

# RURAL MUNICIPALITY OF LAC DU BONNET

## UTILITY RATE Bylaw

### By-Law No. 4-17

*Being a by-law of the Rural Municipality of Lac du Bonnet to establish Water and Wastewater Rates for the Rural Municipality's utility; and to repeal By-Law 4-15.*

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 Section 232 (1) and (2) of the "Municipal Act", S.M. 1996, c. 58, provides in part as follows:

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;

AND WHEREAS it is deemed advisable to provide rates for January 1, 2019, 2020 and 2021 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:

- i) 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.
- ii) 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.
- iii) THAT no person, other than the Fire Chief or someone acting on his/her behalf, or a representative of the Rural Municipality of Lac du Bonnet 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.
- iv) 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.
- v) 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.
- vi) THAT any person violating any provision of this by-law shall:
  - a) 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;
  - b) 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.

vii) This by-law and rates for January 1, 2019, 2020 and 2021 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.

viii) THAT By-law No. 4-15 be repealed as of January 1, 2019 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 14th day of May, 2019.



Loren Schinkel, Reeve



Cameron Bell, Chief Administrative Officer

Read a First Time: February 28, 2017

Read a Second Time: May 14, 2019

Read a Third Time: May 14, 2019

Resolution # 2017 103

Resolution # 2019 0124

Resolution # 2019 0125

THE RURAL MUNICIPALITY OF LAC DU BONNET

Schedule "A" By-Law 4-17

Year 2019

1.0 SCHEDULE OF QUARTERLY RATES

A schedule of rates per cubic meter (m<sup>3</sup>) per quarter

Commodity Rates	<u>Water</u>	<u>Wastewater</u>	<u>Water &amp; Wastewater</u>
Domestic	\$4.13	\$1.91	\$6.18
Quarterly Service Charge	\$30.29		

2.0 MINIMUM QUARTERLY CHARGES

Notwithstanding the Commodity Rates set forth in paragraph 1.0 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

i) Water and Wastewater Customers

<u>Meter Size</u>	<u>Group Capacity Ratio</u>	<u>Water Included, m<sup>3</sup></u>	<u>Customer Service Charge</u>	<u>Commodity Charges</u>		<u>Total Quarterly Minimum</u>
				<u>Water</u>	<u>Wastewater</u>	
5/8 inch	1	14	\$30.29	\$57.82	\$26.74	\$114.85
¾ inch	2	28	\$30.29	\$115.64	\$53.48	\$119.41
1 inch	4	56	\$30.29	\$231.28	\$106.96	\$368.53
1 ½ inch	10	140	\$30.29	\$578.20	\$267.40	\$875.89
2 inch	25	350	\$30.29	\$1,445.50	\$668.50	\$2,144.29

ii) Water Only Customers:

Total quarterly minimum charges will be the same as shown above for each meter size; however, the wastewater commodity charge will be excluded.

iii) Wastewater Only Customers (unmetered):

Total Quarterly Minimum charges will be based on the average residential water consumption of 53 cubic meters plus the service charge; however, the water commodity charge will be excluded.

iv) Tanco Crescent RM Customers (unmetered)

The annual commodity charge, based on the average quarterly residential water consumption of 53 cubic meters, plus the service charge (which shall be charged one time only), shall be:

$$\$30.29 + (53\text{m}^3 \times 4 \times 1.91) = \$435.21$$

**Year 2020**

**1.0 SCHEDULE OF QUARTERLY RATES**

A schedule of rates per cubic meter (m<sup>3</sup>) per quarter

Commodity Rates	<u>Water</u>	<u>Wastewater</u>	<u>Water &amp; Wastewater</u>
Domestic	\$4.21	\$2.02	\$6.30
Quarterly Service Charge	\$30.90		

**2.0 MINIMUM QUARTERLY CHARGES**

Notwithstanding the Commodity Rates set forth in paragraph 1.0 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

**i) Water & Sewer Customers**

<u>Meter Size</u>	<u>Group Capacity Ratio</u>	<u>Water Included, m<sup>3</sup></u>	<u>Customer Service Charge</u>	<u>Commodity Charges</u>		<u>Total Quarterly Minimum</u>
				<u>Water</u>	<u>Wastewater</u>	
5/8 inch	1	14	\$30.90	\$58.94	\$28.28	\$118.12
¾ inch	2	28	\$30.90	\$117.88	\$56.56	\$205.34
1 inch	4	56	\$30.90	\$235.76	\$113.12	\$379.78
1 ½ inch	10	140	\$30.90	\$589.40	\$282.80	\$903.10
2 inch	25	350	\$30.90	\$1,473.50	\$707.00	\$2,211.40

**ii) Water Only Customers:**

Total Quarterly Minimum charges will be the same as shown above for each meter size; however, the wastewater commodity charge will be excluded.

**iii) Wastewater Only Customers: (unmetered)**

Total Quarterly Minimum charges will be based on the average residential water consumption of 53 cubic meters plus the service charge; however, the water charge will be excluded.

