”</b> means the The City of Edmonton;</li><li>(d) <b>“City Manager”</b> means the chief administrative officer of the City or delegate;</li><li>(e) <b>“customer”</b> means a person who owns or occupies a building who is being provided with the service or who has filed an application for service;</li><li>(f) <b>“delivery point”</b> means the point for a building</li></ol></li></ol> |

determined in accordance with the DES service requirements;

- (g) “**District Energy System**” or “**DES**” means the material, machinery, equipment and fixtures forming part of the energy supply system used for the purpose of heating or cooling the fluid that flows through the distribution system and the service connections and all equipment including the pressure vessels, conduits, pipes, valves, lines, pumps, heat exchangers, energy transfer stations, and energy meters together with all fluid, ancillary appliances and fittings necessary to provide energy to buildings in the service area and all additions thereto and replacements thereof as such system is expanded, reduced or modified from time to time;
- (h) “**DES service requirements**” means the district energy system service requirements as determined by the City Manager;
- (i) “**distribution system**” means the system of pipes, fluids, fittings and ancillary components used for distributing fluids for the purposes of providing energy to buildings in the service area including all communication conduit associated with the piping system and the system connecting the distribution system to the service connection including all additions thereto and replacements thereof;
- (j) “**energy**” means thermal energy provided through fluids provided by the DES;
- (k) “**energy meter**” means an assembly that measures the amount of energy consumed by a customer;
- (l) “**energy transfer station**” means equipment used to transfer energy between the delivery point and the building mechanical system in a building;
- (m) “**owner**” means the person registered under the *Land Titles Act*, RSA 2000, c L-4 as owner in fee simple, a lessee, or any person who exercises the power and authority of ownership;

- (n) “**person**” has the same meaning as defined in the *Interpretation Act*, RSA 2000, c I-9;
- (o) “**premises**” means a parcel of land and any buildings situated on that land;
- (p) “**rates**” means, collectively, the charges specified in Schedule B - Fees and Charges for services;
- (q) “**service area**” means the area within the municipal boundaries of the City of Edmonton as delineated in Schedule A - Service Area;
- (r) “**service**” means the delivery of energy from and through the DES to a delivery point and through an energy meter for use in a building, and any service provided in connection with the DES, including but not limited to providing a service connection, re-activating existing service connections, transferring an existing account, changing the type of service provided, or making alterations to existing service connections, energy transfer stations, and energy meters;
- (s) “**service connection**” means that portion of the DES extending from the distribution system to the delivery point as outlined in the DES service requirements.

#### **RULES FOR INTERPRETATION**

- 3 The marginal notes and headings in this bylaw are for reference purpose only.

### **PART II - ESTABLISHMENT OF DES**

#### **THE DES**

- 4 The District Energy System will provide the generation and distribution of energy for heating buildings within the service area.

#### **OWNERSHIP OF DES**

- 5 Ownership of the DES, including any expansion or extension of the DES, is to remain vested in the City and is not to pass to any owner, or other person who has an interest in a building, and, despite any attachment or annexation to a building or other real property, the distribution system, service connections, energy transfer stations, and energy meters are not to become part of a building or other real property.

### **PART III - DES SERVICE AREA**

- |   |   |  |
|---|---|--|
| <b>MANDATORY USE<br/>OF DES</b>                 | 6 | (1) The owner of a premises within the service area shall apply to the City for the DES to be connected to each building in accordance with the DES service requirements.<br><br>(2) The owner of a premises within the service area shall ensure that service connections to the DES are installed for each building in accordance with the DES service requirements.   |
| <b>PERMISSIVE USE<br/>OF DES</b>                | 7 | (1) An owner of a premises located outside the service area, but within the municipal boundaries of the City of Edmonton, may apply to the City Manager for service.<br><br>(2) The City Manager may approve an application to service a premises outside the service area if:<br><br>(a) the City Manager is of the opinion that;<br><br>(i) the DES is capable of servicing the premises that is the subject of the application; and<br>(ii) servicing the premises is necessary or desirable; and<br><br>(b) the owner enters into an agreement with the City, undertaking, among other matters, to pay for all or a portion of the capital cost of extending the DES outside the service area to service the premises in an amount, at a time and upon terms and conditions acceptable to the City Manager; and<br><br>(c) the owner enters into an agreement with the City to pay an amount equal to that owner's avoided costs in connecting to the DES. |
| <b>DES SERVICE</b>                              | 8 | The City will provide service to customers through the DES as outlined in this Bylaw.  |
| <b>UNAUTHORIZED<br/>SALE, SUPPLY OR<br/>USE</b> | 9 | (1) No person shall sell or supply energy supplied to it by the City to other persons or use energy supplied to it by the City for any purpose other than as specified in this Bylaw and the DES service requirements unless the sale or supply has been approved by the City Manager.<br><br>(2) Any person who contravenes section 9(1) must pay any costs incurred to remedy the unauthorized sale, supply or use.  |

