

RURAL MUNICIPALITY OF WHITEMOUTH

BY-LAW NO. 681/18

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF WHITEMOUTH TO ESTABLISH WATER AND SEWER RATES WITHIN THE RURAL MUNICIPALITY OF WHITEMOUTH.

WHEREAS the Rural Municipality of Whitemouth owns and operates the Whitemouth Water Utility, the Whitemouth Sewer Utility and the Seven Sisters Sewer Utility and has undertaken water and sewer rate studies that indicate water and sewer rates require to be increased;

AND WHEREAS, subject to The Public Utilities Board Act, Section 232(1) provides that a council may pass by-laws for municipal purposes respecting the following matters:

- 1) public utilities.

AND WHEREAS, Section 232(2) provides that without limiting the generality of Subsection (1), a council may in a by-law passed under this Division:

- d) establish fees or other charges for services, activities or things provided or done by the municipality or for the use of property under the ownership, direction, management or control of the municipality.

AND WHEREAS it is deemed advisable to provide rates for July 1, 2019, 2020, 2021, 2022 and 2023 and thereafter to be paid by persons to whom water and sewer service are supplied by the Utilities;

NOW THEREFORE THE COUNCIL OF THE RURAL MUNICIPALITY OF WHITEMOUTH IN SESSION DULY ASSEMBLED, HEREBY ENACTS A BY-LAW AS FOLLOWS:

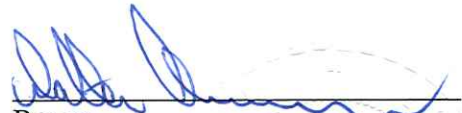
- 1) **THAT** all accounts for minimum quarterly charges for services set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and sewer service supplied to them by the Rural Municipality of Whitemouth at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 2) **THAT** the Rural Municipality of Whitemouth reserves the right to discontinue the supply of water for fountains, jets, hoses and sprinklers, or to limit the hours for use of the same, whenever, at the discretion of Council it is in the best interests of the public to do so.
- 3) **THAT** no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the Rural Municipality of Whitemouth duly authorized in writing by the Chief Administrative Officer, shall open or use any fire hydrant, either for construction purposes, street cleaning, or any other purpose.
- 4) **THAT** the meter shut off valve inside premises serviced with water by the Rural Municipality of Water Utility, shall be readily accessible and not used by the owner except for the protection of the premises. No person shall tamper with the meter or cause the water supply to bypass the meter. All pipes and valves inside the premises shall be kept in good repair by the owner or occupant. Any damage through neglect or otherwise, by a contractor for the owner or occupant, to the water service pipes from the street to the premises including the meter shall be the responsibility of the owner or occupant.
- 5) **THAT** no person shall wilfully or maliciously hinder or cause to hinder the Rural Municipality of Whitemouth or its representative in the exercise of their duties in relation to the operation and maintenance of the water or sewer system.
- 6) **THAT** any person violating any provision of this by-law shall:
 - a) be guilty of an offence and, upon conviction, liable to a fine not exceeding five hundred dollars (\$500) and costs for each violation;
 - b) be liable to the Rural Municipality of Whitemouth for any expense, loss or damage suffered by the Municipality as a result of the violation;
 - c) be liable for the repairs and costs of the repairs to the system as a result of the violation. If that person is in default of effecting the repairs, the Municipality may affect the repairs and charge the cost thereof to that persons or add the cost to property taxes and collect those property taxes in the same manner as other property taxes.

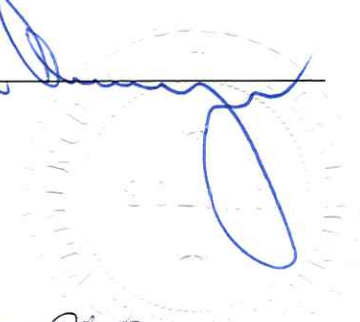
- 7) **THAT** this by-law and rates for July 1, 2019, 2020, 2021, 2022 and 2023 and thereafter, shall come into force and be effective on, from and after both approval of the Public Utilities Board of Manitoba and receipt of third and final reading thereof.
- 8) **THAT** By-law Number 539/10 be repealed as of July 1, 2019 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY RURAL MUNICIPALITY OF WHITEMOUTH IN COUNCIL DULY ASSEMBLED THIS day of , 20 .