**iv) Tanco Crescent RM Customers: (unmetered)**

The annual commodity charge, based on the average quarterly residential water consumption of 53 cubic meters, plus the service charge (which shall be charged one time only), shall be:

$$\$30.90 + (53\text{m}^3 \times 4 \times \$2.02) = \$459.14$$

**Year 2021**

**1.0 SCHEDULE OF QUARTERLY RATES**

A schedule of rates per cubic meter (m<sup>3</sup>) per quarter

Commodity Rates	<u>Water</u>	<u>Wastewater</u>	<u>Water &amp; Wastewater</u>
Domestic	\$4.29	\$2.13	\$6.42
Quarterly Service Charge	\$31.52		

**2.0 MINIMUM QUARTERLY CHARGES**

Notwithstanding the Commodity Rates set forth in paragraph 1.0 hereof, all customers will pay the applicable minimum charges set out below, which will include water allowances indicated:

**i) Water & Sewer Customers**

<u>Meter Size</u>	Group Capacity <u>Ratio</u>	Water Included, <u>m<sup>3</sup></u>	Customer Service <u>Charge</u>	<u>Commodity Charges</u>		Total Quarterly <u>Minimum</u>
				<u>Water</u>	<u>Wastewater</u>	
5/8 inch	1	14	\$31.52	\$60.06	\$29.82	\$121.40
¾ inch	2	28	\$31.52	\$120.12	\$59.64	\$211.28
1 inch	4	56	\$31.52	\$240.24	\$119.28	\$391.04
1 ½ inch	10	140	\$31.52	\$600.60	\$298.20	\$930.32
2 inch	25	350	\$31.52	\$1,501.50	\$745.50	\$2,278.52

**ii) Water Only Customers:**

Total Quarterly Minimum charges will be the same as shown above for each meter size; however, the wastewater commodity charge will be excluded.

**iii) Wastewater Only Customers (unmetered):**

Total Quarterly Minimum charges will be based on the average residential water consumption of 53 cubic meters plus the service charge; however, the water commodity charge will be excluded.

**iv) Tanco Crescent RM Customers (unmetered):**

The annual commodity charge, based on the average quarterly residential water consumption of 53 <sup>cubic</sup> meters, plus the service charge (which shall be charged one time only), shall be:

$$\$31.52 + (53\text{m}^3 \times 4 \times \$2.13) = \$483.08$$

### **3.0 WATER AND WASTEWATER CONNECTIONS**

- i) 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 \$750.00. The assessed amount shall be paid as a lump sum fee.
- ii) 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 \$350.00. The assessed amount shall be paid as a lump sum fee.
- iii) 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.
- iv) 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 wastewater main and to pay all charges. Conditions on Town property to be returned to its original state as before wastewater line installations.
- v) 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.
- vi) 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.
- vii) A service charge of Twenty-Five (\$25.00) Dollars shall be paid before any water is turned on and shall be the responsibility of the owner.

### **4.0 HYDRANT CHARGES**

The Rural Municipality of Lac du Bonnet will pay to the utility an annual rental fee of \$100.00 for each hydrant connected to the system which shall include the cost of water used firefighting.

### **5.0 SERVICES / RATES TO CUSTOMERS LOCATED OUTSIDE THE LIMITS OF THE TOWN OF LAC DU BONNET**

- i) 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;
  - a) An appropriate rate as set out in paragraph 1.0 and 2.0 hereof, based on the units allotted to the services;
  - b) All costs of constructing and maintaining all connection pipes and other items required to allow service to be used;
  - c) 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 connection.
- ii) 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.
  - a) The Utility rates set forth in paragraph 1.0 and 2.0 hereof;
  - b) 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.
- iii) The above levies are due and payable July 1st of the year in which they are levied.

## **6.0 BILLINGS AND PENALTIES**

- i) All water and wastewater accounts shall be billed at the end of each quarter and the due date shall be at least 14 days after the mailing of the bills.
- ii) All Tanco Crescent - Wastewater Only Customers will be billed annually as per schedule "A"
- iii) Bills will be due and payable as per due date as stated on the bills presented. A late payment penalty of 1.25% per month will apply on late payments.

## **7.0 DISCONNECTION**

The Public Utilities Board has approved the conditions precedent to be followed by the Rural Municipality of Lac du Bonnet 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 condition's precedent is available for inspection at the Rural Municipality's Office.

## **8.0 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 Rural Municipality (i.e. 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.

## **9.0 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.

## **10.0 METER TESTING**

That in any case where a utility customer requests that a meter be tested for accuracy the customer will provide the Rural Municipality with a deposit of \$100.00. The Rural 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 Rural 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.

## **11.0 AUTHORIZATION FOR OFFICERS TO ENTER PREMISES**

The Public Works Manager and/or designate may be authorized by the Rural Municipality in the absence of the Public Works Manager, shall be authorized to enter upon any premise for the purpose of:

- i) affixing to any pipe, wire, or apparatus connected with any such utility, a meter of any other measuring or testing device;
- ii) taking readings from, repairing, inspecting, or removing any meter or apparatus belonging to the Rural Municipality

## **12.0 WASTEWATER SURCHARGE**

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

### **13.0 WATER ALLOWANCE 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 of the billings for the last two previous quarters to the same customer, or to the same premises if the occupant has changed.