

## **R.M. of Brokenhead**

### **BY-LAW NO. 2114-12**

Being a by-law of the Rural Municipality of Brokenhead to provide for the establishment of a schedule of water and sewer rates for the properties within the municipality known as LID #1, which shall provide for payment of the appropriate rates;

**AND WHEREAS** under section 252 of the Municipal Act, R.S.M. 1996, C. 58, empowers a municipality, subject to the approval of the Public Utilities Board, to pass By-Laws to establish the amounts to be charged for the use of any sewer or for the sale and supply of water supplied to a customer and to make regulations with regard to the collecting of amounts charged and the adding of penalties to charges in arrears and for the enforcing the regulations by cutting off the supply to the person offending the service and generally deemed necessary in matters connected with the carrying on of such a utility;

**AND WHEREAS** it is deemed expedient and in the best interests of the Rural Municipality of Brokenhead on behalf of the communities of Garson/Tyndall/Henryville known as LID #1 that a reasonable rate be set and levied for maintenance and operation against those utilizing the services of the Water Distribution and Sewer Collection System regulating the time or times and manner that such rental rates shall be paid;

**NOW THEREFORE**, the Council of the Rural Municipality of Brokenhead, duly assembled, hereby, enacts as follows;

- (1) THAT the Rural Municipality of Brokenhead shall charge the rates set out in Schedule "A" hereto annexed to all owners or occupiers of land within the municipality connected to the water system or the sewer system in the communities of Garson/Tyndall/Henryville known as LID #1.
- (2) THAT each consumer connected to the system shall be charged the minimum quarterly charge set out in Schedule "A" paragraph 2 based upon the meter size for the service to that customer, payable in advance together with the commodity rates in accordance with the said Schedule paragraph 1. for consumption through that meter in excess of the consumption included in the quarterly minimum charge for the previous quarter.
- (3) THAT each consumer connected to the sewer system but not connected to the water system shall pay a flat rate per year as set out in Schedule "A".
- (4) THAT the aforesaid rates be calculated and levied on the basis of a cubic metre unit.
- (5) THAT the water and sewer rates be effective on April 1, 2013.

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- (6) THAT the service charge provided for herein shall be payable quarterly in advance. Customers shall pay for water and sewer at the rates and terms set out in Schedule "A" attached hereto and forming part of this By-Law;
- (7) THAT no person, other than the Fire Chief or someone acting on his behalf, or a representative of the Rural Municipality of Brokenhead unless duly authorized in writing by the Municipality, shall open or use any fire-hydrant.
- (8) THAT no person shall willfully or maliciously hinder or cause to hinder The Rural Municipality of Brokenhead or its members in the exercise of their duties in relation to the operation and maintenance of the water and sewer systems.
- (9) THAT the water meter and shut-off valve inside the premises 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 by-pass 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 the occupant to the water service pipes from the street to the premises including the meter shall be the responsibility of the owner or occupant.
- (10) THAT any person violating any provisions of this by-law shall:
  1. be guilty of an offense and upon conviction thereof, liable to a fine not exceeding two hundred dollars (\$200.00) and costs for each violation.
  2. be liable to the Rural Municipality of Brokenhead for any expense suffered by the municipality as a result of the violation.
  3. be liable for the repairs and costs of repairs to the systems as a result of the violation. If that person is in the default of effecting the repairs and charge the cost thereof to that person, or add the cost to the taxes and collect the same in the same manner as ordinary taxes.
- (11) THAT this By-Law will be effective on, from and after both approval by the Public Utilities Board and receipt of third and final reading thereof.

**AND THEREFORE BE IT RESOLVED** that the Rural Municipality of Brokenhead By-law No. 2034-06 is hereby rescinded.

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**DONE AND PASSED** as a by-law of The Rural Municipality of Brokenhead in the Province of Manitoba this 26<sup>th</sup> day of March, 2013.

*Glen Dudeck*

Reeve Glen Dudeck

*Christine Hutlet*

Chief Administrative Officer

Read a first time this 26<sup>th</sup> day of June, A.D. 2012.

Read a second time this 26<sup>th</sup> day of March, A.D. 2013.

Read a third time this 26<sup>th</sup> day of March, A.D. 2013.