#### **PART IV - CONNECTIONS FOR DES SERVICE**

<b>SERVICE CONNECTIONS</b>	10	Each building will have the number of service connections and energy meters and, if applicable, energy transfer stations specified in the DES service requirements unless additional service connections, energy transfer stations or energy meters are authorized by the City Manager pursuant to section 15.
<b>INSTALLATION OF ENERGY TRANSFER STATIONS AND ENERGY METERS BY CITY</b>	11	The City will supply and install the energy transfer station or energy meter for each building provided that the building and building mechanical system meets the requirements of the DES service requirements.
<b>DES SERVICE CONNECTION INSTALLATION BY CITY</b>	12	<ol style="list-style-type: none"><li>(1) The City will install each service connection from the boundary of the parcel of land to the energy transfer station (if applicable) and the energy meter.</li><li>(2) Service connections will be installed using routes which are most suitable for the City.</li><li>(3) The service connection will be owned by the City upon completion to the satisfaction of the City Manager.</li><li>(4) The owner of a premises within the service area shall furnish and maintain, at no cost to the City, the necessary space, housing, fencing, barriers, and foundations for the protection of the service connection to be installed within the premises in accordance with the requirements of the DES service requirements and based on building type, for the exclusive use of the City to install the energy transfer station or energy meter.</li><li>(5) The owner of a premises within the service area shall design and install or modify the building mechanical system in accordance with the DES service requirements.</li><li>(6) The City may take steps to make buildings and building mechanical systems within the service area compliant with the DES service requirements, including without limitation, furnishing and maintaining the necessary protection for the service connection and maintenance and repair of any elements of the building mechanical system and charge the owner of the premises for all costs incurred by the City in doing so.</li></ol>
<b>CUSTOMER</b>	13	At the request of an owner of a premises, the City may install, or

**REQUESTED DES  
SERVICE**

permit the installation of, a service connection, an energy transfer station or energy meter in a manner that is in variance with the requirements outlined in the DES service requirements, if:

- (a) the owner of the premises pays for any additional costs to install the service connection, energy transfer station or energy meter as requested; and
- (b) the City Manager is satisfied that approving the request will not have an adverse effect on the operations of the DES or create any other undesirable consequences.

**APPROVAL OF  
LOCATIONS -  
GENERAL**

14

The location of each of the:

- (a) energy transfer station;
- (b) distribution system components; and
- (c) delivery points;

is subject to approval by the City Manager.

**ADDITIONAL DES  
SERVICE  
CONNECTIONS,  
ENERGY  
TRANSFER  
STATIONS, AND  
ENERGY METERS**

15

The City may install, or approve the installation of, one or more additional service connections, energy transfer stations or energy meters for a building, if

- (a) the additional installation is requested by a customer;
- (b) the customer pays any costs incurred by the City for the installation; and
- (c) the City Manager is satisfied that the requested installations will not have an adverse effect on the operations of the DES.

**EASEMENT &  
UTILITY RIGHT  
OF WAY**

16

The owner of a premises within the service area is deemed to have granted to the City, without cost to the City, such easements or rights-of-way over, upon or under the premises as the City reasonably requires for the construction, installation, maintenance, repair, and operation of the DES, including service connections, energy transfer stations and energy meters, and the performance of all other obligations required to be performed by the City.

