

Rural Municipality of Grey

By-Law No. 08-2019

BEING A BY-LAW OF THE RURAL MUNICIPALITY OF GREY TO ESTABLISH WATER AND WASTEWATER RATES FOR THE ST. CLAUDE UTILITY.

WHEREAS the Rural Municipality of Grey has undertaken a water and wastewater rate study for the St. Claude Utility that indicates water and wastewater 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 matter:

- 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 April 1, 2020, January 1, 2021 and January 1, 2022 and thereafter to be paid by persons to whom water and wastewater collection is supplied by the St. Claude Utility and to provide for the collection thereof;

NOW THEREFORE the council of the Rural Municipality of Grey in session duly assembled, hereby enacts a by-law as follows:

- 1) THAT all accounts for minimum quarterly charges for metered services for the St. Claude Utility 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 Utility at the rates and terms set out in Schedule "A" attached hereto and forming part of the by-law.
- 2) THAT the Rural Municipality of Grey 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 Grey 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 Grey's St. Claude 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 willfully or maliciously hinder or cause to hinder the Rural Municipality of Grey or its representative in the exercise of their duties in relation to the operation and maintenance of the water or wastewater 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 Grey 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 the persons, or add the cost to property taxes and collect those property taxes in the same manner as other property taxes.
- 7) THIS by-law and rates for April 1, 2020 January 1, 2021 and January 1, 2022 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 05/2019 be repealed as of April 1, 2020 and upon final approval of this By-law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED BY THE RURAL MUNICIPALITY OF GREY IN COUNCIL DULY ASSEMBLED THIS 4TH DAY OF MARCH, 2020


Reeve


Chief Administrative Officer

Read a first time this 19th day of June, A.D.2019.

Read a second time this 4th day of March, A.D. 2020.

Read a third time this 4th day of March, A.D. 2020.

**RURAL MUNICIPALITY OF GREY
ST. CLAUDE WATER AND WASTEWATER UTILITY
WATER & WASTEWATER UTILITY RATES BY-LAW NO.
SCHEDULE "A" SCHEDULE OF QUARTERLY RATES**

1. Schedule of Commodity Rates &
Quarterly Service Charge
Rates per 1,000 Gallons

April 1, 2020

1,000 Gallons per quarter

Water	Wastewater	Water & Wastewater
\$15.00	\$5.15	\$20.15
Quarterly Service Charge		\$34.15

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**

Meter Size	Water Included Gallons	Customer Service Charge	Water Commodity Charge	Wastewater Commodity Charge	Water & Wastewater Total Quarterly Minimum
5/8 inch	3,000	\$34.15	\$45.00	\$15.45	\$94.60
3/4 inch	6,000	\$34.15	\$90.00	\$30.90	\$155.05
1 inch	12,000	\$34.15	\$180.00	\$61.80	\$275.95
1 1/2 inch	30,000	\$34.15	\$450.00	\$154.50	\$638.65
2 inch	75,000	\$34.15	\$1,125.00	\$386.25	\$1,545.40

b) **Water Only Customers**

The minimum charge will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

c) **Wastewater Only for Residential Customers**

The wastewater only charge is based on average quarterly consumption of 9,000 gallons plus the quarterly customer service charge.

The quarterly charge for wastewater only customers is $(9 * \$5.15) + \$34.15 = \$80.50$

d) **Bulk Water Sales**

All water sold in bulk by the St. Claude Water and Wastewater Utility shall be charged for at the rate of \$17.00 per 1,000 gallons.

1. Schedule of Commodity Rates &
Quarterly Service Charge
Rates per 1,000 Gallons

January 1, 2021

1,000 Gallons per quarter

Water	Wastewater	Water & Wastewater
\$15.67	\$5.78	\$21.45
Quarterly Service Charge		\$33.34

3. 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

Meter Size	Water	Customer	Water	Wastewater	Water & Wastewater
	Included Gallons	Service Charge	Commodity Charge	Commodity Charge	Total Quarterly Minimum
5/8 inch	3,000	\$33.34	\$47.01	\$17.34	\$97.69
3/4 inch	6,000	\$33.34	\$94.02	\$34.68	\$162.04
1 inch	12,000	\$33.34	\$188.04	\$69.36	\$290.74
1 ½ inch	30,000	\$33.34	\$470.10	\$173.40	\$676.84
2 inch	75,000	\$33.34	\$1,175.25	\$433.50	\$1,642.09

b) Water Only Customers

The minimum charge will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

c) Wastewater Only for Residential Customers

The wastewater only charge is based on average quarterly consumption of 9,000 gallons plus the quarterly customer service charge.

The quarterly charge for wastewater only customers is $(9 * \$5.78) + \$33.34 = \$85.36$

d) Bulk Water Sales

All water sold in bulk by the St. Claude Water and Wastewater Utility shall be charged for at the rate of \$18.00 per 1,000 gallons.

