

RURAL MUNICIPALITY OF LAC DU BONNET
BROOKFIELD WATER UTILITY BY-LAW
BY-LAW No 13-22

BEING a by-law of the Rural Municipality of Lac du Bonnet to establish new water rates for the Brookfield Water Utility, and to repeal amended By-Law 05-19.

WHEREAS the Rural Municipality of Lac du Bonnet owns and operates the Brookfield Water Utility;

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, January 1, 2025, January 1, 2026 and January 1, 2027 and thereafter to be paid by persons to whom water services are supplied by Brookfield Water Utility;

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 for the Brookfield Water Utility as set forth in the Schedule of Quarterly Rates shall be billed quarterly. Consumers shall pay for water service supplied to them by the 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 Brookfield 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 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) **THAT** this by-law and Utility Rates for January 1, 2024, January 1, 2025, January 1, 2026 and January 1, 2027 for Brookfield Water Utility, 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.

PASSED AND ENACTED BY THE RURAL MUNICIPALITY OF LAC DU BONNET IN COUNCIL DULY ASSEMBLED THIS 26th day of September, 2023.



Reeve



Chief Administrative Officer

READ A FIRST TIME:	November 29, 2022	RESOLUTION: 2022 0627
READ A SECOND TIME:	September 26, 2023	RESOLUTION: 2023 0458
READ A THIRD TIME:	September 26, 2023	RESOLUTION: 2023 0459

**RURAL MUNICIPALITY OF LAC DU BONNET
BROOKFIELD WATER UTILITY
WATER UTILITY RATES BY-LAW NO.
SCHEDULE "A" SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates

& Quarterly Service Charge

January 1, 2024

Cubic Meters per quarter

All Water consumption

\$7.64

Quarterly Service Charge

\$28.40

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 Customers**

<u>Meter Size Ratio</u>	<u>Group Capacity</u>	<u>Water Included Cubic Meters</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Water Charge</u>	<u>Total Quarterly Minimum</u>
5/8 inch	1	14	\$28.40	\$106.96	\$135.36	
3/4 inch	2	28	\$28.40	\$213.92	\$242.32	
1 inch	4	56	\$28.40	\$427.84	\$456.24	
2 inch	25	350	\$28.40	\$2,674.00	\$2,702.40	
3 inch	45	630	\$28.40	\$4,813.20	\$4,841.60	

1. Schedule of Commodity Rates

& Quarterly Service Charge

January 1, 2025

Cubic Meters per quarter

All Water consumption

\$7.98

Quarterly Service Charge

\$29.39

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 Customers**

<u>Meter Size Ratio</u>	<u>Group Capacity</u>	<u>Water Included Cubic Meters</u>	<u>Customer Service Charge</u>	<u>Water Commodity Charge</u>	<u>Water Charge</u>	<u>Total Quarterly Minimum</u>
5/8 inch	1	14	\$29.39	\$111.72	\$141.11	
3/4 inch	2	28	\$29.39	\$223.44	\$252.83	
1 inch	4	56	\$29.39	\$446.88	\$476.27	
2 inch	25	350	\$29.39	\$2,793.00	\$2,822.39	
3 inch	45	630	\$29.39	\$5,027.40	\$5,056.79	

1. Schedule of Commodity Rates
& Quarterly Service Charge

January 1, 2026

Cubic Meters per quarter

All Water consumption	\$8.32
Quarterly Service Charge	\$30.38

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 Customers**

Meter Size	Group Capacity Ratio	Water Included Cubic Meters	Customer Service Charge	Water Commodity Charge	Water Charge	Total Quarterly Minimum
5/8 inch	1	14	\$30.38	\$116.48	\$146.86	
3/4 inch	2	28	\$30.38	\$232.96	\$263.34	
1 inch	4	56	\$30.38	\$465.92	\$496.30	
2 inch	25	350	\$30.38	\$2,912.00	\$2,942.38	
3 inch	45	630	\$30.38	\$5,241.60	\$5,271.98	

1. Schedule of Commodity Rates
& Quarterly Service Charge

January 1, 2027

Cubic Meters per quarter

All Water consumption	\$8.66
Quarterly Service Charge	\$31.36

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 Customers**

Meter Size	Group Capacity Ratio	Water Included Cubic Meters	Customer Service Charge	Water Commodity Charge	Water Charge	Total Quarterly Minimum
5/8 inch	1	14	\$31.36	\$121.24	\$152.60	
3/4 inch	2	28	\$31.36	\$242.48	\$273.84	
1 inch	4	56	\$31.36	\$484.96	\$516.32	
2 inch	25	350	\$31.36	\$3,031.00	\$3,062.36	
3 inch	45	630	\$31.36	\$5,455.80	\$5,487.16	

The Following Clauses Take Effect January 1, 2024

3. Service To Customers Outside Utility's Limits

The Council of the Rural Municipality of Lac du Bonnet may sign Agreements with customers for the provision of water services to properties located outside the boundaries of Brookfield Water Utility. 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 Brookfield Water Utility boundaries. In addition, all costs of connecting to the Utility's mains, and installing and maintaining service connections, will be paid by the customer.

4. 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.

5. Disconnection and Reconnection

The Municipality shall charge a fee as shown below for a re-connection or a disconnection of a service, if requested by a customer.

Service may be interrupted or disconnected as follows:

Curb Stop Turn-off	\$50.00
Curb Stop Turn-on	\$50.00

Customers will continue to receive their water billing, even if the curb stop has been turned off

Meter Removal (includes cost for curb stop turn off)	\$300.00
Re-installation of Meter (includes cost for curb stop turn on)	\$150.00

Customers will not receive quarterly water billings until the meter has been re-installed and the curb stop has been turned on

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 due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$300.00 have been paid.

6. Liability for Charges

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

7. Water Meters

Water meters are owned by the Municipality but are the responsibility of the utility customer to maintain. If the water meter is broken, frozen, etc., the utility customer will be billed for a new meter at the current cost of replacement.

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 and the customer's account will be adjusted for the preceding four (4) months. 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. 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 Supervisor, or other employee authorized by the Municipality in the absence of the Public Works Supervisor, 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.