<b>RIGHT OF ENTRY</b>	17	<p>(1) The City's employees, agents and other representatives shall have the right to enter premises within the service area at all reasonable times for the purpose of construction, installation, maintenance, repair, and operation of the service connections, energy transfer stations, energy meters, and ancillary equipment.</p> <p>(2) No person shall prevent or hinder the City's entry to premises.</p> <p>(3) For any service connections, energy transfer stations or energy meters that are situated within a customer's premises, the City may require that customer to provide to it a key for the purpose of gaining access.</p> <p>(4) The City will endeavor to provide reasonable notice to the customer when the City requires entry to the customer's premises for planned maintenance or repairs.</p>
<b>MAINTENANCE BY CITY</b>	18	The City will maintain the service connections, energy transfer stations, and energy meters.
<b>MAINTENANCE BY CUSTOMER</b>	19	<p>Customers must maintain and repair building mechanical systems for their premises in accordance with the DES service requirements, including:</p> <p>(a) taking necessary measures to prevent loss of fluid from the building mechanical system;</p> <p>(b) prevent contamination of the fluid within the building mechanical system; and</p> <p>(c) undertaking maintenance of the building mechanical system.</p>
<b>RESPONSIBILITY AFTER DELIVERY POINT</b>	20	<p>Customers are responsible for all expense, risk and liability for any loss or damage caused by or resulting from:</p> <p>(a) the use or presence of energy, being delivered from the DES to a customer's premises, after it passes the delivery point; and</p> <p>(b) the failure of a customer to maintain its building mechanical system. or any distribution piping that the customer is responsible for, in accordance with the DES service requirements.</p>

<b>TAMPERING WITH DES</b>	21		No person shall tamper, interfere with, damage, or destroy any part of the DES.
<b>DAMAGE</b>	22		Customers must advise the City immediately of any damage to a service connection, energy transfer station, energy meter, or any other component of the DES.
<b>NO OBSTRUCTION</b>	23		No person shall construct any structure which obstructs access to a service connection, energy transfer station, energy meter or any other part of the DES or that could interfere with the proper and safe operation of the DES.
<b>REMOVAL OF SERVICE CONNECTION, ENERGY TRANSFER STATIONS AND ENERGY METERS</b>	24		The City may remove a service connection, energy transfer station, energy meter and all other associated utility infrastructure from a premises if the service to that premises is discontinued or terminated for any reason.
<b>MEASUREMENT</b>	25	(1)	The quantity of energy delivered to a premises will be metered using the energy meter installed by the City.
		(2)	The amount of energy registered by the energy meter during each billing period will be converted to kilowatts and rounded to the nearest one-tenth of a kilowatt.
<b>RESPONSIBILITY FOR SERVICE CONNECTION, ENERGY TRANSFER STATION AND ENERGY METER</b>	26	(1)	Each customer is responsible for all expense, risk and liability arising from any measures required to be taken by the City to ensure that the service connection, energy transfer station, energy meters or related equipment on the customer's premises are adequately protected, as well as any updates or alterations which may be required as a result of changes made to the premises.
		(2)	Each customer must take care of and protect all service connections, energy transfer stations, energy meters and related equipment on its premises.
		(3)	Each customer is responsible for any damage to service connections, energy transfer stations, energy meters and related equipment on the customer's premises caused by the customer failing to take care and protect the equipment in accordance with the DES service requirements.



- |  |    |  |
|--|----|--|
| <b>NO<br/>UNAUTHORIZED<br/>CHANGES</b> | 27 | <p>(1) No person shall install, connect, move, disconnect or otherwise tamper with service connections, energy transfer stations, energy meters or related equipment except as permitted by the City Manager.</p> <p>(2) Customers must pay the City for costs incurred by the City to remedy any unauthorized changes on the customer's premises.</p> |
|--|----|--|