For:

Against:


Reeve


Cassie Larson
Chief Administrative Officer

Read a first time this 23rd day of *May*, 2018.
Read a second time 14th day of *May*, 2019.
Read a third time 14th day of *May*, 2019.

**RURAL MUNICIPALITY OF WHITEMOUTH
WATER AND SEWER UTILITY RATES BY-LAW NO. 681/18
SCHEDULE "A"
SCHEDULE OF QUARTERLY RATES**

WATER RATES:

WHITEMOUTH WATER UTILITY

1. Commodity Charge per Cubic Metre (CM)

	<u>July 1, 2019</u>	<u>July 1, 2020</u>	<u>July 1, 2021</u>	<u>July 1, 2022</u>	<u>July 1, 2023</u>
First 68 CM	\$5.22	\$5.29	\$5.37	\$5.45	\$5.74
Over 68 CM	\$2.86	\$2.89	\$2.93	\$2.97	\$3.05
Bulk rate	\$5.75	\$5.75	\$6.00	\$6.00	\$6.25
Quarterly Service Charge	\$15.04	\$15.34	\$15.65	\$15.96	\$16.28

2. Schedule of Quarterly Rates:

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charge set out below, which will include water allowances indicated:

Effective July 1, 2019

<u>User Type</u>	<u>Water Included CM</u>	<u>Quarterly Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
Small User	13.5	\$15.04	\$70.47	\$85.52
Large User	68	\$15.04	\$354.96	\$370.01

Effective July 1, 2020

<u>User Type</u>	<u>Water Included CM</u>	<u>Quarterly Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
Small User	13.5	\$15.34	\$71.42	\$86.76
Large User	68	\$15.34	\$359.72	\$375.06

Effective July 1, 2021

<u>User Type</u>	<u>Water Included CM</u>	<u>Quarterly Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
Small User	13.5	\$15.65	\$72.50	\$88.15
Large User	68	\$15.65	\$365.16	\$380.81

Effective July 1, 2022

<u>User Type</u>	<u>Water Included CM</u>	<u>Quarterly Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
Small User	13.5	\$15.96	\$73.58	\$89.54
Large User	68	\$15.96	\$370.60	\$386.56

Effective July 1, 2023

<u>User Type</u>	<u>Water Included CM</u>	<u>Quarterly Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
Small User	13.5	\$16.28	\$77.49	\$93.77
Large User	68	\$16.28	\$390.32	\$406.60

Hydrant Rentals

The Rural Municipality of Whitemouth, or any other hydrant owner, will pay to the Whitemouth Water Utility an annual fee of \$200.00 for each hydrant connected to the system.

SEWER RATES

WHITEMOUTH SEWER UTILITY

1. Commodity Charge per Cubic Metre (CM) based on water consumption

<u>July 1, 2019</u>	<u>July 1, 2020</u>	<u>July 1, 2021</u>	<u>July 1, 2022</u>	<u>July 1, 2023</u>
\$1.75	\$1.75	\$1.85	\$1.85	\$1.90

2. Schedule of Quarterly Rates:

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charge set out below, which will include water allowances indicated:

Effective July 1, 2019

<u>User Type</u>	<u>Water Cons.</u>	<u>Service</u>	<u>Commodity</u>	<u>Minimum</u>
	<u>Included CM</u>	<u>Charge</u>	<u>Charges</u>	<u>Quarterly Bill</u>
All metered customers	13.5	\$10.82	\$23.63	\$34.45
Unmetered customers flat rate based on 40 CM		\$10.82	\$70.00	\$80.82

Lagoon Tipping Fees

Lagoon tipping fees shall be \$55.00

Effective July 1, 2020

<u>User Type</u>	<u>Water Cons.</u>	<u>Service</u>	<u>Commodity</u>	<u>Minimum</u>
	<u>Included CM</u>	<u>Charge</u>	<u>Charges</u>	<u>Quarterly Bill</u>
All metered customers	13.5	\$11.03	\$23.63	\$34.66
Unmetered customers flat rate based on 40 CM		\$11.03	\$70.00	\$81.03

