

**Rural Municipality of Lac du Bonnet**  
**RURAL UTILITY BY-LAW**  
**By-Law No. 02-23**

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF LAC DU BONNET TO ESTABLISH WATER AND WASTEWATER RATES FOR THE RURAL MUNICIPALITY'S UTILITY.

WHEREAS The Rural Municipality of Lac du Bonnet has undertaken a water and wastewater rate study that indicates water and wastewater rates for the Municipality's Utility require to be increased;

AND WHEREAS The Municipal Act, S.M. 1996, C58, states in part:

232(1) A Council may pass by-laws for municipal purposes respecting the following matters:

(l) public utilities:

232(2) 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;

250(2) Without limiting the generality of subsection (1), a municipality may for municipal purposes do the following:

(c) acquire, establish, maintain and operate services, facilities and utilities;

252(1) A municipality exercising powers in the nature of those referred to in clauses 250(2)(b),(c) and (e) may set terms and conditions in respect of users, including

(a) setting the rates or amounts of deposits, fees and other charges, and charging and collecting them;

(b) providing for a right of entry onto private property to determine compliance with other terms and conditions, to determine the amount of deposits, fees or other charges, or to disconnect a service; and

(c) discontinuing or disconnecting a service and refusing to provide the service to users who fail to comply with the terms and conditions.

252(2) A charge referred to in clause (1)(a) may be collected by the municipality in the same manner as a tax may be collected or enforced under this Act."

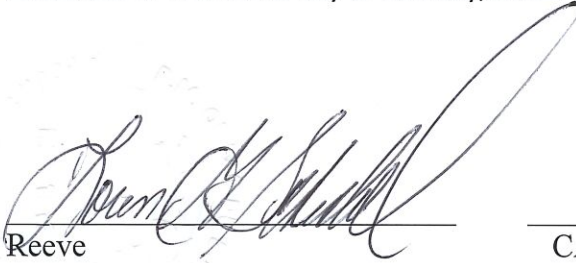
AND WHEREAS it is deemed advisable to provide rates for January 1, 2024 and thereafter to be paid by persons to whom water is supplied by the Rural Municipality of Lac du Bonnet's Utility and who use the Rural Municipality of Lac du Bonnet's Utility Wastewater system, and to provide for the collection thereof;

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

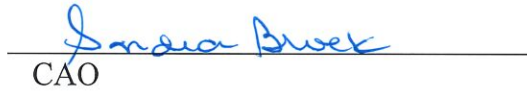
- 1) THAT all accounts for minimum quarterly charges for metered services as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water and wastewater service supplied to them by the Rural Municipality of Lac du Bonnet's Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of this by-law.
- 2) THAT the Rural Municipality of Lac du Bonnet 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 the meter shut off valve inside premises serviced with water by the Rural Municipality of Lac du Bonnet's 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.
- 4) THAT no person shall wilfully or maliciously hinder or cause to hinder the Rural Municipality of Lac du Bonnet or its representative in the exercise of their duties in relation to the operation and maintenance of the water or wastewater system.
- 5) 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 one thousand dollars (\$1,000) and costs for each violation;
  - b) be liable to the Rural Municipality of Lac du Bonnet 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 effect 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.
- 6) This by-law and rates for January 1, 2024 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.
- 7) That By-law No. 4-17 be repealed as of January 1, 2024 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY THE RURAL MUNICIPALITY OF LAC DU BONNET IN COUNCIL DULY ASSEMBLED THIS 23rd day of January, 2024.



Reeve



CAO

READ A FIRST TIME:	January 10, 2023	RESOLUTION: 2023 0024
READ A SECOND TIME:	January 9, 2024	RESOLUTION: 2024 0028
READ A THIRD TIME:	January 23, 2024	RESOLUTION: 2024 0046

**RURAL MUNICIPALITY OF LAC DU BONNET  
WATER & WASTEWATER UTILITY RATES BY-LAW NO. 02-23  
SCHEDULE "A"  
SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates &

Quarterly Service Charge  
Rates per Cubic Meter

January 1, 2024

Cubic Meters per quarter

	Water	Wastewater	Water & Wastewater
	\$6.25	\$1.83	\$8.08

Customer Service Charge \$51.96

2. Minimum Charges per Quarter

Notwithstanding the rates set forth in paragraph 1, all customers will pay the applicable minimum charges per quarter set out below, which includes the water allowance as listed.