## **PART V - BUILDING MECHANICAL SYSTEM**

- |  |    |   |
|--|----|---|
| <b>SPECIFICATIONS</b>                                    | 28 | <p>The owner of a premises within the service area will:</p> <p>(a) design each building mechanical system in accordance with the DES service requirements for connection to the DES; and</p> <p>(b) submit to the City the information and reports as outlined in the DES service requirements prior to the construction or renovation of any buildings on the premises.</p> |
| <b>CHANGES TO<br/>BUILDING<br/>MECHANICAL<br/>SYSTEM</b> | 29 | <p>The owner of a premises shall make any changes to the building mechanical system and implement any additions, repairs or alterations to any portion of a building mechanical system as the City Manager deems necessary to conform to DES service requirements.</p>  |

## **PART VI - FEES, CHARGES & OTHER COSTS**

- |                                      |    |   |
|--------------------------------------|----|---|
| <b>APPLICATION<br/>FEES</b>          | 30 | Each person who submits an application shall pay the applicable application fee as determined by the City Manager.  |
| <b>WAIVER OF<br/>APPLICATION FEE</b> | 31 | The City may waive the application fee for a customer if services to a customer are reactivated after they were discontinued at the discretion of the City Manager. |
| <b>RATES PAYABLE</b>                 | 32 | Each customer shall pay the rates for service as outlined in Schedule B - Fees and Charges.   |
| <b>ELECTRICITY<br/>COSTS</b>         | 33 | Each customer is responsible for the cost of electricity used by an energy transfer station installed on its premises.  |
| <b>TAX ROLL</b>                      | 34 | Unpaid fees, charges and costs that are owed by an owner may be added to the tax roll for that parcel in accordance with the Municipal Government Act.              |

## **PART VII - INTERRUPTION OF DES SERVICE**

- |   |    |  |
|---|----|--|
| <b>REGULAR SUPPLY</b>                       | 35 | The City will use reasonable efforts to provide the constant delivery of energy through the DES.   |
| <b>RIGHT TO RESTRICT</b>                    | 36 | <p>The City may require some or all customers, at times determined by the City to discontinue, interrupt or reduce to a specified degree or quantity, the use of energy for any of the following purposes or reasons:</p> <ul style="list-style-type: none"><li>(a) in the event of a temporary or permanent shortage of energy, whether actual or perceived by the City;</li><li>(b) in the event of a breakdown or failure of the DES;</li><li>(c) to comply with any legal requirements;</li><li>(d) to make repairs or improvements to any part of the DES;</li><li>(e) in the event of fire, flood, explosion or other emergency to safeguard persons or property against the possibility of injury or damage; or</li><li>(f) for any other reason that the City considers necessary.</li></ul> |
| <b>NOTICE</b>                               | 37 | The City will, to the extent practicable, give notice of any service limitations to customers.   |
| <b>SUSPENSION OR TERMINATION OF SERVICE</b> | 38 | <p>The City may suspend or terminate service to a premises if, in the opinion of the City,</p> <ul style="list-style-type: none"><li>(a) the building mechanical system is not compliant with the DES service requirements;</li><li>(b) the service connection, energy transfer station, or energy meter are not in compliance with the DES service requirements or as otherwise approved by the City Manager;</li><li>(c) the customer has failed to ensure that there is an adequate supply of electricity required to operate the building mechanical system, and the proper operation of the energy transfer station or energy meter have been negatively affected;</li><li>(d) the premises contains contamination which could</li></ul>  |

adversely affect the DES, or the health or safety of the City's workers or which may cause the City to assume liability for cleanup and other costs associated with the contamination;

- (e) the premises contains defective pipe, appliances, or mechanical systems;
- (f) the building mechanical system has a defect which causes the loss of fluid from the building mechanical system, energy transfer station, or service connection at the premises;
- (g) the customer uses energy in such a manner as in the City's opinion:
  - (i) may lead to a dangerous situation; or
  - (ii) may cause undue or abnormal fluctuations in the temperature of energy in the DES;
- (h) the customer fails to make modifications or additions to the customer's equipment which have been required by the City to prevent the danger or to control the undue or abnormal fluctuations; or
- (i) providing service to the premises may have an adverse effect on the DES as a result of the building mechanical system, service connection, energy transfer station or energy meter on the premises.