Lagoon Tipping Fees

Lagoon tipping fees shall be \$55.00

Effective July 1, 2021

<u>User Type</u>	<u>Water Cons.</u>	<u>Service</u>	<u>Commodity</u>	<u>Minimum</u>
	<u>Included CM</u>	<u>Charge</u>	<u>Charges</u>	<u>Quarterly Bill</u>
All metered customers	13.5	\$11.24	\$24.98	\$36.22
Unmetered customers flat rate based on 40 CM		\$11.24	\$74.00	\$85.24

Lagoon Tipping Fees

Lagoon tipping fees shall be \$60.00

Effective July 1, 2022

<u>User Type</u>	<u>Water Cons.</u>	<u>Service</u>	<u>Commodity</u>	<u>Minimum</u>
	<u>Included CM</u>	<u>Charge</u>	<u>Charges</u>	<u>Quarterly Bill</u>
All metered customers	13.5	\$11.45	\$24.98	\$36.43
Unmetered customers flat rate based on 40 CM		\$11.45	\$74.00	\$85.45

Lagoon Tipping Fees

Lagoon tipping fees shall be \$60.00

Effective July 1, 2023

<u>User Type</u>	<u>Water Cons.</u>	<u>Service</u>	<u>Commodity</u>	<u>Minimum</u>
	<u>Included CM</u>	<u>Charge</u>	<u>Charges</u>	<u>Quarterly Bill</u>
All metered customers	13.5	\$11.66	\$25.65	\$37.314
Unmetered customers flat rate based on 40 CM		\$11.66	\$76.00	\$87.66

Lagoon Tipping Fees

Lagoon tipping fees shall be \$60.00

SEWER RATES

SEVEN SISTERS SEWER UTILITY

1. Commodity Charge per Cubic Metre (CM) based on water consumption

<u>July 1, 2019</u>	<u>July 1, 2020</u>	<u>July 1, 2021</u>	<u>July 1, 2022</u>	<u>July 1, 2023</u>
\$0.67	\$0.97	\$1.27	\$1.57	\$1.87

2. Schedule of Quarterly Rates:

Notwithstanding the Commodity rates set forth in paragraph 1 hereof, all customers will pay the applicable minimum charge set out below, which will include water allowances indicated:

Effective July 1, 2019

<u>User Type</u>	<u>Water Cons. Included CM</u>	<u>Quarterly</u>		
		<u>Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
All metered customers	13.5	\$9.33	\$9.05	\$18.38
Unmetered customers flat rate based on 40 CM		\$9.33	\$9.05	\$18.38

Lagoon Tipping Fees

Lagoon tipping fees shall be \$25.00

Effective July 1, 2020

<u>User Type</u>	<u>Water Cons. Included CM</u>	<u>Quarterly</u>		
		<u>Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
All metered customers	13.5	\$10.04	\$13.10	\$23.14
Unmetered customers flat rate based on 40 CM		\$10.04	\$13.10	\$23.14

Lagoon Tipping Fees

Lagoon tipping fees shall be \$30.00

Effective July 1, 2021

<u>User Type</u>	<u>Water Cons. Included CM</u>	<u>Quarterly</u>		
		<u>Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
All metered customers	13.5	\$10.75	\$17.15	\$27.90
Unmetered customers flat rate based on 40 CM		\$10.75	\$17.15	\$27.90

Lagoon Tipping Fees

Lagoon tipping fees shall be \$40.00

Effective July 1, 2022

<u>User Type</u>	<u>Water Cons. Included CM</u>	<u>Quarterly</u>		
		<u>Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
All metered customers	13.5	\$11.46	\$21.20	\$32.66
Unmetered customers flat rate based on 40 CM		\$11.46	\$21.20	\$32.66

Lagoon Tipping Fees

Lagoon tipping fees shall be \$50.00

Effective July 1, 2023

<u>User Type</u>	<u>Water Cons. Included CM</u>	<u>Quarterly</u>		
		<u>Service Charge</u>	<u>Commodity Charges</u>	<u>Minimum Quarterly Bill</u>
All metered customers	13.5	\$12.19	\$25.25	\$37.44
Unmetered customers flat rate based on 40 CM		\$12.19	\$25.25	\$37.44

Lagoon Tipping Fees

Lagoon tipping fees shall be \$60.00

The following clauses take effect July 1, 2019:

3. Billings and Penalties

Accounts shall be billed quarterly based on water used. A late payment penalty charge of 1 ¼% compounded monthly shall be charged on the dollar amount owing after the billing due date. The due date will be at least fourteen (14) days after the mailing of the bills.