For: 4

Against: 1

## PROPOSED SCHEDULE "A" TO BY-LAW: 2114-12

### Year 2013

#### 1.0--SCHEDULE OF QUARTERLY RATES

A schedule of rates per cubic metre per quarter

|                             | <u>Water</u> | <u>Sewer</u> | <u>Water &amp; Sewer</u> |
|-----------------------------|--------------|--------------|--------------------------|
| <b>2013 Commodity Rates</b> | \$2.88       | \$0.50       | \$3.38                   |
| <b>2014 Commodity Rates</b> | \$2.91       | \$0.46       | \$3.37                   |
| <b>2015 Commodity Rates</b> | \$2.95       | \$0.42       | \$3.37                   |

#### 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:

a) Water & Sewer Customers (metered)

#### 2013

| Meter <u>Size</u> | Group Capacity <u>Ratio</u> | Water Included <u>cu m</u> | Customer Service <u>Charge</u> | <u>Commodity Charges</u> |              | Total Quarterly <u>Minimum</u> |
|-------------------|-----------------------------|----------------------------|--------------------------------|--------------------------|--------------|--------------------------------|
|                   |                             |                            |                                | <u>Water</u>             | <u>Sewer</u> |                                |
| 5/8"              | 1                           | 14                         | \$14.56                        | \$40.32                  | \$7.00       | \$61.88                        |
| 3/4"              | 2                           | 28                         | \$14.56                        | \$80.64                  | \$14.00      | \$109.20                       |
| 1"                | 4                           | 56                         | \$14.56                        | \$161.28                 | \$28.00      | \$203.84                       |
| 1 1/2"            | 10                          | 140                        | \$14.56                        | \$403.20                 | \$70.00      | \$487.76                       |
| 2 1/2"            | 25                          | 350                        | \$14.56                        | \$1,008.00               | \$175.00     | \$1,197.56                     |

#### 2014

| Meter <u>Size</u> | Group Capacity <u>Ratio</u> | Water Included <u>cu m</u> | Customer Service <u>Charge</u> | <u>Commodity Charges</u> |              | Total Quarterly <u>Minimum</u> |
|-------------------|-----------------------------|----------------------------|--------------------------------|--------------------------|--------------|--------------------------------|
|                   |                             |                            |                                | <u>Water</u>             | <u>Sewer</u> |                                |
| 5/8"              | 1                           | 14                         | \$15.00                        | \$40.74                  | \$6.44       | \$62.18                        |
| 3/4"              | 2                           | 28                         | \$15.00                        | \$81.48                  | \$12.88      | \$109.36                       |
| 1"                | 4                           | 56                         | \$15.00                        | \$162.96                 | \$25.76      | \$203.72                       |
| 1 1/2"            | 10                          | 140                        | \$15.00                        | \$407.40                 | \$64.40      | \$486.80                       |
| 2 1/2"            | 25                          | 350                        | \$15.00                        | \$1,018.50               | \$161.00     | \$1,194.50                     |

**2015**

| Meter <u>Size</u> | Group Capacity <u>Ratio</u> | Water Included <u>cu m</u> | Customer Service <u>Charge</u> | <u>Commodity Charges</u> |              | Total Quarterly <u>Minimum</u> |
|-------------------|-----------------------------|----------------------------|--------------------------------|--------------------------|--------------|--------------------------------|
|                   |                             |                            |                                | <u>Water</u>             | <u>Sewer</u> |                                |
| 5/8"              | 1                           | 14                         | \$15.45                        | \$41.30                  | \$5.88       | \$62.63                        |
| 3/4"              | 2                           | 28                         | \$15.45                        | \$82.60                  | \$11.76      | \$109.81                       |
| 1"                | 4                           | 56                         | \$15.45                        | \$165.20                 | \$23.52      | \$204.17                       |
| 1 1/2"            | 10                          | 140                        | \$15.45                        | \$413.00                 | \$58.80      | \$487.25                       |
| 2 1/2"            | 25                          | 350                        | \$15.45                        | \$1,032.50               | \$147.00     | \$1,194.95                     |

**3.0 SEWER ONLY CUSTOMERS**

**Connected to Piped System**

All customers connected to the piped sewage collection system but not to the water system, shall pay the quarterly bill based on the service charge plus a flat rate usage of 95 cu.m/quarter for sewer. Quarterly billing is as follows:

| <u>Year</u> | Water Included <u>cu m</u> | Customer Service <u>Charge</u> | Commodity Charges <u>Sewer</u> | Total Quarterly <u>Minimum</u> |
|-------------|----------------------------|--------------------------------|--------------------------------|--------------------------------|
| 2013        | 95                         | \$14.56                        | \$0.50                         | \$62.06                        |
| 2014        | 95                         | \$15.00                        | \$0.46                         | \$58.70                        |
| 2015        | 95                         | \$15.45                        | \$0.42                         | \$55.35                        |

**4.0--WATER AND SEWER CONNECTIONS**

- i) 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.
- ii) All costs for new connections and maintenance thereafter, shall be paid by the customer or developer, as the case may be, and such connections are to be approved by the Council of the Rural Municipality of Brokenhead.
- iii) A service charge of Fifty (\$50.00) Dollars shall be paid before any water is turned on and shall be the responsibility of the owner.

