

MUNICIPALITY OF GRASSLAND

BY-LAW NO. 46-2020

Being a By-law of the Municipality of Grassland to revise sewer and water rates for the Town of Hartney.

WHEREAS the Municipality of Grassland undertaken a water and sewer rate study for the Hartney Water and Sewer Utility that indicates water and sewer rates require to be increased.

AND WHEREAS the Municipal Act. S.M. 1996, c 58, states in part:

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

- (1) 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 July 1, 2020, January 1, 2021 and January 1, 2022 and thereafter to be paid by persons to whom water and sewer collection is supplied by the Hartney Utility and to provide for the collection thereof;

NOW THEREFORE BE IT AND IT IS HEREBY PASSED AND ENACTED AS A BY-LAW OF THE MUNICIPALITY OF GRASSLAND, IN COUNCIL DULY ASSEMBLED AS FOLLOWS:

- 1. THAT the Municipality of Grassland shall provide, in response to a formal application, install, connect, disconnect, and/or remove a water meter from a premises within the boundaries of the Town of Hartney.

METER SIZE	INSTALLATION	DISCONNECTION	REMOVAL
5/8"	\$40.00	\$25.00	\$10.00
3/4"	\$40.00	\$25.00	\$10.00
1"	\$40.00	\$25.00	\$10.00
1 1/2 "	\$50.00	\$25.00	\$10.00
2"	\$125.00	\$25.00	\$15.00

- Reconnection does not include the reinstallation fee.

- 2. THAT all accounts for minimum quarterly charges for metered services for the Hartney Water and Sewer Utility as set forth in Schedule of Quarterly rates shall be billed quarterly in advance together with any excess charges for metered water and sewer services for the preceding quarter. Consumers shall pay for water and sewer service supplied to them by the Utility at the rates set out in Schedule "A" attached hereto and forming part of this by-law.

- 3. THAT the Municipality of Grassland 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.

- 4. THAT no person other than the Fire Chief or someone acting on his behalf, or a representative of the Town, unless duly authorized in writing by the Chief Administrative Officer, shall open or use and fire hydrant, either for construction purposes, street cleaning or any other purpose.

- 5. THAT the meter and shut-off valve inside the premises serviced with water by the Hartney Water 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 the occupant. Any damage or neglect or otherwise by a contractor for the owner or occupant to the water services pipes from the street or premises, including the meter, shall be the responsibility of the owner or occupant.

- 6. THAT no person shall willfully or maliciously hinder or cause the Municipality of Grassland or its representatives in the exercise of their duties in relation to the operation and maintenance of the water and sewage systems.

7. THAT any person violating any provisions of this by-law shall:

1. Be guilty of an offence and upon conviction be liable to a fine not exceeding five hundred dollars (\$500.00) and costs for each violation.
2. Be liable to the Municipality of Grassland for any expense, loss or damage suffered by the Municipality as a result of the violation.
3. 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 same in the same manner as ordinary taxes.

8. THAT this by-law and rates for July 1, 2020, January 1, 2021 and January 2022 and thereafter, shall come into force and effective on, from and after both approval of the Public Utilities Board of Manitoba and receipt of third and final reading thereof.

9. THAT By-Law No. 932/10 of the Town of Hartney be repealed as of July 1, 2020 and upon final approval of this By-Law by the Public Utilities Board of Manitoba.

PASSED AND ENACTED by the Municipality of Grassland in Council duly assembled this 13th day of July, A.D. 2020.



Reeve



Chief Administrative Officer

Read a first time this 25th day of February, A.D. 2020.

Read a second time this 1~~st~~^{31st} day of July, A.D. 2021.

Read a third time this 1~~st~~^{31st} day of July, A.D. 2021.

21st

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

September 1, 2022

1,000 Gallons per quarter		
Water	Sewer	Water & Sewer
\$19.74	\$5.56	\$25.30
Quarterly Service Charge		
\$25.04		

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 & Sewer Customers**

Group	Capacity	Water	Included	Gallons	Service	Customer		Water		Sewer		Total Quarterly
						Charge	Commodity	Charge	Commodity	Charge	Commodity	
Meter Size	Ratio				Charge						Minimum	
5/8 inch	1		3,000		\$25.04			\$59.22		\$16.68		\$100.94
3/4 inch	2		6,000		\$25.04			\$118.44		\$33.36		\$176.84
1 inch	4		12,000		\$25.04			\$236.88		\$66.72		\$328.64
1 ½ inch	10		30,000		\$25.04			\$592.20		\$166.80		\$784.04
2 inch	25		75,000		\$25.04			\$1,480.50		\$417.00		\$1,922.54

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 sewer only charge is based on average quarterly consumption of 7,000 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is (7 * \$5.56) + \$25.04 = \$63.96

d) **Bulk Water Sales Rate**

All water sold in bulk by the Hartney Utility shall be charged for at the rate of \$23.00 per 1,000 gallons on a pro-rated basis for all quantities greater than 500 gallons. For any quantity of 500 gallons or less the minimum charge will be \$12.00

1. Schedule of Commodity Rates &

Marh 1, 2022

Quarterly Service Charge

Rates per 1,000 Gallons		
1,000 Gallons per quarter		
Water	Sewer	Water & Sewer
\$20.74	\$5.52	\$26.26

Quarterly Service Charge

\$24.73

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 & Sewer Customers**

Group		Water	Customer	Water	Sewer	Water & Sewer
Meter Size	Capacity Included	Gallons	Service Charge	Commodity Charge	Commodity Charge	Total Quarterly Minimum
5/8 inch	1	3,000	\$24.73	\$62.22	\$16.56	\$103.51
3/4 inch	2	6,000	\$24.73	\$124.44	\$33.12	\$182.29
1 inch	4	12,000	\$24.73	\$248.88	\$66.24	\$339.85
1 ½ inch	10	30,000	\$24.73	\$622.20	\$165.60	\$812.53
2 inch	25	75,000	\$24.73	\$1,555.50	\$414.00	\$1,994.23

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 sewer only charge is based on average quarterly consumption of 7,000 gallons plus the quarterly customer service charge.

The quarterly charge for sewer only customers is $(7 * \$5.52) + \$24.73 = \$63.37$

d) **Bulk Water Sales Rate**

All water sold in bulk by the Hartney Utility shall be charged for at the rate of \$24.00 per 1,000 gallons on a pro-rated basis for all quantities greater than 500 gallons. For any quantity of 500 gallons or less the minimum charge will be \$12.00

The following clauses take effect September 1, 2021:

3. Service to Customers Outside Utility's Limits
The Council of The Municipality of Grassland may sign Agreements with customers for the provision of water and sewer services to properties located outside the boundaries of Hartney Local Improvement District. 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 Hartney Local Improvement District boundaries.
4. Billings and Penalties
Accounts shall be billed quarterly based on water used. A late payment penalty charge of 1.25% 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 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 \$25.00 have been paid.
6. Liability for Charges
Pursuant to Section 252 (2) of *The Municipal Act*, the amount of all outstanding charges for water and sewer 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. Hydrant Charges
The Municipality of Grassland, or any other hydrant owner, will pay to the Utility a fee of \$150 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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 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.

13. Conditions of Disrepair

In the event that there are conditions of disrepair in the sewer 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.

14. 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.