**a. Water & Wastewater Customers**

<u>Meter Size</u>	<u>Group Capacity Ratio</u>	<u>Water Included Cubic Meters</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Wastewater Commodity Charge</u>
5/8 inch	1	14	\$51.96	\$87.50	\$25.62
3/4 inch	2	28	\$51.96	\$175.00	\$51.24
1 inch	4	56	\$51.96	\$350.00	\$102.48
1 1/2 inch	10	140	\$51.96	\$875.00	\$256.20

**b. Water Only Customers**

Total quarterly minimum charges will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

**c. Wastewater Only Customers (unmetered Tanco Crescent):**

Wastewater only utility customers on Tanco Crescent will be billed annually. The annual wastewater volume billed to the Rural Municipality of Lac du Bonnet Utility as charged by the Town of Lac du Bonnet for Tanco Crescent customers will be divided by the number of customers on Tanco Crescent with any new customers being prorated to the nearest month. The volume assigned to each customer will then be multiplied by the wastewater rate and a customer service charge will be added. For example; If Town of Lac du Bonnet annual billing for wastewater services for Tanco Crescent is for 5,600 CM ÷ 20 customers = 280 CM per customer x \$1.83/CM + service charge \$51.96 = \$564.36 per Tanco customer.

**The following clauses take effect January 1, 2024:**

1. Water and Wastewater Connections

- a. Each customer or developer, as the case may be, applying for a new water connection to the mainline shall be assessed a water connection inspection fee in the amount of \$750. The assessed amount shall be paid as a lump sum fee.
- b. Each customer or developer, as the case may be, applying for a new Wastewater connection to the mainline shall be assessed a Wastewater connection inspection fee in the amount of \$350. The assessed amount shall be paid as a lump sum fee.
- c. Each customer or developer, as the case may be, installing a new water service connection to the water mainline shall be responsible for installing and connecting the water service line to the water main and to pay all charges. Conditions on Town property to be returned to its original state as before water line installations.
- d. Each customer or developer, as the case may be, installing a new Wastewater service connection to the Wastewater mainline shall be responsible for installing and connecting the Wastewater service line to the

responsible for installing and connecting the Wastewater service line to the Wastewater main and to pay all charges. Conditions on Town property to be returned to its original state as before water line installations.

- e. Each consumer applying for water turn on or turn off of service during any quarter, shall pay the proportionate part of the current minimum quarterly charge provided that in computing same, a broken half month shall be considered as a full month. In all cases any excess water used will be charged at the rates set forth under Commodity Rates.
- f. All costs for new connections and maintenance thereafter shall be paid by the users, customer or developer, as the case may be, and such connections are to be approved by the Council of the Town of Lac du Bonnet.
- g. A service charge of Twenty Five (\$25) Dollars shall be paid before any water is turned on and shall be the responsibility of the owner.

## 2. Hydrant Charges

The RM of Lac du Bonnet, or any other hydrant owner, will pay to the Utility an annual fee of \$100.00 for each hydrant connected to the system which shall include the cost of water used for firefighting.

## 3. Service To Customers Located Outside the Limits of the Town of Lac du Bonnet

- a. Customers located outside the Town of Lac du Bonnet shall be required to sign agreements with the Town which sets out the rights and obligations of each party. Such agreements shall include that the consumer shall pay:
  - i. An appropriate rate as set out in paragraph 1 and 2 hereof, based on the units allotted to the services;
  - ii. All costs of constructing and maintaining all connection pipes and other items required to allow service to be used;
  - iii. A surcharge to cover all tax amounts for utility purposes, which they would be required to pay if located in the Town from the date of construction.
- b. The Rural Municipality of Lac du Bonnet shall pay, to the Town of Lac du Bonnet to cover services provided to residences in the Tanco Crescent Subdivision.
  - i. The Utility rates set forth in paragraph 1 and 2 hereof;
  - ii. Any additional surcharge sufficient to cover all taxes for the sewage lagoon which it would be required to pay if such residences were located in the Town.
- c. The above levies are due and payable July 1<sup>st</sup> of the year in which they are levies.

## 4. Billings And Penalties

Accounts shall be billed quarterly and the due date shall be at least 14 days after the mailing of the bills.

A late payment charge of 1.25% per month shall be charged on the dollar amount owing after the billing due date.

## 5. Disconnection

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.

## 6. Reconnection

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.

7. Outstanding Bills

Pursuant to Section 252(2) of The *Municipal Act*, the amount of all outstanding charges for water and Wastewater services are a lien and charge upon the land serviced and shall be collected in the same manner in which ordinary taxes upon the land are collectible, and with like remedies.

8. Meter Testing

That in any case where a utility customer requests that a meter be tested for accuracy, the customer will provide the Municipality with a deposit of \$100. The Municipality will then remove the subject meter and send it to an independent lab for testing. If the meter is found to be faulty, all costs associated with the testing process will be borne by the Municipality and the deposit will be refunded to the customer. If the meter is found to be in proper working order, all costs associated with the testing process will be borne by the customer and the customer will be billed or refunded any balance owing.

9. 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.

10. Wastewater 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.

11. Water Allowance Due To Line Freezing

That in any case where, at the request of the 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 the customer for the current quarter shall be the average of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.