**5.0--HYDRANT RENTALS**

The Rural Municipality of Brokenhead will pay to the utility an annual rental per year for each hydrant connected to the system as per the following:

| <u>Year</u> | Rental Rate <u>per Hydrant</u> |
|-------------|--------------------------------|
| 2013        | \$100.00                       |
| 2014        | \$103.00                       |
| 2015        | \$106.00                       |

## **6.0--RATES TO CUSTOMERS LOCATED OUTSIDE THE LIMITS OF THE RURAL MUNICIPALITY OF BROKENHEAD LID #1**

- a) Customers located outside the Rural Municipality of Brokenhead LID #1 shall be required to sign agreements with the Municipality that sets out the rights and obligations of each party. Such agreements shall provide that the consumer shall pay;
  - i) The appropriate rate as set out in paragraph 1.0 and 2.0 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) And in addition, a surcharge to cover all taxes for utility purposes which they would be required to pay if located in the LID.
- b) That the above levies are due and payable as per the due date established.

## **7.0--BILLING AND PAYMENTS**

- i) All accounts shall be billed after the end of each quarter. Bills will be due and payable as per due date as stated on the bills presented. A penalty as per due date as stated on the bills presented. A penalty of one and one quarter percent per month of the bills shall be charged if not paid by the due date.
- ii) Pursuant to section 252 of the Municipal Act. L.R.M.1996, c. 58, the amount of all outstanding charges, including penalties, for water and sewer service are a lien and charge upon that land, and shall be collected in the same manner in which ordinary taxes on the land are collectable, and with like remedies.
- iii) If any account is not paid within 30 days after the due date, the service may be disconnected without further notice. Any service so disconnected shall not be reconnected until all arrears, penalties and a reconnection fee of One hundred (\$100.00) Dollars has been paid.

## **8.0--WATER METERS**

- i) That all water connections be metered. All residential customers for water shall be metered at customer cost. Ownership, inspection and maintenance of meters will remain the responsibility of the utility system. Commercial meter maintenance will be the responsibility of the utility system but will be billed to the commercial user.

### **Meter Repairs**

- ii) 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 Rural Municipality of Brokenhead within ten (10) days of the demand of same, the water service of the said user may be disconnected. A fee of One hundred (\$100.00) dollars shall be charged for a re-connection of the service disconnected under this paragraph.

## **Meter Testing**

- iii) Any consumer who desires and requests that his/her water meter be tested for accuracy, shall deposit with the Rural Municipality of Brokenhead, the sum of One Hundred (\$100.00) Dollars which will be retained if the, meter, when tested, shall be found to be accurate within allowable limits. The deposit shall be refunded and the consumer's account adjusted for the preceding six month's use if the meter is found to register in excess of the allowable limits..

## **9.0--BULK SALES**

That a said, the rates as shown in the table below, per cubic metre be charged for treated water.

| <u>Year</u> | <u>Truckfill<br/>Rate per m<sup>3</sup></u> |
|-------------|---|
| 2013        | \$2.88                                      |
| 2014        | \$2.97                                      |
| 2015        | \$3.06                                      |

## **10.0 SEWER SURCHARGE**

- 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 mg/L, 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.

## **11.0--BILLINGS**

All accounts for minimum quarterly charges for metered services as set forth in this Schedule of Quarterly rates shall be billed at the end of each quarter together with any excess charges for metered water and sewer services supplied to them at the rates and terms set out in this Schedule.

## **12.0—TRUCKED SEWAGE TO LAGOON**

All customers trucking sewage to the lagoon system, where such sewage has been generated outside of the LID but within the RM of Brokenhead, shall pay the quarterly bill based on the service charge as per By-Law 2075-08, which is summarized below:

*THAT each Septic Hauler registered with the municipality shall be charged on a per load basis of \$15.00/per load for a standard size vacuum truck and \$30.00/per load for a tandem vacuum truck, to be billed monthly.*

By-Law 2075-08 provides specifics on deposits, reports and violations. Sewage generated outside of the RM of Brokenhead shall not be delivered to the lagoon.