## **PART VIII - ENFORCEMENT**

<b>OFFENCE</b>	39	A person who contravenes this bylaw is guilty of an offence.
<b>CONTINUING OFFENCE</b>	40	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 is liable to a fine in an amount not less than that established by this bylaw for each such day.
<b>VICARIOUS LIABILITY</b>	41	For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the

course of the employee's employment with the person, or in the course of the agent's exercising the powers or performing the duties on behalf of the person under their agency relationship.

**CORPORATIONS  
AND  
PARTNERSHIPS**

- 42 (1) When a corporation commits an offence under this bylaw, every principal, director, manager, employee or agent of the corporation who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.
- (2) If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission.
- (3) If a person is guilty of a 2nd or subsequent offence the fine amounts established by this section shall be doubled.

**FINES AND  
PENALTIES**

- 43 (1) A person who is guilty of an offence is liable to a fine in an amount not less than that established in this section, and not exceeding the limits under the Municipal Government Act, RSA 2000, c M-26, as amended, and to imprisonment for not more than six months for non-payment of a fine.
- (2) A fine in the amount of \$1,000 is established for use on municipal tags and violation tickets if a voluntary payment option is offered.

**MUNICIPAL TAG**

- 44 If a municipal tag is issued in respect of an offence the municipal tag must specify the fine amount established in this bylaw for the offence.

**PAYMENT IN LIEU  
OF PROSECUTION**

- 45 A person who commits an offence may, if a municipal tag is issued in respect of the offence, pay the fine amount established by this bylaw for the offence and if the amount is paid on or before the required date, the person will not be prosecuted for the offence.

**VIOLATION  
TICKET**

- 46 If a violation ticket is issued in respect of an offence, the violation ticket may:
- (a) specify the fine amount established by this bylaw for the offence; or

**VOLUNTARY  
PAYMENT**

47

- (b) require the person charged to appear in court without the alternative of making a voluntary payment.

A person who commits an offence may:

- (a) if a violation ticket is issued in respect of the offence; and
- (b) if the violation ticket specifies the fine amount established by this bylaw for the offence;

make a voluntary payment equal to the specified fine.

**PART IX - GENERAL**

**POWERS OF THE  
CITY MANAGER**

48

Without restricting any other power, duty or function granted by this bylaw the City Manager may:

- (a) determine the requirements for the DES, the manner in which the DES will operate and the DES service requirements;
- (b) carry out any inspections to determine compliance with this bylaw or any other requirements granted to the City Manager through this bylaw;
- (c) establish systems and develop procedures for billing and administration of accounts as may be required by 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 the criteria to be met for a permit or approval to be issued pursuant to this bylaw;
- (g) establish the amount payable for an application, permit, plan examination, or inspection required under this bylaw;
- (h) establish the amount payable for any search, certificate, document or other service related to the administration of this bylaw;

- (i) waive or vary any fee, charge or costs payable pursuant to this bylaw; and
- (j) delegate any powers, duties or functions under this bylaw.

<b>PERMIT CANCELLATION</b>	49	The City Manager may revoke, suspend, refuse to issue, vary or impose conditions on any permit or approval if, in the opinion of the City Manager it is in the public interest to do so.
<b>PROOF OF PERMIT</b>	50	The onus of proving a permit or approval has been issued in relation to any activity otherwise regulated, restricted or prohibited by this bylaw is on the person alleging the existence of such a permit on a balance of probabilities.
<b>CERTIFIED COPY OF RECORD</b>	51	A copy of a record of the City certified by the City Manager as a true copy of the original shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

Read a first time

Read a second time

Read a third time

SIGNED AND PASSED

THE CITY OF EDMONTON

---

MAYOR

---

CITY CLERK

## SCHEDULE A - BOUNDARIES OF SERVICE AREA



## SCHEDULE B - FEES AND CHARGES

### 2025 Fees and Charges

Description of Fee or Charge	Rate
Monthly Charge	\$7.92 per kW peak capacity per month
Variable Rate (Heat Energy Only)	\$0.0294 per kWh

### 2026 Fees and Charges

Description of Fee or Charge	Rate
Monthly Charge	\$8.08 per kW peak capacity per month
Variable Rate (Heat Energy Only)	\$0.0300 per kWh