1. Schedule of Commodity Rates & Quarterly Service Charge
Rates per 1,000 Gallons

January 1, 2022

1,000 Gallons per quarter

Water	Wastewater	Water & Wastewater
\$16.34	\$6.40	\$22.74

Quarterly Service Charge \$32.52

4. 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

Meter Size	Water	Customer	Water	Wastewater	Water & Wastewater
	Included Gallons	Service Charge	Commodity Charge	Commodity Charge	Total Quarterly Minimum
5/8 inch	3,000	\$32.52	\$49.02	\$19.20	\$100.74
3/4 inch	6,000	\$32.52	\$98.04	\$38.40	\$168.96
1 inch	12,000	\$32.52	\$196.08	\$76.80	\$305.40
1 ½ inch	30,000	\$32.52	\$490.20	\$192.00	\$714.72
2 inch	75,000	\$32.52	\$1,225.50	\$480.00	\$1,738.02

b) Water Only Customers

The minimum charge will be the same for each meter size as shown above but the Wastewater Commodity Charge will be excluded.

c) Wastewater Only for Residential Customers

The wastewater only charge is based on average quarterly consumption of 9,000 gallons plus the quarterly customer service charge.

The quarterly charge for wastewater only customers is $(9 * \$6.40) + \$32.52 = \$90.12$

d) Bulk Water Sales

All water sold in bulk by the St. Claude Water and Wastewater Utility shall be charged for at the rate of \$19.00 per 1,000 gallons.

The following clauses take effect April 1, 2020:

3. Service To Customers Outside Utility's Limits

The Council of the Rural Municipality of Grey may sign Agreements with customers for the provision of water and wastewater services to properties located outside the boundaries St. Claude Water and Wastewater 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 St. Claude Water and Wastewater 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. Water and Wastewater Turn On/Turn Off

Each customer applying for water turn on or turn off of service during any quarter shall pay the proportionate part of the current minimum quarterly charge. In all cases any excess water used will be charged at the rates set forth under Commodity Rates.

Any customer is allowed one turn on and one turn off per calendar year at no cost. Any turn on or turn off after the first one in a calendar year will be charged a turn on or turn off fee of \$25 each time thereafter.

6. 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 due to non-payment of account shall not be reconnected until all arrears, penalties and a reconnection fee of \$50.00 have been paid.

7. Liability for Charges

Pursuant to Section 252 (2) of the Municipal Act, the amount of all outstanding charges for water and wastewater 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

8. Hydrant Charges

The Rural Municipality of Grey Fire Department, or any other hydrant owner, will pay to the Utility a fee of \$125 per hydrant for the purpose of maintaining and repairing all fire hydrants connected to the system which shall include the cost of water used for firefighting.

9. Lagoon Tipping Fees

Fees may be charged for dumping sewage in the St. Claude Lagoon at the rate of \$20 per load.

10. 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.

11. 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.

12. Water Meters

The Utility shall provide water meters to customers. Ownership, inspection and maintenance of the meters will remain the responsibility of the utility system.

Customers are responsible for ensuring that water meters are located in a safe, dry, heated space. Failure to do so, that causes damage to the water meter, will result in the customer being responsible for the cost of replacing or repairing the water meter.

13. Water 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 recording water flows more than 3% in excess of actual flows, 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 six (6) months. If the meter is found to be in proper working order the deposit will be retained by the Municipality.

14. Change in Meter Size

A customer may, upon application to the Municipality, be granted a change in water meter size so as to more accurately reflect the required consumption of water throughout the year. However, if for some reason that same customer applies for a reversal involving a water meter change back to the original size, that customer then must pay for all costs pertaining to the reversal plus a fee of \$25.00.

15. Meter Reading

Every customer of the Rural Municipality of Grey – St. Claude water and wastewater utility will be responsible for reading their own water meter up to three (3) times each year upon notice at the end of the applicable billing quarter, and will be responsible to provide the meter reading to the municipal office. If the Municipality is unable to access and read the meter within an appropriate time period, an estimate of the water consumption will be made and the customer will be charged a \$10.00 estimating fee.

16. New Utility Service Connections

- a. The applicant for new service connections is liable for a fee set from time to time by resolution of Council to be applied to the costs of inspecting and recording the new services.
- b. Only contractors licensed or otherwise approved by the Municipality are permitted to work within the limits of the Municipality's road allowances.

17. 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.

18. Conditions of Disrepair

In the event that there are conditions of disrepair in the wastewater and 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.

19. Authorization For Officer To Enter Upon Premises

The Utility personnel, or other employee authorized by the Municipality in the absence of the Utility Personnel, 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.