4. Liability for Charges

Where charges and penalties pursuant to this by-law are not paid within ninety (90) days from the date when they were incurred, said charges and penalties shall be added to the taxes on the property and collected in the same manner as other taxes pursuant to Section 252 (2) of the Municipal Act. The amount of all outstanding charges for water services, including fines and penalties, are a lien and charge upon the land serviced, and may be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

5. Disconnection and Reconnection

The Public Utilities Board has approved the Conditions Precedent to be followed by the Municipality with respect to disconnection of service for non-payment including such matters as notice and the right to appeal such action to The Public Utilities Board. A copy of the conditions precedent is available for inspection at the Municipality's office.

Any service disconnected, whether due to non-payment of account or for any other reason(s) mutually agreed to by the customer and the Municipality (ie. repairs necessitated by negligence of the customer, changes in tenant, vacancy for an extended period of time, etc.) shall not be reconnected until a reconnection fee of \$50.00 and all arrears and penalties, if any, have been paid.

6. Water Allowances Due to Line Freezing

That in any case where, at the request of Council, a customer allows water to run continuously for any period of time to prevent the water lines in the water system from freezing, the charge to that customer for the current quarter shall be the average billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.

7. Definitions

Large User: A user that consistently uses at least 68 Cubic Metres of water per quarter. The use will revert to small user if consumption does not meet this criteria for two consecutive quarters.

8. Water Meters

That all water connections be metered. The meter to be supplied by and remain the property of the utility system. The cost of the meter shall be recovered through the water rates.

- a) Meter Repairs - Where a water meter is damaged as a result of negligence of a user, such user shall pay the cost of repairing the damaged meter and the said amount will immediately become a debt due and owing to the Utility within (10) ten days of the demand of same, the water service of said user may be disconnected for repairs. A fee of \$50.00 shall be charged for a reconnection of the service disconnected under this paragraph.
- b) Meter Testing - Any consumer who desires and requests that their water meter be tested for accuracy shall deposit with the utility the sum of \$50.00. If the meter when tested is found to be in excess of the allowable limits, the deposit shall be refunded and the consumer's account shall be adjusted for the preceding four months use. The allowable limit of variation shall be 3% of average flow.

9. Cross Connections

No customer or person shall connect, cause to be connected or allow to remain connected any piping, fixture, fitting, container or appliance in a manner which under any circumstances may allow water, wastewater or any harmful liquid or substance to enter the Municipality's water system.

If a condition is found to exist which, in the opinion of the Municipality, is contrary to the aforesaid, the Municipality may either:

Shut off the service or services; or

Give notice to the customer to correct the fault at his or her own expense within a specified time period.

10. Conditions of Disrepair

In the event that there are conditions of disrepair in the water works on a property that detrimentally affects the system as a whole and, upon the failure of the owner of the property to correct the condition within a reasonable time, the Municipality, or its agents, may enter the property, effect repairs and charge the cost thereof against the subject property as ordinary taxes.

11. Authorization For Officer To Enter Upon Premises

The Public Works Manager, or other employee authorized by the Municipality in the absence of the Public Works Manager, shall be authorized to enter upon any premise for the purpose of: Affixing to any pipe, wire or apparatus connected with any such utility, a meter or any other measuring or testing device; or taking readings from, repairing, inspecting or removing any meter or apparatus belonging to the Municipality.

12. Service To Customers Outside Utility's Limits

The Council of Rural Municipality of Whitemouth may sign Agreements with customers for the provision of water services to properties located outside the boundaries of the Municipality. Such Agreements shall provide for payment of the appropriate rates set out in this Schedule, as well as a surcharge, set by Resolution of Council, which shall be equivalent to the frontage levy, general taxes, and special taxes for the Utility purposes in effect at the time or may be in effect from time to time, and which would be levied on the property concerned if it were within Rural Municipality of Whitemouth boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.

13. Sewer Surcharges

- a) There may be levied annually, in addition to the rates set forth above, a special surcharge on sewage having a Biochemical Oxygen Demand in excess of 300 parts per million, to be set by Resolution of Council.
- b) A special surcharge for substances requiring special treatment shall be charged based on the actual costs of treatment required for the particular sewage or industrial waste.